

S.R. Bommai Case

The Supreme Court ruled in the case of **SR Bommai vs Union of India** (1994) that the Constitution is federal and refers to liberalism as its "basic element." The fact that the Center is granted more authority than the States under the framework of our Constitution does not imply that the States are merely the Center's appendage. According to the constitution, the states are independent. They do not serve as the Center's satellites or agents. The states remain supreme in the space that is assigned to them.

The Supreme Court of India made a significant judgment in the case of SR Bommai vs Union of India, in which the Court extensively examined the provisions of Article 356 of the Indian Constitution and related matters. Centre-State Relations were greatly impacted by this case. The SR Bommai vs Union of India judgement tried to stop the flagrant abuse of Article 356 of the Indian Constitution, which permitted the imposition of the President's control over state governments. The former chief minister of Karnataka, S. R. Bommai, is well known for having fought for this significant decision of the Indian Supreme Court, which itself is regarded as one of the most often discussed decisions in the country's political history.

SR Bommai Case History

According to Article 356 of the Constitution, S.R. Bommai's government was overthrown, and President's Rule was put into place, which was a common tactic to keep opposing parties away. The Bommai government lost its majority due to widespread defections arranged by various party leaders, which was the basis for the removal. SR Bommai served as the chief minister of Karnataka from August 1988 until April 1989. He headed a Janata Dal government, which was overthrown on April 21, 1989, when Karnataka was placed under President's Rule (Article 356). Previous to the SR Bommai vs Union of India case, it was normal practice to impose Article 356 in states that were governed by opposing parties to the party in power.

- In this case, the Bommai-led administration was dissolved because he had lost support due to many resignations.
- Even though Bommai gave a copy of the resolution adopted by the Janata Dal Legislature Party to the then-Governor P Venkatasubbaiah, he was not given a chance to demonstrate his majority in the house.
- In order to challenge the Governor's decision, Bommai first proceeded to the Karnataka High Court. The High Court, however, rejected his petition filed.
- After then, SR Bommai went to the Indian Supreme Court.
- It took approximately five years to reach a decision in this SR Bommai vs Union of India case.
- A nine-judge constitutional bench of the SC issued the historic decision in March 1994, which would go on to be one of the most frequently referenced ones about Article 356 and its arbitrary interpretation by the Central government.

SR Bommai vs Union of India Judgement

The President's Rule could no longer be imposed on states by the centre as a result of this historic judgement of the SR Bommai case.

- According to this, the President's power to dissolve a state's government is not absolute.
- According to the statement, the President should only exercise this authority after receiving unanimous consent from both Houses of Parliament to his proclamation (imposing President's Rule).
- The Legislative Assembly may only be suspended till that time by the President.
- The proclamation expires after two months, and the dissolved government is reinstated if it is not approved by both Houses.
- Assemblies are reinstated, including the suspended Legislative Assembly.
- In addition, the SC declared that a court could examine the declaration imposing Article 356.

Problems arised from the SR Bommai Case

The declaration of the president's rule in a state has come under scrutiny in light of the case of SR Bommai vs Union of India. The justifications and parameters of imposing the president's rule in a state have to be debated by the Supreme Court. It was also questioned as to whether the President's rule was challengeable.

Contentions from SR Bommai vs Union of India

In SR. Bommai vs Union of India, a significant legal issue arose over the President's Rule proclamation and dissolution of the Legislative Assemblies by Article 356 of the Indian Constitution.

- If the President Declaration under Article 356 had been justiciable and to what extent, if at all, was the first and most essential point that the Supreme Court would have to answer.
- Second, the question of whether Article 356(1) of the Constitution gives the President unrestricted authority to issue proclamations was raised.
- It was argued that the President would issue the Proclamation under Article 356 [1] based on the guidance of the Council of Ministers provided under Article 74(1) of the Constitution. Because Clause [2] of the same Article prohibits investigation into whether any and, if so, what advice was offered to the President, judicial supervision of the factors that contributed to the issuance of a Proclamation is also barred, whether the President's declaration to dissolve the Legislature may be overturned to reinstate the Legislature, can the Proclamation issued under Article 356(1) be contested even after it has received the support of both Houses of Parliament.
- Additionally, it was questioned whether the court could issue an interim stay preventing the holding of new elections whenever the validity of the proclamation was contested.
- It was argued that whether a president can call a special session of the legislature without getting both houses' consent, a state legislature can be removed from office if it commits nonsecular conduct because secularism is a fundamental aspect of the Constitution.

Significance of SR Bommai Case

This lawsuit ended the practice of the federal government dismissing state governments freely. Previously, political parties used this Constitutional provision to gain political advantage and resolve disputes with opposing parties. The SR Bommai vs Union of India decision significantly curtailed this practice.

- The decision made it crystal clear that the test of a majority in a government should be conducted on the Assembly floor, and it is not dependent on the Governor's opinion.
- The basic principle idea was used in this instance even though a constitutional amendment was not in question.
- According to the Supreme Court, using the centralized authority under Article 356 would be legitimate if a state government's policies were directed against a fundamental component of the Constitution.

SR Bommai Case - First Impact of the Decision

The A.B. Vajpayee administration was compelled to reinstate a government it had overthrown in 1999, which was one of the impacts of the SR Bommai vs Union of India due to influence. Other impacts are as follows:

- The Rabri Devi administration was dismissed on February 12, 1999. On March 8, 1999, it was reinstated after it became clear that the Central government might lose in the Rajya Sabha due to the matter.

The S.R. Bommai Case is still very relevant since it is brought up every time there is a potential conflict of interest between both the Chief Minister as well as the Governor. Additionally, it brought about a system where a government is removed after careful study.

