



## President's Rule in India

**For Prelims:** [President's Rule in Manipur](#), [President's Rule Parliament](#), [High Court, Ordinances](#), [Consolidated Fund of the State](#), [44th Amendment \(1978\)](#), [Judicial Review](#), [The Supreme Court](#), [S.R. Bommai vs. Union of India \(1994\)](#), [Centre-State Relations](#).

**For Mains:** Role of President's Rule in the Indian federal structure, Impact of President's Rule on state autonomy and federalism.

[Source:IE](#)

### Why in News?

The extension of [President's Rule](#) in Manipur has drawn attention to the **historical use of Article 356 across India**, showing how its imposition not only suspends state democracy but also reshapes political power dynamics.

### What is the President's Rule?

- **About: President's Rule** refers to the suspension of a state government and its legislative assembly, placing the state under the direct control of the central government.
  - It is imposed under **Article 356 of the Constitution** in case of **failure of constitutional machinery** in States. President's Rule is also called **State Emergency or Constitutional Emergency**.
  - **The Constitution does not clearly define "failure of constitutional machinery,"** leading to subjective interpretations by the Centre, which can result in misuse.
- **Constitutional Basis:**
  - **Article 355:** Mandates the central government to ensure that states function according to the Constitution.
  - **Article 356:** Allows the President to impose President's Rule if the state government fails to function constitutionally, either on the **Governor's recommendation** or at the **President's discretion**.
  - **Article 365:** If a state does not comply with the Centre's directions, the President can declare that its government cannot function constitutionally.
- **Grounds for Proclamation: The President can impose President's Rule under Article 356 of the Indian Constitution if they are satisfied that the state's governance cannot continue constitutionally, acting either on the Governor's report or on other information or their own discretion**
  - Also, if a state fails to comply with the Centre's directions, President's Rule may be declared.
- **Parliamentary Approval:** The proclamation must be approved by both Houses of [Parliament](#) within two months.
  - If President's Rule is declared when the Lok Sabha is dissolved, or if it dissolves within two

months without approving the proclamation, it remains valid until 30 days after the Lok Sabha reconvenes, provided the Rajya Sabha approves it.

- Approval or extension requires [a simple majority](#) in Parliament (majority of members present and voting).

▪ **Duration:** Initially lasts for six months and can be extended up to three years with Parliament's approval every six months.

- The 44th Amendment Act, 1978 permits extension beyond one year if a National Emergency is in force, or if [Election Commission of India](#) certifies that elections cannot be held.

- For extension beyond three years, a constitutional amendment is required (e.g., 67th and 68th Amendments for Punjab during insurgency).

▪ **Revocation:** The President can revoke President's Rule anytime without parliamentary approval.

▪ **Impacts of President's Rule:**

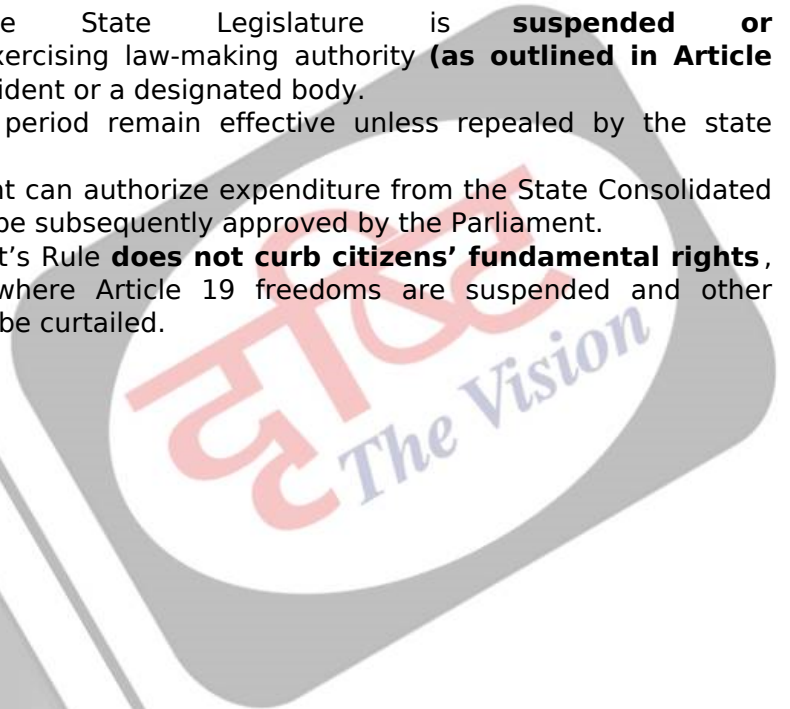
- **Executive Powers:** The President assumes control over state functions, with the **Governor acting on their behalf**, supported by the **Chief Secretary and appointed advisors**.

- **Legislative Powers:** The State Legislature is **suspended or dissolved**, with **Parliament** exercising law-making authority (**as outlined in Article 357**) or delegating it to the President or a designated body.

- Laws made during this period remain effective unless repealed by the state legislature.

- **Financial Control:** The President can authorize expenditure from the State Consolidated Fund, but this expenditure must be subsequently approved by the Parliament.

- **Fundamental Rights:** President's Rule **does not curb citizens' fundamental rights**, unlike a National Emergency where Article 19 freedoms are suspended and other rights (**except 20 and 21**) may be curtailed.



# PRESIDENT'S RULE

## WHAT IT MEANS

### HOW CAN IT BE IMPOSED IN A STATE

- 1 On recommendation of Governor in case of failure of constitutional machinery
- 2 If a state legislature is unable to function according to constitutional provisions



**EXECUTIVE AUTHORITY**  
Exercised through the centrally appointed Governor



**PARLIAMENT'S ROLE**  
Every such proclamation must get Parliament's approval within two months from date of issue

**Article 356**  
of the Indian Constitution has the provision of President's Rule



### DURATION

6 months



A maximum of 3 years by approval of Parliament after every 6 months



### TERMINATION

By President, any time (s)he deems fit; does not need Parliament's approval

### A NEW PROVISION

The 44th Constitutional Amendment 1978 states that the President's Rule can't be imposed in any state beyond 1 year unless

- 1 A Proclamation of National Emergency is in operation
- 2 The Election Commission certifies that the continuance of President Rule is necessary to hold Assembly elections

## Judicial Pronouncements Regarding the President's Rule in India

- **S. R. Bommai Case (1994):** The **Supreme Court** ruled that **Article 356** is subject to [judicial review](#), and the dismissal of a state government must be based on a **floor test**, not merely the **Governor's opinion**.
- **Sarbananda Sonowal Case (2005):** The Supreme Court reinforced the Union's duty under Article 355 to **protect states from external aggression and internal disturbance**.



- **Rameshwar Prasad Case (2006):** The SC condemned the Bihar Assembly's **dissolution** without a floor test and criticized the **political misuse** of **Article 356**, stating it cannot be used to combat **social evils** like defection.

## What Positive Functions Does President's Rule Serve Within India's Federal Structure?

- **Restoration of Constitutional Machinery:** When a state government fails to function as per constitutional provisions, due to breakdown of law and order or failure of governance, **President's Rule ensures continuity of administration.**
  - It acts as a **constitutional safety valve, preventing anarchy** and safeguarding the larger federal framework.
  - **Example:** Imposition of President's Rule in states during communal riots or severe political crises helps prevent a total collapse of governance.
- **Protection of National Integrity and Security:** In situations of **secessionist movements, insurgency, or external threats**, President's Rule allows the Union to directly step in and maintain sovereignty.
  - The Union government, with **wider resources** (Army, CAPF, intelligence agencies), can act decisively, something state governments may not manage effectively.
  - **Example:** Use of **President's Rule in Punjab** during the 1980s helped combat militancy and restore stability.
- **Neutral Administration During Political Deadlock:** In cases of hung assemblies or **mass defections** where no party can prove a majority, President's Rule prevents horse-trading and unstable coalitions.
  - It creates **space for a fresh electoral mandate**, ensuring that governance is not held hostage to political opportunism.
- **Ensuring Uniform Implementation of National Policies:** During emergencies like **natural disasters, pandemics, or economic crises**, President's Rule enables seamless coordination between Union and State.
  - Central control ensures efficient allocation of resources and faster decision-making, bypassing local political tussles.
- **Safeguard Against Corruption and Maladministration: President's Rule acts as a safeguard against corruption, abuse of power, and rights violations in states.**
  - It upholds rule of law, ensures accountability, and reinforces public faith in the Constitution by showing checks and balances against misuse of power.

## What are Concerns Surrounding the Imposition of the President's Rule in India?

- **Risk to Federalism and State Independence:** President's Rule temporarily places a state under central control, which **can disturb the balance of power between the Union and the states**. Frequent impositions may weaken the spirit of cooperative federalism envisaged in the Constitution.
  - It weakens **elected state governments**, allowing the **Centre** to take over **executive** and **legislative** control, diminishing state powers.
- **Potential of Political Misuse for Power:** There is a risk that President's Rule may be **invoked for political advantage rather than genuine governance** crises as reflected in historical examples.
  - State governments are vulnerable to arbitrary intervention when facing internal instability. This political misuse often consolidates **Centre's power** at the expense of regional political entities.
- **Risk of Governance Paralysis: President's Rule delays policy execution** and weakens administration, as state officials now report directly to the **Centre**, leading to **governance paralysis**.
  - Central authorities may lack familiarity with the local socio-economic and cultural context of a state.
  - Policies and programs may not be tailored to regional needs, reducing effectiveness.

- **Governor's Role and the Risk of Partisanship:** The role of the **Governor** in recommending **President's Rule** has been controversial, as evidenced by the **Arunachal Pradesh case (2016)**.
  - The **Punchhi Commission** suggested that Governors should act **independently** and not as **"agents of the Centre"**.

## What Reforms can Ensure Responsible Application of President's Rule in India?

- **Sparing Use of Article 356:** As recommended by the **Sarkaria Commission (1983)**, **Article 356** should be used only as a **last resort** after exhausting all alternatives for resolving a state's **constitutional breakdown**.
  - The definition of **"failure of constitutional machinery"** should be precisely defined to prevent misuse.
- **Localized Emergency Provisions:** The **Punchhi Commission (2010)** suggests **localizing emergency provisions** under **Articles 355 and 356**, allowing **Governor's rule** in specific areas (e.g., districts) for up to **three months**.
- **Detailed Governor's Report:** The **Inter-State Council** suggests that the **Governor's report** should be **detailed** and **explanatory**, and the state should receive a **warning** before **President's Rule** is imposed.
  - A **mandatory floor test should be conducted** to prove the loss of majority before President's Rule is invoked. This ensures democratic accountability and prevents misuse for political purposes.
- **Special Majority for Ratification:** A **special majority** in **Parliament** should be required to ratify the proposal to impose **President's Rule**, ensuring broader **political consensus**.
- **Strengthening Judicial Scrutiny:** The **judiciary's role in reviewing President's Rule must be strengthened**. A mandatory judicial review mechanism should ensure that President's Rule is invoked only when necessary and based on a genuine constitutional breakdown.
- **Encouraging Decentralized Administration:** **Local governance mechanisms** should be strengthened to ensure a balance between **central intervention** and **state autonomy** during **President's Rule**.
- **Timely Elections and Accountability:** **Elections should be held promptly after President's Rule to restore democratic governance and reinstate the people's mandate**.
  - Prolonged President's Rule should be avoided unless genuine circumstances like national security concerns or disasters prevent timely elections.

## Conclusion

President's Rule is a **necessary constitutional safeguard** but its history shows it is equally prone to political misuse. The real challenge lies in striking a balance between central intervention and respect for state autonomy. Strengthening **judicial review**, **mandating floor tests**, and **ensuring timely elections** are key to protecting India's federal spirit.

### ***Drishti Mains Question:***

**Q.** Assess the impact of President's Rule on federalism in India. Discuss the challenges it poses to state autonomy and the democratic process.

## UPSC Civil Services Examination, Previous Year Question (PYQ)

### **Prelims**

**Q.** If the President of India exercises his power as provided under Article 356 of the Constitution in respect of a particular State, then (2018)

(a) the Assembly of the State is automatically dissolved.

(b) the powers of the Legislature of that State shall be exercisable by or under the authority of the Parliament.

(c) Article 19 is suspended in that State.

(d) the President can make laws relating to that State.

**Ans: (b)**

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### **Mains**

**Q.** Under what circumstances can the Financial Emergency be proclaimed by the President of India? What consequences follow when such a declaration remains in force? (2018)

PDF Reference URL: <https://www.drishtiias.com/printpdf/president-s-rule-in-india>

