



Mains Practice Question

Q. Account for the legal and political factors responsible for the reduced frequency of using Article 356 by the Union Governments since mid 1990s. (Answer in 250 words, UPSC Mains 2023)

12 Dec, 2023 GS Paper 2 Polity & Governance

Approach:

- Briefly introduce Article 356 and its significance.
- Mention that its use has seen a decline since the mid-1990s and discuss the factors that reduced frequency of its use.
- Conclude with the notion that the reduced usage of Art 356 has strengthened democracy.

Introduction:

Article 356, colloquially referred to as President's Rule, provides power to the union to take direct control of the state machinery in some instances where it believes that the state cannot continue normal functioning as per the provisions of the Constitution.

Body:

While it was believed to be a 'dead letter' that would seldom be used, it has been used more than 100 times in the past. But its usage in the recent past has been drastically reduced due to various political and legal factors.

Factors for reduced frequency

- **S.R Bommai Case:** This iconic case made the use of Article 356 more challenging.
 - It made the decision to impose the Article subject to judicial review and made 'material evidence necessary' to justify President's rule.
 - Finally, it provided the Court with the power to restore the state legislature if it isn't satisfied with the reasoning for the application of the Article in a state.
- **Inter-State Councils:** Their formation made relation between state and center more cordial.
- **Coalition Politics:** With its emergence, the parties at the center had to be more accommodative of the regional parties that were empowering the various other parties at the center.
- **Rise of Regional Parties:** With the rise of strong regional political parties, misuse of Article 356 by the union government became increasingly difficult.

Conclusion:

The reduced usage of Article 356 by application of various political and legal matters has made India a healthier, more federal democracy.

