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# General Knowledge

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## Amendments & Article 370

Article 368 : There are three types of amendments in India:

(a) Amendment by Simple Majority like creation of new States.

(b) Amendment by Special Majority. The bulk of the Constitution can be amended in this way.

(c) Amendment by Special Majority by Parliament and ratifications by legislature of half of the state

- Seventh Amendment 1956 : Necessitated on account of reorganization of States on a linguistic basis.
- Twenty first Amendment 1967 : Included Sindhi as the Fifteenth Regional language.
- Forty second Amendment 1976 : Provided supremacy of Parliament and gave primacy to Directive Principles over Fundamental Rights. It also added 10 Fundamental Duties. New words – Socialist, Secular and Unity and Integrity of the Nation, were added in the preamble.
- Forty fourth Amendment 1978 : The Right to Property was deleted from Part III. Article 352 was amended to provide ‘Armed Rebellion’ as one of the circumstances for declaration of emergency.
- Sixty first Amendment 1989 : Reduced the voting age from 21 to 18 years for the LS as well as Assemblies
- Seventy third Amendment 1993 : (Panchayati Raj Bill) Provided among other things Gram Sabha in Villages, constitution of panchayats at the village and other levels, direct elections to all seats in panchayats and reservation of seats for the SC and ST and fixing of tenure of 5 years for panchayats.
- Seventy fourth Amendment 1993 : (Nagarpalika Bill) Provides for, among other things, constitution of three types of municipalities, reservation of seats in every municipality for the SC and ST, women and the backward classes.
- Eighty sixth Amendment 2002 : Makes education a fundamental right for children in the age group of 6 – 14 years
- Ninety first Amendment 2003 : Amended the Anti – Defection Law and also made a provision that the number of ministers in the Central & State Govts, cannot be more than 15% of the strength of Lok Sabha & respected Vidhan Sabha
- Ninety second Amendment 2003 : Bodo, Maithili, Santhali and Dogri added into the VIII Schedule
- 98th Amendment, January 2013 : To insert Article 371J in the Constitution which empower the Governor of Karnataka to take steps to develop the Hyderabad-Karnataka Region

### Separate Constitution of Jammu and Kashmir:

Article 370:

According to this article, except for defence, foreign affairs, finance and communications, Parliament needs the state government’s concurrence for applying all other laws.

Thus the state’s residents live under a separate set of laws, including those related to citizenship, ownership of property, and fundamental rights, as compared to other Indians. As a result of this provision, Indian citizens from other states cannot purchase land or property in Jammu & Kashmir. Under Article 370, the Centre has no power to declare Financial emergency under Article 360 in the state. It can declare emergency in the state only in case of war or external aggression.

The Union government can therefore not declare emergency on grounds of internal disturbance or imminent danger unless it is made at the request or with the concurrence of the state government.