

## PRESIDENT'S RULE IN INDIA

### What is President's Rule?

President's Rule is a situation where the **state government is suspended** and the **Union Government takes direct control** of the state administration. It is invoked when the **constitutional machinery fails** in a state.

### Constitutional Basis:

- **Article 356** of the Indian Constitution
- Part of **Emergency Provisions (Articles 352–360)**

### Reasons for Imposing President's Rule:

- No **party gets majority** in the state assembly after elections
- **Coalition government collapses** and no alternative is possible
- **Breakdown of law and order** in the state
- **Failure to follow constitutional directions** of the Union
- Based on a **report by the Governor** or **other valid information**

### Process of Imposing President's Rule:

1. **Governor of the state** sends a report to the **President**
2. President, with the advice of the **Union Cabinet**, issues a **Proclamation**
3. Proclamation must be **approved by both Houses of Parliament within 2 months**
4. Initially valid for **6 months**
5. Can be extended **every 6 months up to 3 years** (with conditions)

### Duration:

Term	Condition
First 6 months	Needs approval by both Houses of Parliament
Up to 1 year	Can be extended every 6 months with Parliamentary approval
Beyond 1 year	Only if:
	a) <b>National Emergency</b> is in force, <b>OR</b>
	b) <b>Election Commission certifies</b> that elections are not possible

## Judicial Review: S.R. Bommai Case (1994)

- Supreme Court ruled that **President's Rule is subject to judicial review**
- Centre **cannot misuse Article 356**
- Must prove that **constitutional breakdown** has actually occurred

### Key Features:

Feature	Description
Article	356
Level	State Government
Declared by	President of India
On whose advice?	Union Council of Ministers
Maximum duration	<b>3 years</b> (with conditions)
Approval needed	Parliament approval within <b>2 months</b>
Landmark case	<b>S.R. Bommai v. Union of India (1994)</b>

### Effects of President's Rule:

Impact Area	Effect
State Government	<b>Dismissed</b>
Governor	Becomes <b>real executive authority</b> on behalf of President
State Assembly	<b>Suspended or dissolved</b>
Parliament	Takes over <b>law-making powers</b> for the state