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**MISUSE OF PRESIDENT’S RULE UNDER ARTICLE 356:
CONSTITUTIONAL SAFEGUARDS AFTER THE BOMMAI JUDGMENT**

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Abstract

²Article 356 of the Indian Constitution defines the presidential power which gives power to impose President’s rule in a state. When the constituency of the state is failed, the president can impose the President’ rule. The actual use of this article is drifted from its original purpose to achieve political need instead of actual emergencies. In past, the central government used this article to remove the state government which is threat to Indian democracy and Federal system. The repeated misuse of the article 356 of the Indian Constitution is created debates in separation of powers between the State and the Centre.

Because of the executive authorities this article became open to misuse the powers, they are having most of the powers in their hand without any rules and regulation.³After the supreme court judgement in the landmark case S.R. BOMMAI v/s UNION OF INDIA (1994), the court established crucial measures by the verdict of the case that decree of President’s Rule needs judicial examination and approval. The landmark case S.R. BOMMAI v/s UNION OF INDIA (1994) shifted the constitutional law; the supreme court verdict is to establish a voting system in the state legislative assembly for the members so they can evaluate the majority. They will not rely on the Governor’s report. The decision stopped the misuse of the power of article 356 and reinforce principles of federalism and which forms the part of the basic framework of constitution.

¹BBA LLB (Hons.), Rashtriya Raksha University.

² Constitution of India, art. 356

³ Drishti IAS, ‘President’s Rule in India’ (23 September 2025) <[Drishti IAS Article](#)>

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The research paper examines the constitutional framework of the article 356 of the Indian Constitution, the study also shows the initial stage of the historical developments and the current stage. The detailed analysis of the study talks about how misuse of this article affected the centre-state relation and democratic governance. The study will show the interpretation of the judge which are in S.R. BOMMAI case.⁴The paper evaluates the post developments of S.R. BOMMAI, whether they succeed in the break off the misuse of article 356 after the BOMMAI judgement and established a judicial safeguard. The research paper examines the problems of intervention of the Governor and Judicial provision while implementing the article 356.

Keywords—*Article 356, President's rule, Constitution of India, Federalism, Centre-State Relations, Misuse of Power, Governor's role, Basic framework, S.R. BOMMAI case.*

Synopsis -

The major focus of the research paper is to examine the function of Article 356 of the Indian Constitution and its misuse. This article has an emergency function which give permission to the government to maintain the law and order in a state of emergency. There are two main purposes of the Article 356 of the Indian Constitution which is actual constitutional emergency and other is political aim to remove the opposition who is controlling the state government.

The research paper highlights the historical background of article 356 of the Indian Constitution, also highlight the instances where the article misused. The paper analyses the impact of the emergency and how it will affect the centre-state relation.

The primary focus of the study is the landmark case S.R. BOMMAI v/s UNION OF INDIA (1994) judgement which changed the interpretation of the article 356 of the Indian Constitution. The supreme court. Further, the study shows post BOMMAI-developments in the article whether the decision made by judicial review is effective or not. The paper concludes with emphasizing the need of strict adherence to constitutional principle and it also suggest reforms to prevent the misuse of the article.

⁴ Shivani A, 'S.R. Bommai v. Union of India: Power of President's Rule Curtailed' (iPleaders, 16 January 2024) <https://blog.ipleaders.in/s-r-bommai-v-union-of-india-power-of-presidents-rule-curtailed/>

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Introduction –

The constitution of India developed federal system with the neat separation of powers.⁵It includes provisions for emergency which enables state governments to follow principles. In India, the president takeover the control when there is a constitutional failure in the state.

Application of article 356 has often been controversial and people started debates. When the politician faces multiple constitutional problems, they created fake constitutional crises and misuse the article. This created arguments about the misuse of power, the weakening of federalism and democratic system failure. The judiciary give best solution for these problems in the verdict of the landmark case S.R. BOMMAI v/s UNION OF INDIA.

⁶The research paper shows how constitutional laws handled the article 356 of the Indian constitution, is talks about the mistakes made in past and how the judiciary controlled the application of article. The study shows whether the misuse of article 356 with the help of judiciary or still in the arbitrary manner.

The research paper analyses the current use and the historical developments of the article 356 of Indian Constitution. ⁷It particularly shows that how this article has been misused in the past and the effects of the landmark Bommai judgement. The study investigates the political practices and judicial interpretations to provide the better understanding of the legal provision and guidelines and suggest measures to ensure the best use of the article.

Research objectives –

- The objective of the research is to investigate federalism in this country is operated by the article 356.

⁵ Neha Uppin, 'A Critical Analysis of Imposition of President's Rule on States and its Impact on Indian Federal Structure' (2024) 12(1) *International Journal of Creative Research Thoughts*<https://www.ijcrt.org/papers/IJCRT2401759.pdf>

⁶ Shruti Rajagopalan and others, 'How Supreme Court Judgment Checked the Misuse of President's Rule (Art 356)' (*Hindustan Times*, 11 March 2024) <https://www.hindustantimes.com/india-news/how-supreme-court-judgment-checked-the-misuse-of-president-s-rule-art-356-101710094868606.html>

⁷ 'S. R. Bommai v. Union of India' *Wikipedia, The Free Encyclopedia*https://en.wikipedia.org/wiki/S._R._Bommai_v._Union_of_India

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- The objective of the research is to analyse how the President's rule is used in history and what are the effects of this rule on democracy of state government.
- The objective of the research is to investigate how the declaration of the President's rule is operated by the authorities including President.
- The objective of the research is to examine the post effects of the landmark judgment.
- The objective of the research is to show how judiciary helps to prevent the misuse and stop the political leaders.
- The objective of the research is to identify the issues and gaps in implementation of the article 356 of the Indian Constitution.
- The objective of the research is to propose reforms ensuring that this article is used for the constitutional purpose only during the actual crises.

Research questions –

- What are the scope and limitation of the article 356 of the Indian Constitution?
- What are the duties of the constitutional authorities including President and Governor in the implementation of the President's rule?
- In S.R. BOMMAI case, what are the principles and safeguards was established by the supreme court?
- What are the continuing complexity and challenges in the article 356 of the Indian Constitution?
- In genuine cases of the emergency or actual constitutional breakdown, what reforms and suggestions can be introduced?

Research methodology –

The research analyses the provision, interprets complex legal principles and judicial reviews that relates article 356 of the Indian constitution.⁸This paper interprets the case laws and the

⁸ Ayushi Rai, 'The Misuse of Article 356: Exploring Proclamation of State Emergency and Its Impact on Indian Federalism' (2024) *Indian Journal of Integrated Research in Law* <https://ijirl.com/wp-content/uploads/2024/02/THE-MISUSE-OF-ARTICLE-356-EXPLORING-PROCLAMATION-OF-STATE-EMERGENCY-AND-ITS-IMPACT-ON-INDIAN-FEDERALISM.pdf>

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constitutional interpretations through the analytical approach of the research. This research talks about how article 356 developed through the period of time.

The sources of this research paper are the Constitution of India, the landmark judgement of S.R. BOMMAI case, law journals, commentaries and online data base or online publications. The research investigates 3 main areas which includes potential for misuse of article 356, interpretation of courts and the historical development of the article 356 of Indian constitution. The research evaluates what are the effects of judicial review on the protective measures.

The constitutional structure of President's Rule –

Article 356 of the Indian Constitution governed the constitutional structure of the President's Rule, which gives mechanism to the central government to intervene in the state problems. It establishes the relation between the federalism and the needs of the central authorities to maintain law and order in the state, in matter of emergency. There are two article which describe the essential constitutional structure, it governs and run the President's rule in India.

Article 356 of the Indian Constitution works in coexistence with article 355 and 365.⁹ These two article creates the legal basis for central government to intervene in the state matters. Under Article 355 of the Indian Constitution, protecting the state and ensure constitutional governance is duty of Union. When state is failed to follow the directives according to the article 365 of the Indian constitution, union can invoke article 356 of the Indian constitution.

Article 356 of the Indian constitution allows the president to take control of a state, if the state fail to maintain law and order failed to follow directives. The state government lost the ability to operate in the state after the emergency now only president can operate in the area. The primary function of this article is to bring back the constitutional governance where it has stopped functioning. While ensuring the governance functioning according to the constitutional requirements, the article maintain the rule of law.

⁹ Varun Kini, 'Misuse of Article 356: An Analysis of President's Rule on State Government and Impact on Indian Federalism' (2024) 2(16) *White Black Legal Law Journal* <https://www.whiteblacklegal.co.in/details/misuse-of-article-356-an-analysis-of-president%E2%80%99s-rule-on-state-government-and-impact-on-indian-federalism-by---varun-kini->

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When the President thinks to declare the emergency under article 356 of the Indian Constitution:

- Constitutional machinery breakdown – ¹⁰The President announces the emergency when they determine that the state doesn't work according to the requirement of the constitution.
- Governor's Report – The president acts on the governor's report which shows that the constitutional structure is collapsed in the state.
- Without the report – If sufficient material exists then president can take presidential actions without any governor's report.
- No majority –The ruling party fail to maintain the majority status during the assembly sessions.
- Instability of Political party – When no political party can establish the majority and fails in making permanent government.
- Violation of provisions – When state violates article 365 of the Indian Constitution, the party is not following the directives of the Union.
- Role of the President – Through article 356 of the Indian Constitution, president has power to function as state government leader with the help of council ministers. President will declare that the power of state given to the parliament. President can make provision for administrative work in the state.
- Role of the Governor – ¹¹It is the constitutional or main head of the state; they submit every report to the President regarding the emergency. However, it is crucial role but sometimes it is very controversial because of the influence of the political party.

To declare the president's rule, it must be approved within two months from the date of its issue and approved by both Rajya Sabha (upper house) or Lok Sabha (lower house). President's rule remain operational till six months and it can be extended for three years in few conditions like a national emergency, or by the election commission till the commencement of the next elections. The President needs parliament approval to impose the President's rule under article 356 of the

¹⁰ 'S. R. Bommai v. Union of India' *Wikipedia, The Free Encyclopedia*https://en.wikipedia.org/wiki/S._R._Bommai_v._Union_of_India

¹¹ Shruti Rajagopalan, Abishek Choutagunta, Christian Bjørnskov and Stefan Voigt, 'How an SC Judgment Checked the Misuse of Article 356' (*Hindustan Times*, 11 March 2024) <https://www.hindustantimes.com/india-news/how-supreme-court-judgment-checked-the-misuse-of-president-s-rule-art-356-101710094868606.html>

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Indian Constitution but for the revocation of this rule, there is no need of the parliamentary approval.

The historical Misuse of the article 356 of the Constitution –

As per the Indian constitution, article 356 is an emergency measure and an important provision. This article is should only used in the crucial and very rare exceptional cases or national security matters. In the Indian Constitution, article 356 is very disputed because it started the to receive more frequent usage than other article or sections.¹²Article 356 of the Indian Constitution served as a mechanism for the union government to handle the actual constitutional emergency. The repeated use of President' rule while political instability, it raises serious concern about the misuse of the powers of executive and it can destroy the federal system which function for division of powers between state and central.

Before the landmark judgement of S.R. BOMMAI v/s UNION OF INDIA, constitutional limitation is not up to the mark because the authorities have full power and decision-making rights which allows them to use the power in arbitrary and unpredictable manner.

In India, the first president rule was imposed in Punjab in 1951.¹³After the first phase of the provision, it starts being used for political purposes. In 1959, the government of Kerala is dismissed by the central government. The people of Kerala hate this decision widely because it is politically motivated decision instead of actual failure. In 1960s and 1970s, this mechanism is being used for dissolving the government and it used repeatedly when there was change in power in central government.

The politically influenced objectives of power merging by the central government official leads to misuse of the article 356 of Indian Constitution. The key political reasons behind the enforcement of the law, which includes:

¹² Government of India, *[Title of the Document]* (March 2025)

<https://cdnbbsr.s3waas.gov.in/s37a68443f5c80d181c42967cd71612af1/uploads/2025/03/202503192075705532.pdf>

¹³ Drishti IAS, 'President's Rule and Federalism in India' (21 February 2025) <https://www.drishtiiias.com/daily-updates/daily-news-editorials/president-s-rule-and-federalism-in-india>

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- The dismissal of the rival political parties or opposition parties by the union government, when there was a change of power in the center.
- The central government shows that the state government lost the majority with the help of Governor's report. Because the state government refused to conduct a floor test.
- ¹⁴Centre creating the dominance with the help of Article 356 of the Indian Constitution.
- Political party instability or party internal conflicts can exaggerate the justification of the commencement of the President's Rule.

The Federal structure and the democratic principle of India faced the severe impact and damages because of the misuse of the article 356 of the Indian Constitution:

- It disrupts the separation of authorities between the Central and State governments, because central misuse of their power to dismiss the state government, which violates the independence of the state government.
- The impact of misuse of power makes democratic values weak and the will of the people by the removal of democratically elected governments without any justification. Centre has to faced public trust problem because of the misuse.
- The political use of the provision violates the Indian Constitution because of the impartiality.
- After the landmark judgement of S.R. BOMMAI v/s UNION OF INDIA the court made the protective measures.

The Judicial Intervention –

The supreme court of India established the protective measures which determines whether the president's rule should be implemented and how it will be implemented. ¹⁵To make federal system and democratic principles strong the judiciary decides to establish major constitutional protection structure after the S.R. BOMMAI judgment (1994). The judgement makes changes in

¹⁴ Neha Uppin, 'A Critical Analysis of Imposition of President's Rule on States and Its Impact on Indian Federal Structure' (2024) 12(1) *International Journal of Creative Research Thoughts* <https://www.ijcr.org/papers/IJCRT2401759.pdf>

¹⁵ Vision IAS, 'S.R. Bommai Judgement (1994)' (15 April 2024) <https://visionias.in/current-affairs/monthly-magazine/2024-04-15/polity-and-governance/sr-bommai-judgement-1994>

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which the officials could misuse the power into a power which requires judicial reviews and constitutional checks.

In 1989, S.R. BOMMAI case arose from the dismissal of Janta dal government in Karnataka, 1989. ¹⁶Based on the governor's report the president imposed the President's rule in the state. Governor's report stated that the state government lost all the majority. The nine judge bench of supreme court gave verdict in 1994 that the power of article 356 of the Indian constitution is not absolute and it needs judicial review. It shows that court will not allow this arbitrary dismissal of the state government.

To govern article 356 of the Indian Constitution Supreme court laid down key rules from the S.R. BOMMAI judgement:

- If the use of power is based on the irrelevant mala fide evidence, then requirement of judicial review is necessary.
- Instead of dependency on Governor's report, the floor test in the legislative assembly is necessary if the state government is losing the majority.
- The court established that secularism is the main function as a fundamental constitutional element which permits the president to impose the President's Rule in a state if they violate principles.
- If the imposition held unconstitutional, then the state government can take power again.

After the S.R. BOMMAI judgement the court introduced the floor test principles. ¹⁷The court emphasised that the question of whether the state government majority must be decided on the floor on legislative assembly not by the influenced report of the Governor. The mechanism was terminated because one report cannot decide the majority of the government. Floor test is an essential procedure established by the supreme court which implement during the time of political instability.

¹⁶ 'Decision of the Supreme Court in S.R. Bommai v. Union of India: A Critique' (1994) 3 SCC (Jour) 1
<https://www.ebc-india.com/lawyer/articles/94v3a1.htm>

¹⁷ Shivani A, 'S.R. Bommai v. Union of India: Power of President's Rule Curtailed' (iPleaders, 16 January 2024)
<https://blog.iplayers.in/s-r-bommai-v-union-of-india-power-of-presidents-rule-curtailed/>

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Post Bommai Judgement –

After the Bommai judgement, the central government become more cautious about the usage of article 356 of the Indian constitution because court start the judicial reviews on their decision. Conducting floor test is now important the government cannot rely on the Governor's report because it is not a stable decision. The development of the constitutional practices increased to protect state government from the dismissal. The supreme court said that Governor's should maintain the legitimacy of the report because now the report will examine by the judicial review. The court taken important measures to safeguard the democratic function of the state government by the people who abusing the constitutional rights.

After the landmark case S.R. BOMMAI v/s UNION OF INDIA established new principles followed by other cases:

- Rameshwar Prasad v/s Union of India (2006)¹⁸ – The supreme court held that the first dissolution is unconstitutional. The supreme court said that the governor's report must present trustworthy evidence to support the report.
- Shivraj singh Chouhan v/s Speaker, Madhya Pradesh legislative assembly (2020)¹⁹ – to determine the majority, supreme court initiated a floor test to reaffirm the importance of floor test principles.
- Harish Chandra Rawat v/s Union of India (2016)²⁰ – In Uttarakhand, the supreme court ordered a floor test to demonstrate judicial commitment to democratic procedure.

The judiciary plays a vital role in protecting the federal system of India by ensuring the article 356 of the Constitution of India is not being misused. The court stops the central government intervention in any arbitrary manner in the federal system. To enhance the focus of constitutional principle instead of political influence the court made the judicial rulings. To improve the democratic structure of and process supreme court established the floor test principles. By stopping excessive power distribution, the judiciary maintains the equal power consolidation

¹⁸ Rameshwar Prasad v Union of India (2006) 2 SCC 1 (SC) <https://indiankanoon.org/doc/79280249/>

¹⁹ Shivraj Singh Chouhan v Speaker, Madhya Pradesh Legislative Assembly (2020) SCC OnLine SC 363 <https://indiankanoon.org/doc/179738554/>

²⁰ Mahima Patel, 'Harish Rawat v. Union of India: Case Analysis' (Scribd) <https://www.scribd.com/document/513104179/190-Mahima-Patel>

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between the central and state governments. The supreme court developed a strong legal framework to control the usage of article 356 of the Indian Constitution.

After the landmark judgment of S.R. BOMMAI v/s UNION of INDIA the court has improved the usage of article 356 of the Indian Constitution. With the help of judicial reviews and constitutional practices they increased the effectiveness of the article 356 of the Indian Constitution. The judiciary developed federalism in the country by ensuring the implementation of President's Rule which follows the standard of the Indian constitution.

Critical analysis –

The evolution of article 356 of the Indian Constitution reflects a tension between the political misuse and constitutional needs. ²¹The S.R. BOMMAI v/s UNION OF INDIA gives a major limitation to arbitrary power, but provision did not stop to create important issues about the actual usage of the President's Rule. After the judgement of S.R. BOMMAI v/s UNION OF INDIA, judicial system established protective boundaries and measures to transform the governmental powers that article 356 of the Indian Constitution. The executive gained powers through the previous system but after the Bommai judgement now some powers are restricted by the authorities.

²²The president's satisfaction functioned as the main authority before the Bommai Judgement. After the judgment, they need to present relevant objectives and evidence which will decrease the influential decision making while ensuring the constitutional discipline. To prevent political leaders from making wrong announcements based on their interests, judicial review can cancel the government decision and bring back the dismissed state government.

To strengthen the legislative supremacy the judicial system reinforced the primacy of the legislature over the executive assessment. This procedure proves the democratic legitimacy of parliament because the functioning of the system needs legislative approval. The Bommai

²¹ Hindustan Times, Shruti Rajagopalan, Abishek Choutagunta, Christian Bjørnskov and Stefan Voigt, 'How an SC Judgment Checked the Misuse of Article 356' (11 March 2024) <https://www.hindustantimes.com/india-news/how-supreme-court-judgment-checked-the-misuse-of-president-s-rule-art-356-101710094868606.html>

²²[Author Name], '[Title of the Article]' (2025) 7(6) *International Journal for Multidisciplinary Research* <https://www.ijfmr.com/papers/2025/6/63456.pdf>

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principles developed into constitutional conventions that now direct both judicial bodies and politicians along with government officials and Governor in the behaviour.

Governor is in more pressure because their report faces the judicial review. Governor should maintain the accountability of the report because this practice limits their ability to make biased decisions and recommendations by the political influence. The supreme court immediately issues the floor test in same serious matters after the Bommai judgement.

The Indian Constitution needs that article 356 only function when actual system collapse through the failure in formation of government, misconduct of State government and breakdown of law enforcement.²³ Political party uses the function of article 356 to remove the opposition parties and manipulate the election results to establish the dominance in the centre these practice leads to misuse of article 356 of the Indian Constitution. Article 356 can only implement with legal protection to practice constitutional ethical standards.

Finding of the Study –

The analysis of the article 356 of the Indian constitution demonstrate the original purpose as an emergency security measure become misused throughout the history because its implement during political crises not in constitutional emergency.²⁴ The article 356 of Indian Constitution used to remove the state government when the central government switched political power, which resulted in the violation of electoral results. The term ‘Failure of constitutional machinery’ doesn’t elaborate the real and clear meaning because it allows different people to understand its meaning according to their own judgement. The S.R. BOMMAI judgement made a new legal framework because it introduced judicial review and mandates the floor tests while restricting executive authority.

The enforcement of Judicial review with the constitutional practices has resulted in a significant decrease in misuse of article 356 of the Indian Constitution. The existing safeguard fails to

²³ Shivani A, ‘S.R. Bommai v. Union of India: Case Analysis’ (iPleaders, 16 January 2024)

<https://blog.iplayers.in/s-r-bommai-v-union-of-india-power-of-presidents-rule-curtailed/>

²⁴ ‘An Analysis of Pre and Post S.R. Bommai Scenario with Reference to President’s Rule in States’ (2017) 6(6) *International Journal of Humanities and Social Science Invention* [https://www.ijhssi.org/papers/v6\(6\)/Version-4/B0606040514.pdf](https://www.ijhssi.org/papers/v6(6)/Version-4/B0606040514.pdf)

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protect the functions of Governor, political influence and delays in judicial process. After the landmark judgement of S.R. BOMMAI v/s UNION OF INDIA the judicial process has improved federalism by distribute powers correctly between the national and state government.

Suggestions and Reforms –

As per the above findings, the article 356 of the Indian constitution requires implementation through these suggested reforms:

- Clear constitutional guidelines – the term ‘failure of constitutional’ must be more polished and defined more accurate through the constitutional amendment or by judicial guidelines.
- Mandatory Floor test – A floor test is very important function to prevent misuse of the President’s Rule. The floor test should become mandatory in all situation where majority doubts.
- Reforms in Governor’s Role –²⁵There should be guidelines for the governor also which protect their ability to function without external or political influence while maintaining the law and order. The report of Governor must be accessible to public.
- Time bound reviews – Court needs to establish a process which is fast and simple in handling the challenges which occurs by the President’s Rule. This will lead to quick decision making.
- Strengthening the parliamentary oversight – The proclamation of article 356 of the Indian Constitution must develop their content to achieve their real democratic oversight.
- Codification of Constitutional Convention –²⁶India should receive formal codification of constitutional convention after the S.R..BOMMAI Judgement which help central authorities to understand their functional requirement.
- Accountability mechanism – The system needs to make procedures which will enable authorities to face penalties when they misuse their power

²⁵ Vision IAS, ‘S.R. Bommai Judgement (1994)’ (15 April 2024) <https://visionias.in/current-affairs/monthly-magazine/2024-04-15/polity-and-governance/sr-bommai-judgement-1994>

²⁶ Shruti Rajagopalan, Abishek Choutagunta, Christian Bjørnskov and Stefan Voigt, ‘How an SC Judgment Checked the Misuse of Article 356’ (*Hindustan Times*, 11 March 2024) <https://www.hindustantimes.com/india-news/how-supreme-court-judgment-checked-the-misuse-of-president-s-rule-art-356-101710094868606.html>

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- Promotion of Cooperative Federalism –The central and state should engage in more to address their differences before considering the implementation of the president’s rule under article 356 of the Indian Constitution.

The effective and successful implementation of these suggested reforms will make article 356 as a safeguard which protect the federal system and democratic values which the constitution of India requires stronger legal definition and enhanced judicial control. These suggestion and reforms prevent misuse of the President’s Rule which political parties uses as their weapon.

Conclusion –

The article 356 of the Indian Constitution of India represents the one of the most controversial provisions in the constitutional framework of India. The emergency mechanism was designed for providing solutions to state during the actual emergency, article 356 of the Indian Constitution is the last solution to handle the constitutional breakdown.²⁷Historical evidence shows that political leaders used the power to dismissed elected governments during the time of political crises, this type of practice damaged the federal system and democratic values of India. During the first decade after independence, the executive used the provision in an arbitrary manner, because there were no constitutional guidelines or rules define the usage of the provision.

Many people believed that governor’s report in under the influential of political leaders which created problem in applying the law fairly. The political system begun to see article 356 as a tool which they can handle for their use and party benefits instead of tool for constitutional safeguard.

²⁸The turning point of the system is landmark judgement of S.R. BOMMAI v/s UNION OF INDIA; the supreme court used this judgement to create the guidelines and restrictions of article 356 of the Indian constitution. To protect federal system and democratic values of the

²⁷ Shruti Rajagopalan, Abishek Choutagunta, Christian Bjørnskov and Stefan Voigt, ‘How an SC Judgment Checked the Misuse of Article 356’ (*Hindustan Times*, 11 March 2024) <https://www.hindustantimes.com/india-news/how-supreme-court-judgment-checked-the-misuse-of-president-s-rule-art-356-101710094868606.html>

²⁸ Varun Kini, ‘Misuse of Article 356: An Analysis of President’s Rule on State Government and Impact on Indian Federalism’ (2024) 2(16) *White Black Legal Law Journal*<https://www.whiteblacklegal.co.in/details/misuse-of-article-356-an-analysis-of-president%E2%80%99s-rule-on-state-government-and-impact-on-indian-federalism-by---varun-kini->

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constitution, the supreme court established judicial control over the declaration of President's Rule while it needs floor test also.

The usage of article 356 of Indian Constitution has improved since post-bommai period because, the arbitrary cases decreased after the landmark judgment. The judges conduct more surveillance on proclamation of the provision for the betterment of accountability. The provision still facing the problem because the definition 'failure of constitutional machinery' has remained unclear.

In conclusion, the article 356 of Indian Constitution is very essential element of the Indian Constitution, implementation of this provision still requires carefully. Constitutional mandate should be preserved while the state government should function freely and independently in their state. The judicial system helped in establishing the protective measures and the S.R. BOMMAI case makes the essential constitutional safeguards. The central authorities should maintain their dedication to save federal system and democratic values of the Indian Constitution.

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