



RAMESHWAR PRASAD V. UNION OF INDIA (2006)

Constitutional Interpretation & Basic Structure

PRELIMS SNAPSHOT

◆ 1. Prelims Snapshot (Fact Box)

- 📅 Year: 2006
- ⚖️ Case: Rameshwar Prasad v. Union of India (also called the Bihar Assembly Dissolution Case)
- 👥 Bench Strength: 5 Judges
- 📖 Key Articles Involved: Article 174, Article 356, Article 163, Article 164
- 🧠 Doctrine Evolved: Unconstitutional dissolution of assemblies is subject to judicial review
- 💬 Famous Line: "The Governor is not an agent of a political party."

CONTEXT & BACKGROUND

In 2005, the Bihar Legislative Assembly elections resulted in a hung assembly, with no clear majority. Before the assembly could be convened, the Governor sent a report to the Centre recommending dissolution, citing alleged attempts at horse-trading.



**UPSC
GURUS**

MAJOR SUPREME COURT JUDGEMENTS

The President dissolved the Assembly under Article 174 even before it held its first sitting. This decision was challenged by multiple political parties and candidates, including Rameshwar Prasad, on the grounds that the dissolution was premature, arbitrary, and anti-democratic.

CONSTITUTIONAL ISSUES RAISED

- Can the Governor recommend dissolution of the assembly before it is constituted or meets?
- Is judicial review applicable in such cases of President's Rule or Assembly dissolution?
- Does pre-emptive dissolution undermine democratic mandate?

VERDICT & RATIO DECIDENDI

The Supreme Court ruled that:

- The dissolution of the Bihar Assembly was unconstitutional
- The Governor's action was based on political speculation rather than actual breakdown of constitutional machinery



- Although the Court did not restore the dissolved Assembly (elections had already been held), it strongly condemned the misuse of Article 174 and the Governor's discretion
- The Governor, as a constitutional functionary, must remain neutral and apolitical

This case reinforced that Governors and the Centre cannot override electoral outcomes through premature dissolution.

DOCTRINE / PRINCIPLE EVOLVED

- Governor's discretion is subject to constitutional limits and cannot be exercised arbitrarily
- Judicial review applies to dissolution of assemblies if done in violation of constitutional principles
- Electoral democracy must not be subverted by political interference from constitutional authorities



**UPSC
GURUS**

MAJOR SUPREME COURT JUDGEMENTS

IMPACT & LEGACY

- Marked a major precedent in limiting the misuse of gubernatorial powers
- Strengthened judicial oversight over federal mechanisms and constitutional authorities
- Cited in later cases related to floor tests, assembly dissolution, and the role of Governors
- Reinforced democratic legitimacy and prevented executive manipulation of electoral mandates



MAJOR SUPREME COURT JUDGEMENTS

RELEVANCE FOR UPSC

- GS Paper 2:
 - Role and responsibility of the Governor
 - Misuse of constitutional provisions
 - Judicial review in federal relations
- GS Paper 4 (Ethics):
 - Political neutrality, constitutional morality
- Essay Paper:
 - Use in themes like Safeguarding Democracy, Federal Ethics, Strengthening Electoral Institutions
- UPSC Interview:
- Highly relevant for questions on Centre-State tensions, misuse of Article 356, or reforms in gubernatorial discretion

**TO DOWNLOAD PDF
JOIN OUR TELEGRAM
CHANNEL**

https://t.me/UPSC_Gurus



**OR
DOWNLOAD FROM
OUR WEBSITE**

www.upscgurus.in

FOLLOW US

