President's Rule as Provided under Article 356 of the Indian constitution has become an integral part of the Political and administrative process of our country. It has been applied frequently in the States. The fore-fathers and the framers of the constitution never had expected about the use of it so liberally in our Federal polity. The Provisions of Article 356 have been invoked many a times for different reasons and grounds so as to serve the ulterior intensions of the ruling party at the centre.

Article 356 reads that if the President of India is satisfied on receipt of a report from the Governor or otherwise that a situation has arisen in which the Government of a State cannot be carried on his accordance with the provisions of the Constitution, he is authorised to proclaim an emergency in the State. As a result the President may assume to himself all or any of the functions in the Governor or any other exeutive authority, or declare that the powers of the State Legislature shall be exercised by Parliament or make any other incidental or consequential provisions necessary to give
effect to the objects of the proclamation. The president however, cannot assume himself any of the powers vested in a High Court of the State. The same Article further provides that the proclamation will have to be approved by both the Houses of Parliament in the same manner in which the way emergency has to be approved. In case the parliament fails to approve it within a period of two months, the proclamation thereafter will be null and void.

The founding fathers of the Constitution were highly influenced by the factors like national unity, integrity and security of the country. They therefore were committed with the idea of setting up a federation with a strong centre for they were aware of the dark shadow of events that were to follow. That is why the present constitution is characterised in many ways just as 'a quasi-federation', 'a Co-operative federalism', 'the controlled federalism' and so on.

The Governor who is acclaimed to be the 'Constitutional Head' of the State is expected to act on the advice of Ministry. The Governor's role as the agent
of the Centre comes into play after the imposition of Presidents Rule. A thorough study of the present Article 356 shows that the Governor will be able to exercise his marginal discretion in making a Report to the President of India about the breakdown of the constitutional machinery in the State without the aid and advice of the Council of Minister.

PROBLEM

It was intended that the imposition of President's Rule and the application of Article 356 of the Constitution shall be made applicable in the States only as a 'Safe measure' to be used as a last resort in a situation when the duly elected Ministry of the State has failed to discharge its duty within the framework of the constitution or the other methods of setting the existing deadlock in the state have hopelessly failed. But since Constitution has come into operation the application of Article 356 and the provision of President's Rule has been belied and the fears expressed by the protagonists of Provincial Autonomy seem to be correct to a greater extent. Today, perhaps no other provision of the Indian Constitution has become such an object of
heated political debate is Article 356 and no other act of President and the Governor has become so critical as that of the imposition of Present Rule. There is also a severe animadversion about the exercise of the discretionary and constitutional powers by the President as well as the Governors in the imposition and execution of president's Rule and Article 356. It is also levelled against that the Office of the President has become the 'owned haven of convenience' for the ruling party in controlling the opposition party ruled States.

**SCOPE OF THE STUDY**

Hence an attempt is made in this present thesis to make an analytical study of the background and reasons in the imposition of President's Rule in Indian states in general and some selected states like Punjab, Andhra Pradesh, Kerala, Orissa, Rajasthan, Haryana, West-Bangal and Uttar Pradesh, during the period from 1950 to 1971, a period of two decades from the year of Indian constitution coming into operation, the Indian President and his emergency powers, the position and part of the State Governor in the imposition and operation of the President's Rule, the attitudes and activities of the
central Government towards the president Ruled States and the practices and the realities in the entire gamut of President's Rule and the application of Article 356 in order to highlight various real causes behind the imposition of President's Rule in Indian States and how the Article 356 is misused and belied.

OBJECTIVES OF THE STUDY

The objectives of the present study are SIX fold in character. They are:-

1) To study the salient features of the Indian Constitution and to highlight the place of emergency provisions.

2) To discuss the Indian President and his emergency powers in the frame of Indian Constitution.

3) To discuss the Role of Governor in the States as the State Executive in the Process of President's Rule.
4) To evaluate the part played by the Central Government in the imposition of President's Rule and during the President's Rule.

5) To make an attempt to analyse the imposition of President's Rule on selected cases and instances; and

6) To evolve the summary and conclusions on the imposition of President's Rule in Indian States from 1950 to 1971.

**METHODOLOGY**

The present study is based mainly on secondary sources. Much of the data was collected through desk research. The constituent assembly debates were referred and analysed. The volumes of AIR from up to the year 1971 were also studied and the relevant information relating to the present topic was made use of. Various legal cases filed in the Supreme Court relating to Article 356 also studied. The Books related to the Indian President, the Governors and various other aspects relating to Indian Constitution and Indian Political system were studied.