

Article 166 of Indian Constitution, Interpretation, Significance

March 7, 2026 • vajiramandravi.com



Article 166 comes under Part VI of the Constitution of India. The article talks about the conduct of business by the State Government and provides the guidelines of the executive powers in a state. It also talks about the role of the Governor as a constitutional head and makes sure that all executive actions of the state government are expressed and authenticated in their name. In this article, we are going to talk about Article 166, its interpretation and its significance.

Article 166 of the Constitution of India Interpretation

Article 166 of Constitution states – “1) All executive action of the Government of a State shall be expressed to be taken in the name of the Governor. 2) Orders and other instruments made and executed in the name of the Governor shall be authenticated in such manner as may be specified in rules to be made by the Governor, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Governor. 3) The Governor shall make rules for the more convenient transaction of the business of the Government of the State, and for the allocation among Ministers of the said business in so far as it is not business with respect to which the Governor is by or under this Constitution

required to act in his discretion.”

In a more simplified manner, Article 166 has the following interpretation:

- Under Article 166 of the Constitution of India, all State actions by the government have to be done on behalf of the government. This provision helps to show that the governor is the constitutional head and nominal authority behind all executive actions.
- Only the rules made by the Governor can authenticate the orders and instruments issued by the Governor. It makes sure that the legal validity is retained and not get used by the governor for his personal use.
- The Governor possesses the power to make rules for the effective transaction of the business of the state government including distribution of responsibilities among ministers. However, the governor also has the power to act independently using his power of discretion.

Article 166 of the Indian Constitution Significance

Article 166 manages the conduct of business of the Government of a State. It talks about how the executive actions are to be formally expressed, authenticated, and conducted within a state government.

1. Provides Accountability and Legitimacy

It makes it necessary that all executive actions of a State Government shall be expressed in the name of the Governor, lending formal legitimacy and constitutional authority to such actions.

2. Promoting Balanced Administrative Process

It outlines the rules about how orders and instruments made in the Governor’s name can be authenticated, making a consistent and standardized procedure for state-level administration.

3. Prevents Arbitrary Governance

While the governor is expected to make rules about the convenient translation of business, Article 166 makes sure that checks and balances are ensured and systematic delegation of authority is established within the state executive.

1. Protects Against Invalid Acts

Clause (3) gives protection to government actions from being challenged on the grounds of improper procedure, so long as the formality of being in the Governor’s name is followed.

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