



Governor (Part - II)

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Governor

Part II

Governors Committee (1971)

- Laid down the **responsibility on the Governor to send a regular report** about the political situation of the State to the Centre
 - This may further lead to invoking **Article 356 (President's Rule)**

Recommendations of Important Commissions

- **Administrative Reforms Commission (1968):**
 - **Governor's report regarding Article 356 should be objective**, prepared by his own judgement in this regard
- **Rajamannar Committee (1971):**
 - **Revoke Articles 356 & 357** from the Constitution but keep the necessary provisions against arbitrary action of Centre
- **Sarkaria Commission (1988):**
 - **Article 356 be used in very rare cases**
- **Justice V. Chelliah Commission (2002):**
 - **Article 356 be used only as a remedy of the last resort** after exhausting all actions under:
 - **Articles 256** (executive power of state in compliance with laws made by the Parliament)
 - **Article 257** (executive power of State to not impede executive power of the Union)
 - **Article 355** (State govts. to comply with the provisions of the Constitution)
- **Punchhi Commission (2010):**
 - **Articles 355 & 356 be amended**

Major Issues

- Governor's role in invoking Article 356 - **often misused by the Centre**
- No provisions laid down for **Governor-State Govt. engagement in case of difference of opinion**
- **No constitutional guidelines** for exercise of the Governor's powers
- Negative terms like an **agent of the Centre, puppet and rubber stamps** are often used by state govts. to describe the Governor

Important SC Judgements

- **S.R. Bommai Judgement (1994):**
 - The **breakdown of constitutional machinery implied a virtual impossibility, and not a mere difficulty**, in carrying out governance in a State. Classified failure of constitutional machinery as:
 - **Political crises**
 - **Internal subversion**
 - **Physical breakdown**
 - **Non-compliance** with const. directions of the Union Executive
- **Nabam Rebia Judgement (2016):**
 - The Governor's discretionary power (Article 163) should not be arbitrary, rather **dictated by reason**
- **BP Singhal Case (2010):**
 - President's reasons for removal (Governor) will be **presumed compelling & valid** but if the Governor approaches the Court, **Centre will have to justify its decision**

[Governor \(Part -I\) and \(Part - III\)](#)

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