

President's Rule in Manipur 2025, Key Provisions, History & Legal Aspects

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President's Rule in India Latest News

- Manipur was placed under President's Rule on February 13, four days after Chief Minister N. Biren Singh resigned.

- Ongoing ethnic violence between the Meiteis and Kuki-Zo communities since May 2023 and criticism of Singh's handling of the conflict contributed to the crisis. This marks the 11th instance of President's Rule in Manipur, the highest for any state.

President's Rule: Key Provisions and Conditions

• Constitutional Basis

- President's Rule is imposed under **Article 356** in case of the failure of constitutional machinery in a State.
- It allows the President to take over State governance based on the Governor's report or other inputs.

• Powers Under President's Rule

- The State government and Governor's functions are transferred to the Union government.
- The State Assembly's powers are transferred to Parliament.
- The President cannot assume High Court powers.

• Parliamentary Approval and Duration

- The proclamation must be **laid before Parliament** and expires in **two months** unless ratified.
- It can be renewed every **six months**, up to a **maximum of three years**.
- After the **first year**, renewal requires either:
 - A national or State Emergency declaration, or
 - The Election Commission certifying that elections cannot be held.

• Circumstances for Imposition

- The Constitution does not specify exact conditions, leaving it to the President's discretion.
- A 2016 Lok Sabha report listed reasons such as:
 - Political instability (defections, coalition breakdowns, no-confidence motions).
 - Resignations of Chief Ministers.
 - Absence of a legislature in newly formed States.
 - Public agitations or law and order issues.
- Militancy and insurgency.

• Judicial Review

- The **1994 S.R. Bommai vs Union of India** case outlined when President's Rule can and cannot be imposed, though the Supreme Court clarified this was not an exhaustive list.

Past Instances of President's Rule in India

• First Imposition and Early Cases

- **First instance:** Punjab (June 1951), when CM Gopi Chand Bhargava resigned due to internal differences.
- **Jammu & Kashmir: Longest duration** under President's Rule—nearly **15 years**, including two continuous stints:
 - 1990-1996 (6+ years).
 - 2019-2024 (6+ years).

• Most Affected States

- **Manipur:** Now under President's Rule for the 11th time.
- **Uttar Pradesh:** Imposed 10 times.
- **Mass Impositions in 1977 & 1980**
 - **1977:** Morarji Desai's government imposed **President's Rule in nine Congress-ruled States**, citing loss of public confidence.
 - **1980:** Indira Gandhi's government **retaliated**, imposing it in **nine States** after returning to power.
 - **Supreme Court's stance:** Refused to intervene in these mass dismissals.

Decline in the Frequency of President's Rule

- **Statistics**
 - 1950-1994: 100 instances (average 2.5 times per year).
 - 1994-2024: 30 instances (average once per year).
- **Recent trends:**
 - First imposition in almost four years: Manipur (2025), last seen in Puducherry (2021).
 - Since 2014: 11 instances, including four in J&K.
 - Of these, the courts have struck down the proclamation twice, in Arunachal Pradesh and Uttarakhand.
- **Impact of the Bommai Judgment (1994)**
 - The Supreme Court's nine-judge Bench ruled that courts could review the President's proclamation.
 - Review criteria:
 - Whether it was issued based on any material evidence.
 - Whether the material was relevant.
 - Whether the proclamation was issued in bad faith (mala fide).
 - Former Attorney-General Soli Sorabjee noted that this allowed courts to strike down unconstitutional proclamations, deterring misuse.

Manipur - Suspended Animation of Legislature

- In Manipur's case, President's Rule has been imposed, but the State Assembly has not been dissolved.
- The Assembly is **inactive** but can be **revived** once President's Rule is revoked and a new government is formed.

Legal Interpretation and the Bommai Judgment

- In this case, the Supreme Court held that:
 - A suspended Assembly is not dissolved; it remains intact.
 - Once President's Rule is revoked, the Assembly automatically resumes functioning.
 - Giving the President unfettered power to dissolve Assemblies under Article 356 could be dangerous.

Constitutional Debate

- The Constitution does not explicitly mention "suspended animation."

- Hence, as per the experts, if Parliament assumes all legislative powers, keeping the Assembly intact serves no real purpose.
- They call it unconstitutional.

President's Rule in India FAQs

Q1. What is meant by President's Rule?

Ans. President's Rule is imposed under Article 356 when a state government fails to function as per the Constitution.

Q2. What is the President's Rule in Article 365?

Ans. Article 365 allows the President to act when a state fails to comply with Union directives, leading to possible President's Rule.

Q3. What is Article 352?

Ans. Article 352 allows the President to impose a National Emergency due to war, external aggression, or armed rebellion.

Q4. What is the judgment of S.R. Bommai?

Ans. The 1994 S.R. Bommai judgment limited the arbitrary imposition of President's Rule and made it subject to judicial review.

Q5. What is the meaning of suspended animation in a state?

Ans. Suspended animation means the state legislature remains inactive but is not dissolved, allowing revival after President's Rule ends.

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