

MCQ Question · mcqquestion.com

Article 355 of the Constitution

Free · Share

Article 355 of the Constitution

Can the Centre step into a State? **Article 355** says it has a duty to. It is a short article with three duties. It also stands behind **Article 356**, the President's Rule power. Courts have said where that power ends.

What does Article 355 say?

Three duties of the Union

Article 355 puts a **duty** on the Union. It has three parts.

- To protect every State against **external aggression**.
- To protect every State against **internal disturbance**.
- To ensure each State government runs as the Constitution says.

Sources: constitutionofindia.net

Draft Article 277A, 1949

The Draft Constitution of 1948 had no such article.

The Drafting Committee Chairman moved it as **Draft Article 277A** on **3 August 1949**.

He said the Centre's entry into a State in an emergency flows from a duty. It is not arbitrary.

One Member found "internal disturbance" vague. He wanted "internal insurrection or chaos".

Another wanted "or" in place of "and". The Assembly rejected every amendment.

It adopted the article as drafted on **4 August 1949**.

Sources: constitutionofindia.net

Quick check 1. The Draft Constitution of 1948 already contained Article 355. *(True or False?)* See answer ↓

How is Article 355 linked to Article 356?

A duty, not a power

Article 355 gives the Union a duty. It does not give a fresh power.

The Supreme Court said so in the Bommai case.

It called the article a **justification** for steps under Articles 356 and 357.

So any step must come from those later articles.

Sources: indiankanoon.org

What Article 356 adds

Article 356 is the President's Rule article. It applies when a State government cannot run as the Constitution says.

The rules for Parliament are strict.

- The proclamation ends after **two months** unless both Houses approve it.
- Once approved, it lasts **six months**.
- Parliament can renew it, but it can never run beyond **three years**.

Sources: constitutionofindia.net

Quick check 2. Once Parliament approves President's Rule, it can continue without any time limit. *(True or False?)* See answer ↓

What did Ambedkar hope about these powers?

A power he hoped to see unused

Dr Ambedkar hoped these articles would never be called into operation.

He wanted them to remain a **dead letter**.

He also hoped the President would first warn an erring province.

After 1950 the power was used often. In 1994 the Supreme Court noted that Article 356 had been used over **ninety times**.

Sources: indiankanoon.org

What did the Bommai case decide?

The Karnataka dismissal

S.R. Bommai became Chief Minister of Karnataka in August 1988.

Some Members of his party defected in April 1989.

A Presidential Proclamation of **21 April 1989** dismissed his government. It also dissolved the Assembly.

It rested on the Governor's report.

A large Constitution Bench gave its ruling on **11 March 1994**.

Sources: indiankanoon.org

What the Court laid down

The Court held the Karnataka Proclamation of 1989 **unconstitutional**.

It held the same for the Meghalaya Proclamation of **11 October 1991**.

It said Article 356 is a remedy for an **actual breakdown** of the constitutional machinery.

It treated **secularism** as a basic feature of the Constitution.

It also endorsed the Sarkaria Commission's advice. The President should try other measures first to restore the machinery.

Sources: indiankanoon.org

> **Quick check 3.** In Bommai, the Court said a Proclamation under Article 356 cannot be examined by courts. *(True or False?)* See answer ↓

The floor test

Bommai had offered to prove his majority in the House.

He even offered to bring the Assembly session forward.

The Governor still reported that the Ministry had lost support.

The Court later said the right place to test a Ministry is the **floor of the House**.

A Governor should not decide on a private assessment alone.

Sources: indiankanoon.org

Courts can undo a Proclamation

The Karnataka High Court first dismissed Bommai's petition. A three-Judge Bench heard it.

The Supreme Court then took up the matter.

It held that a court can strike down a Proclamation even after Parliament has approved it.

It said the court can then **restore the status quo ante**.

That means the dismissed Ministry and the dissolved Assembly come back.

In suitable cases, the court can also stop fresh elections until it decides.

Sources: indiankanoon.org

Sarkaria advice: other steps first

The Sarkaria Commission looked at Centre-State relations.

It advised that Article 356 should be the **last resort**.

The President should first use every other measure to restore the machinery of the State.

The Supreme Court said in Bommai that it endorsed this advice.

So a Union that follows Article 355 should warn and help a State before it dismisses a government.

Sources: indiankanoon.org

Secularism and Meghalaya

Several judges in Bommai treated **secularism** as a basic feature of the Constitution.

It also held the Meghalaya Proclamation of 1991 unconstitutional.

The Karnataka and Meghalaya Proclamations both failed the Court's test.

Sources: indiankanoon.org

What did the Rameshwar Prasad case add?

Bihar Assembly, 2005

The case was decided on **24 January 2006**.

It challenged the dissolution of the Bihar Assembly by a Proclamation of **23 May 2005**.

The Governor had sent reports dated 6 March, 27 April and 21 May 2005.

The Proclamation of **7 March 2005** had first put the Assembly in suspended animation.

The judgment says a Proclamation is open to review when it is **mala fide** or rests on wholly extraneous grounds.

It also says a Governor's immunity does not stop a court from checking the action for mala fides.

Sources: indiankanoon.org

How did Article 356 apply in Manipur in 2025?

Limited but real review

The Bihar judgment says review of a Proclamation is possible, but only to a **very limited extent**.

A court steps in only when the power is used in bad faith or on wholly irrelevant grounds.

A Governor's immunity does not shut the court out.

Sources: indiankanoon.org

President's Rule on 13 February 2025

Chief Minister N. Biren Singh resigned in February 2025.

A notification followed on **13 February 2025**.

It said the President had received a report from the Governor.

President's Rule was imposed under **Article 356**.

The Assembly was put under **suspended animation**. It was not dissolved.

Parliament must approve such a proclamation within two months.

The Constitution allows it to last up to three years in all.

So the question for exams is always the same. Did the Union use its duty under Article 355 and stay within Article 356?

Sources: newsonair.gov.in; constitutionofindia.net

355	Union's duty to protect States
356	President's Rule when machinery fails
Two months	Parliament must approve

Three years Longest it can last

Exam Edge

Previous Year Questions

Real questions on this topic.

What should you remember for exams?

Quick recap

- Article 355: the Union’s **duty** to protect States and ensure their governments follow the Constitution.
- Draft Article 277A was adopted on 4 August 1949.
- Article 355 is a justification for Articles 356 and 357, not a separate power.
- President’s Rule: two months, then six months at a time, never beyond three years.
- Bommai (11 March 1994): Proclamations can be reviewed.
- Manipur: President’s Rule imposed on 13 February 2025.

Sources: constitutionofindia.net; indiankanoon.org

Practice MCQs

1. Article 355 places which duty on the Union?

A. To dissolve State Assemblies

B. To appoint State Governors

C. To protect every State against external aggression and internal disturbance

D. To collect all State taxes

See answer ↓

2. On which date did the Constituent Assembly adopt the article that became Article 355?

A. 3 August 1949

B. 4 August 1949

C. 26 January 1950

D. 15 August 1947

See answer ↓

3. How did the Supreme Court describe Article 355 in the Bommai case?

A. A justification for measures under Articles 356 and 357

B. A provision that bars judicial review

C. A power to amend State boundaries

D. An independent source of power to interfere in States

See answer ↓

4. What is the longest time President's Rule under Article 356 can run?

A. Two years

B. Three years

C. Five years

D. One year

See answer ↓

5. Which State's Government was dismissed by the Proclamation of 21 April 1989 examined in Bommai?

A. Bihar

B. Karnataka

C. Manipur

D. Meghalaya

See answer ↓

6. In February 2025, President's Rule was imposed under Article 356 in which State?

A. Manipur

B. Punjab

C. Assam

D. Kerala

See answer ↓

Answer Key

1. **C.**
   Article 355 makes the Union responsible for protecting every State. It also requires State governments to run as the Constitution says.
   ↑ Q1
2. **B.**
   The article was moved as Draft Article 277A on 3 August 1949. The Assembly adopted it on 4 August 1949.
   ↑ Q2
3. **A.**
   The Court said Article 355 is not an independent source of power. It justifies the measures taken under Articles 356 and 357.
   ↑ Q3
4. **B.**
   A Proclamation lasts two months unless Parliament approves it. After approval it runs six months at a time. It can never exceed three years.
   ↑ Q4
5. **B.**
   S.R. Bommai led the Karnataka Government. A Proclamation of 21 April 1989 dismissed it and dissolved the Assembly. The Court held the Proclamation unconstitutional.
   ↑ Q5
6. **A.**
   The Chief Minister of Manipur resigned and the Governor sent a report. President's Rule followed on 13 February 2025, with the Assembly in suspended animation.
   ↑ Q6

Quick-check answers

1. **False.** The Chairman added it as Draft Article 277A on 3 August 1949. The Assembly adopted it on 4 August 1949. ↑ 1
2. **False.** It can be renewed every six months, but never beyond three years. ↑ 2
3. **False.** The Court held that Proclamations are open to judicial review. ↑ 3

Curated by Arsalan Zuberi · mcqquestion.com

Scan to read online

https://mcqquestion.com/articles/polity0298-article-355-of-the-constitution/