



### Daily Subject wise Quiz Day 51 Polity IX (Online Prelims Test)

1) Which of the following statements are incorrect about Article 356

1. It gives the President of India power to suspend state government and impose President's rule in any of the state in the country
2. A proclamation imposing President's Rule approval takes place through simple majority in either House.

Select the correct answer using the codes given below

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : d

#### President Rule

- Article 356 of the Constitution of India gives the President of India power to suspend state government and impose President's rule of any state in the country "if he is satisfied that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution".
- It is also known as 'State Emergency' or 'Constitutional Emergency'.
- Upon the imposition of this rule, there would be no Council of Ministers.
- The state will fall under the direct control of the Union government, and the Governor will continue to head the proceedings, representing the President of India.
- A proclamation imposing President's Rule approval takes place through simple majority in either House.
- A proclamation imposing President's Rule must be approved by both the Houses of Parliament within two months from the date of its issue.
- The approval takes place through simple majority in either House, that is, a majority of the members of the House present and voting.
- Initially valid for six months, the President's Rule can be extended for a maximum period of three years with the approval of the Parliament, every six months.
- A proclamation of President's Rule may be revoked by the President at any time by a subsequent proclamation. Such a proclamation does not require parliamentary approval.

2) Consider the following statements with respect to Financial Emergency

1. A proclamation declaring financial emergency must be approved by Raja Sabha within six months from the date of its issue.
2. Once approved the Financial Emergency continues indefinitely till it is revoked.

Which of the above statements is/are correct?

- a. 1 only

- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : b

## Financial Emergency

- Article 360 empowers the president to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened.
- A proclamation declaring financial emergency must be approved by both the Houses of Parliament within two months from the date of its issue.
- However, if the proclamation of Financial Emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of two months without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it.
- Once approved by both the houses of Parliament, the Financial Emergency continues indefinitely till it is revoked.

3) Consider the following statements with respect to Administration of Union Territories

1. Article 239 to 242 under Part VIII of the Indian Constitution deals with the administration of Union Territories.
2. Every union territory is administered by the President acting through an administrator appointed by him.
3. An administrator of a union territory is an agent of the President and not head of state like a governor.

Which of the statements is/are correct?

- a. 1 & 2 only
- b. 2 & 3 only
- c. 1 & 3 only
- d. All of the above

Answer : d

## Administration of Union Territories

- Article 239 to 242 under Part VIII of the Indian Constitution deals with the administration of Union Territories.
- Every union territory is administered by the President acting through an administrator appointed by him.
- An administrator of a union territory is an agent of the President and not head of state like a governor.
- The President can specify the designation of an administrator; it may be Lieutenant Governor or Chief Commissioner or Administrator.
- The Union Territories of Puducherry (in 1963), Delhi (in 1992) and Jammu and Kashmir (in 2019) are provided with a legislative assembly and a council of ministers headed by a chief minister.
- But, the establishment of such institutions in the union territories does not diminish the supreme control of the President and Parliament over them.
- The Parliament can make laws on any subject of the three lists (including the State List) for the union territories.

4) Which of the following pairs are correct about Commissions and recommendations on Article 356

**Commissions**

**Recommendations**

1. Rajamannar Committee (1971) - Enlisted situations on exercise of power under Article 356.
2. Sarkaria Commission (1988) - Recommended the deletion of Article 356
3. Justice V.Chelliah Commission (2002) - Recommended Article 356 must be used as the last resort
4. Punchhi commission (2007) - Recommended that Articles 356 can be amended.

Select the correct answers using the codes given below

- a. 1 & 2 only
- b. 2 & 3 only
- c. 3 & 4 only
- d. All of the Above

Answer : c

**Commissions and recommendations on Article 356**

- **The Administrative Reforms Commission (1968)** recommended that the report of the governor regarding the President's rule has to be objective and also the governor should exercise his own judgment in this regard.
- **The Rajamannar Committee (1971)** recommended the deletion of Articles 356 and 357 from the Constitution of India.
- The necessary provisions for safeguards against arbitrary action of the ruling party at the Centre under Article 356 should be incorporated in the Constitution.
- **The Sarkaria Commission (1988)** recommended that Article 356 should be used in very rare cases when it becomes unavoidable to restore the breakdown of constitutional machinery in the State.
- **S.R. Bommai Judgment (1994)** - The Supreme Court enlisted the situations where the exercise of power under Article 356 could be proper.
- One such situation is that of 'Hung Assembly', i.e. where after general elections to the assembly, no party secures a majority.
- **Justice V.Chelliah Commission (2002)** recommended that Article 356 must be used sparingly and only as a remedy of the last resort after exhausting all actions under Articles 256, 257 and 355.
- **The Punchhi commission (2007)** recommended that these Articles 355 & 356 be amended. It sought to protect the interests of the States by trying to curb their misuse by the Centre.

5) Which of the following is correct about the effects of Financial Emergency?

1. Reduction of salaries and allowances of all or any class of persons serving in the State.
2. Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State.

Select the correct answers using the codes given below

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer : c

**Effects of Financial Emergency**

- Extension of the executive authority of the Union over the financial matters of the States.
- Reduction of salaries and allowances of all or any class of persons serving in the State.
- Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State.
- Direction from the President for the reduction of salaries and allowances of all or any class of persons serving the Union; and the judges of the Supreme Court and the High Courts.



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