



STUDY GUIDE

ALL INDIA POLITICAL PARTIES MEET

Who Actually Runs a State: Governors,
Elected Assemblies and the Powers that
were never meant to be used.

31 Oct - 01 Nov 2026

LETTER FROM THE EXECUTIVE BOARD

Dear Representatives,

Welcome to the All India Political Parties Meet at Sabarmati Model United Nations 2026.

You are about to discover something uncomfortable about this agenda, and we would rather you discovered it here than in the middle of your opening speech. There is no party in this room that can argue this issue from a position of consistency. Every national party has appointed Governors who sat on Bills. Every national party has been the state government whose Bills were sat on. Several regional parties have publicly demanded restraint from a Governor in one state while their allies benefited from an identical Governor's discretion in another. This is not a scandal. It is what happens when a constitutional office is designed to be a link between the Union and the States, and the Union and the States are usually run by different people.

What makes this a genuinely good AIPPM agenda is precisely that inconsistency. It means the room does not divide along the usual lines. It divides along the question of who currently holds which state, and that produces alliances you would never see on any other subject. A party that opposes the Union on almost everything may find itself defending Union discretion because of a state where it is in opposition. Watch for that, and use it.

You should also know that the legal ground moved recently and decisively. In April 2025 the Supreme Court read timelines into a constitutional silence and used its extraordinary powers to deem ten Bills assented. In November 2025 a Constitution Bench, answering a Presidential Reference, held that courts cannot prescribe such timelines and that deemed assent is impermissible, while maintaining that a Governor cannot sit indefinitely. So the position today is that indefinite delay is wrong and that no court can put a clock on it. That gap is exactly where this meeting sits, and it is a gap that only political agreement or constitutional amendment can close. Which is to say: this is a problem the courts have handed back to you.

Prepare your party's actual position, including its record. Come ready to build a consensus statement with parties you would not normally sit with, because in an AIPPM the only currency is agreement.

We are looking forward to your work.

The Executive Board

INTRODUCTION TO THE FORUM

Where are you sitting, and what can you actually do? Less than you think in law, and more than you think in practice. Understanding that trade is the whole skill of an AIPPM.

The All India Political Parties Meet is not a constitutional body. It is not mentioned in the Constitution, it has no statutory basis, and it appears in no rule book. It is a convention: a meeting of recognized political parties, usually convened by the government of the day or by a Speaker or presiding officer, to arrive at a common position on a matter of national significance. All-party meetings are called before parliamentary sessions, after security incidents, during constitutional controversies, and whenever the government needs to demonstrate consultation or the opposition needs to demonstrate unity.

Composition and conventions:

- **Representation is by party, not by seat count.** A party with three members in Parliament sends a representative just as a party with three hundred does. This is the single most important structural fact about this forum, because it inverts the arithmetic of every legislative chamber.
- **Representatives speak for the party leadership.** You are not a constituency member expressing a personal view. You are a spokesperson, and your statements are treated as your party's position.
- **The convenor chairs,** sets the agenda and manages the floor, but has no power to compel.
- **There is no vote in the parliamentary sense.** The output is consensus, near-consensus, or a record of disagreement.

What this forum produces: A joint statement or consensus resolution, a set of agreed recommendations to be pursued in Parliament or before a constitutional authority, a demand for a specific process such as a committee or a commission, or, quite often, nothing but a public record of where parties stand. Do not treat that last outcome as failure. An AIPPM whose transcript shows eleven parties supporting a specific reform and two opposing it has created political pressure that did not exist that morning.

What This Forum Cannot Do:

- **It cannot amend the Constitution.** That requires a Bill under article 368, passed by a special majority in each House, and for provisions affecting the federal structure, ratification by the legislatures of not less than half the States.
- **It cannot enact any law.** Only Parliament and State Legislatures legislate. This meeting can agree to introduce a Bill; it cannot pass one.

- **It cannot overturn or review a judgment or an advisory opinion.** The Supreme Court's opinion in the Presidential Reference stands until the Court revisits it or the Constitution is amended.
- **It cannot direct a Governor, the President or a State Government.** It can request, recommend and demand publicly. None of that binds.
- **It cannot bind its own participants.** A party that agrees here can vote differently in Parliament tomorrow, and sometimes does.

What it can do, which is not nothing. It can produce a text that parties are politically embarrassed to repudiate. It can convert a bilateral dispute between one state and the Union into a multi-party demand. It can commit parties to a specific procedural route, such as referring a question to the Inter-State Council under article 263 or to a joint parliamentary committee. And it can establish, on the record, that a proposition commands cross-party support, which is the precondition for any constitutional amendment, because an amendment touching the federal structure cannot pass without support from parties governing States.

Pro Tip: The verbs in an AIPPM statement are softer than in a legislature and the drafting is therefore harder, because you cannot compel agreement with a majority. Use “the parties present agree that,” “this meeting urges,” “it is resolved to recommend,” and “the following parties record their dissent.” That last formulation is a serious tool. A consensus statement that honestly records dissent is more credible, and more useful to the parties that agreed, than a bland text everyone signed and nobody meant.

INTRODUCTION TO THE AGENDA

Why does this matter, and why now? Because a Constitution Bench has just held that the courts cannot fix this, which means either the political system fixes it or it remains unfixed.

Here is the mechanism in plain terms. A State Legislative Assembly, elected by the people of that State, passes a Bill. Under article 200 of the Constitution, the Bill is presented to the Governor, who may do one of four things: assent, withhold assent, return the Bill for reconsideration if it is not a Money Bill, or reserve it for the consideration of the President. The first proviso to article 200 says the Governor shall return a Bill as soon as possible. If the Assembly passes it again, with or without amendment, the article says the Governor shall not withhold assent.

Notice what the text does not contain. It contains no time limit for the initial decision. It does not say what happens if the Governor simply does not act at all. It does not require reasons. And article 201, which governs Bills reserved for the President, contains no time limit either.

For most of India's constitutional history this silence was filled by convention: Governors acted on the aid and advice of the Council of Ministers except in the narrow situations where the Constitution expressly requires discretion, and they acted reasonably promptly. When the convention holds, the silence is harmless. When it does not, the silence becomes a power, and a power that was never granted expressly is a power without any of the limits that would ordinarily attach to it.

Three interlocking problems:

- **Indefinite delay.** A Bill sits. The Governor does not sign it, does not return it, does not reserve it and gives no reasons. There is no formal decision, so for a long time there was said to be nothing to challenge. The elected Assembly's legislative output is nullified without anyone ever refusing it.
- **The reservation route.** A Governor reserves a Bill for the President under article 200. The Bill then falls under article 201, where the Union Government advises the President. A state law is now in the hands of the Union executive, which may itself be politically opposed to the state government. This is the most consequential and least discussed part of the mechanism.
- **The scope of discretion.** How much of the Governor's function is discretionary at all? Article 163 says the Council of Ministers aids and advises the Governor except where the Constitution requires the Governor to act in discretion. The dispute is about how wide that exception runs, and it recurs in government formation, floor tests, and the Governor's role as Chancellor of state universities.

Why now, specifically. The last eighteen months produced the sharpest judicial engagement with this question in decades, and it ended by returning the problem to politics.

On 8 April 2025, a two-judge Bench of the Supreme Court held in the Tamil Nadu case that the Governor's prolonged inaction was unconstitutional, read three-month timelines into articles 200 and 201, and exercised the Court's power under article 142 to declare ten Bills deemed to have received assent as of the date they were re-presented. That was an extraordinary remedy and it was immediately controversial, including among people sympathetic to the state's position.

On 13 May 2025 the President made a Reference to the Supreme Court under article 143, clause 1, posing fourteen questions about the powers of Governors and the President under articles 200 and 201. On 20 November 2025 a five-judge Constitution Bench headed by the Chief Justice delivered its opinion in Special Reference No. 1 of 2025. The Court held that judicially prescribed timelines cannot be read into articles 200 and 201, that deemed assent on the expiry of such a timeline amounts to a judicial substitution for the executive and is impermissible, and that decisions under those articles are not amenable to judicial scrutiny at the pre-enactment stage. It also reaffirmed that a Governor cannot act to defeat the constitutional scheme, and that article 361 bars personally subjecting a Governor to judicial proceedings.

So the position today is this. Indefinite inaction remains constitutionally improper. No court will put a clock on it. No Bill will be deemed assented. And the only remaining routes are political ones. That is why this meeting exists.

HISTORICAL BACKGROUND

How did we get here? Through a colonial office that was kept, a series of commissions that recommended the same reforms three times, and a pattern of usage that changed with every alternation in power.

The office and its origins. The Governor of a Province under the Government of India Act, 1935 was an agent of the Crown with substantial personal powers. The Constituent Assembly debated whether Governors should be elected and decided against it, on the reasoning that an elected Governor would create a rival center of authority within the State and would encourage separatist tendencies in a newly partitioned country. The office was retained as an appointee of the President, holding office during the pleasure of the President under article 156, and intended to function largely as a constitutional head acting on ministerial advice, with a narrow band of discretion and a link function between the Union and the States.

The convention under one-party dominance, 1950 to 1967. For the first seventeen years, the same party generally governed at the Union and in most States. The friction the office could generate was mostly latent, because the Governor, the Union Government and the State Government were politically aligned. The 1967 elections ended that alignment in several States, and the questions in front of you appeared almost immediately.

Articles 356 era, 1967 to 1994. The dominant controversy for a generation was not assent but dismissal. President's Rule under article 356 was imposed repeatedly, frequently on the basis of a Governor's report that a State Government had lost the confidence of the Assembly. The Supreme Court's judgment in *S.R. Bommai v. Union of India* in 1994 substantially constrained this: it held that the proclamation is subject to judicial review, that the floor of the House is the only test of majority, and that the Union cannot dismiss a State Government on the basis of a Governor's subjective assessment. *Bommai* is the reason article 356 is no longer the principal battleground, and it is also the reason the fight moved to assent, because assent was the remaining discretionary space.

The commissions, 1983 to 2010. Three major bodies examined the office and reached broadly consistent conclusions.

- **The Sarkaria Commission**, reporting in 1988, recommended that Governors be eminent persons from outside the State, not recently active in politics, appointed after consultation with the Chief Minister, and that they act promptly and within defined periods on Bills.

- **The National Commission to Review the Working of the Constitution**, chaired by Justice M.N. Venkatachaliah, reporting in 2002, made comparable recommendations on appointment and on time-bound action.
- **The Punchhi Commission**, reporting in 2010, recommended among other things a fixed period for the Governor to decide on Bills, clearer criteria for reservation for the President, and provisions on removal to protect the office from arbitrary recall.

The recommendations exist. They have been repeated across three decades and multiple governments. Almost none have been implemented. That fact is the most useful single argument available to any party in this room, whichever position you take, because it demonstrates that the problem is not diagnostic but political.

The judicial framework before 2025. Shamsher Singh v. State of Punjab in 1974 established that the President and Governors exercise their functions on the aid and advice of ministers, except where the Constitution expressly requires personal discretion. B.P. Singhal v. Union of India in 2010 held that the pleasure doctrine under article 156 does not permit removal of a Governor for arbitrary or capricious reasons, though it also held that reasons need not be assigned and that judicial review is limited. Nabam Rebia v. Deputy Speaker in 2016 confined the Governor's discretion, holding that the Governor cannot summon or dissolve the Assembly against ministerial advice or intervene in the internal proceedings of the House.

The assent decade, 2016 to 2025. Disputes over delayed assent, reservation of Bills for the President, and the Governor's role as Chancellor of state universities escalated in several States, including Tamil Nadu, Kerala, West Bengal, Punjab and Telangana. Multiple States moved the Supreme Court. In 2023 the Court made observations urging Governors to act, including on the meaning of "as soon as possible" in the first proviso to article 200. The Tamil Nadu judgment of April 2025 and the Presidential Reference opinion of November 2025 are the culmination of that decade.

THE CURRENT SITUATION

What is actually true today? Six propositions, and every representative should be able to state each one accurately, because misstating the November 2025 opinion is the fastest way to lose the room.

One. The Constitution still contains no time limit. Articles 200 and 201 prescribe no period within which the Governor or the President must act. That silence remains, and the November 2025 opinion confirms that it cannot be filled by judicial direction.

Two. Judicially prescribed timelines are out. The Constitution Bench held in Special Reference No. 1 of 2025, delivered on 20 November 2025, that courts cannot read fixed periods into articles 200 and 201. The reasoning is that these provisions contemplate elasticity and that imposing deadlines would rewrite the constitutional text rather than interpret it.

Three. Deemed assent is out. The Court held that treating a Bill as assented on the expiry of a judicially set period amounts to a substitution of the judiciary for the executive in the legislative process, and is impermissible under a written Constitution. The consequence is that the extraordinary remedy applied in April 2025 will not be repeated.

Four. Pre-enactment judicial scrutiny is substantially closed. The Court held that the decisions of the Governor and the President under articles 200 and 201 are not open to judicial examination on their merits before a law comes into force, and that courts cannot review the contents of a Bill at that stage. It also held that article 361 operates as a bar on personally subjecting a Governor to judicial proceedings.

Five. Indefinite inaction is still not permitted. This is the part that partisans on both sides tend to omit. The opinion does not license a Governor to sit forever. It maintains that constitutional functionaries must act, that inaction defeating the constitutional scheme is not sanctioned, and that limited judicial intervention remains conceivable where a functionary acts in a manner that frustrates the Constitution. What the Court declined to supply was a clock and an automatic consequence.

Six. The remedy is therefore political. With timelines and deemed assent unavailable, the routes that remain are a constitutional amendment prescribing periods, an amendment or convention on the reservation power under article 201, a strengthened consultative mechanism such as the Inter-State Council under article 263, reform of the appointment process, or simply a political convention observed by whichever party holds the Union. Every one of those requires agreement among parties, and that is what this meeting is for.

What the dispute actually looks like on the ground. Representatives should be able to describe the pattern without exaggeration. A State Assembly passes legislation, frequently on subjects where the State and the Union differ: university governance and the appointment of Vice-Chancellors, state agricultural or land legislation, laws on the powers of state officials, and laws altering the Governor's own role as Chancellor. The Bill goes to Raj Bhavan. Months pass. In some cases the Bill is eventually reserved for the President, at which point it may

remain under consideration at the Union level for a further extended period. Several States have publicly stated that Bills have been pending for periods exceeding a year, and the Court's own engagement with the Tamil Nadu matter concerned Bills that had been pending across multiple years.

Be careful with specific pendency numbers in debate. Counts differ depending on whether they include Bills returned and re-passed, Bills reserved for the President, and Bills subsequently assented. If you use a figure, say which State, as of what date, and on whose statement. A representative who says a particular State Government stated in a specific affidavit that a specific number of Bills were pending is unassailable. A representative who says Governors are sitting on hundreds of Bills will be asked which ones.

Three structural features worth naming.

- **The office has two jobs that conflict.** The Governor is the constitutional head of the State, acting on the advice of a Council of Ministers responsible to the elected Assembly, and simultaneously the Union's appointee, holding office at the pleasure of the President. When the Union and the State are politically aligned, nobody notices. When they are not, the two roles pull in opposite directions.
- **The absence of a consequence is the power.** A refusal is reviewable and reasons can be examined. Inaction produces no decision, no reasons and no document. The most effective form of the power is the form that never announces itself.
- **The reservation route relocates the decision.** Once a Bill is reserved under article 200, it is decided under article 201 on the advice of the Union Council of Ministers. A State law now depends on the Union executive. Any reform that addresses only the Governor and ignores article 201 has fixed the visible half of the problem.

Think of the office as a valve rather than a gate. A gate is either open or shut, and you can see which. A valve can be left in an intermediate position indefinitely, and nothing about its appearance tells you whether anything is flowing. The reform question in this meeting is not whether to remove the valve. It is whether to require that its position be recorded, and within what period.

CONSTITUTIONAL AND INSTITUTIONAL FRAMEWORK

What rules bind us? A short set of articles, a longer set of judgments, and three commission reports that nobody has implemented.

The constitutional provisions.

- **Article 200** governs assent to Bills passed by a State Legislature. The Governor may assent, withhold assent, return a Bill other than a Money Bill for reconsideration, or reserve it for the President. The first proviso requires return as soon as possible; the second requires reservation where the Bill would derogate from the powers of the High Court.
- **Article 201** governs Bills reserved for the President, who may assent or withhold assent, and may direct return to the Assembly for reconsideration. The President acts on the advice of the Union Council of Ministers.
- **Article 163** provides that a Council of Ministers shall aid and advise the Governor except in so far as the Governor is required to exercise functions in discretion, and makes the question of whether a matter falls within that discretion non-justiciable in the terms set out there.
- **Article 156** provides that the Governor holds office during the pleasure of the President, for a term of five years.
- **Article 361** provides personal immunity for the Governor from judicial proceedings in respect of the exercise of official powers.
- **Article 143** confers the Supreme Court's advisory jurisdiction, under which the Presidential Reference of May 2025 was made.
- **Article 142** confers power to pass orders necessary for complete justice, which was the basis of the April 2025 remedy.
- **Article 263** provides for an Inter-State Council to inquire into and advise upon disputes and matters of common interest between States, or between the Union and States. The Council was constituted in 1990 following the Sarkaria Commission's recommendation.
- **Article 368** governs constitutional amendment, and requires ratification by not less than half the State Legislatures for amendments affecting specified federal provisions.

The judgments.

- **Shamsher Singh v. State of Punjab (1974)**, establishing that the Governor acts on ministerial advice except where discretion is constitutionally required.
- **S.R. Bommai v. Union of India (1994)**, on the justiciability of article 356 proclamations and the floor test as the sole means of determining majority.
- **Rameshwar Prasad v. Union of India (2006)**, on the limits of a Governor's report and the dissolution of an Assembly.
- **B.P. Singhal v. Union of India (2010)**, on the pleasure doctrine and the removal of Governors.

- **Nabam Rebia v. Deputy Speaker (2016)**, confining the Governor's discretion in relation to the Assembly.
- **State of Tamil Nadu v. Governor of Tamil Nadu (2025)**, delivered 8 April 2025, prescribing timelines and applying deemed assent under article 142.
- **In re Assent, Withholding or Reservation of Bills, Special Reference No. 1 of 2025**, the advisory opinion of 20 November 2025, holding that timelines cannot be judicially prescribed and that deemed assent is impermissible.

The commission reports. Sarkaria in 1988, the National Commission to Review the Working of the Constitution in 2002, and Punchhi in 2010. Between them they recommend a defined period for the Governor to act on Bills, criteria governing reservation for the President, appointment after consultation with the State Government, appointment of persons not recently active in politics, and protection against arbitrary removal. Read at least the summary recommendations of one of these. A representative who can say that a specific commission recommended a specific reform in a specific year is making an argument that survives contradiction, because the recommendation is a documented fact rather than a contested opinion.

Distinguish three things. What the constitutional text provides, what the courts have held, and what commentators and commissions say should happen. The text prescribes no timeline. The Supreme Court has now held it cannot supply one. Three commissions have recommended that Parliament supply one. Those are three different statements and a representative who runs them together will be corrected by anyone who has read the opinion. Note also the status of an advisory opinion under article 143: it is not a judgment in a lis between parties, and its precise binding character is itself a subject of academic debate, though in practice it is treated as authoritative. If you raise that point, raise it accurately and do not overclaim.

PARTY POSITIONS AND FRACTURE LINES

Who wants what, and who is your ally? In this room the answer depends less on ideology than on the map. Ask which States a party governs, which States it hopes to govern, and whether it is part of the coalition at the Union. Then you will know how it will vote on every clause. Each position below is stated in its own logic.

Parties in Government at the Union

Core position: The Governor is a constitutional functionary exercising a considered judgment, and the office exists precisely so that State legislation touching Union interests, the powers of the High Courts, or matters of national concern receives scrutiny. The November 2025 opinion vindicates the constitutional design against judicial overreach.

Stated justification: The text of articles 200 and 201 contains no timeline because the framers contemplated deliberation; the Constitution Bench has now confirmed that courts cannot supply one; and the reservation power exists for a reason.

Actual interest: Preserving a channel of Union influence in States governed by other parties, and avoiding a precedent that would constrain future Union governments, including their own successors.

Fracture line: This bloc also governs States, and in those States it experiences the reverse. Any representative on this side should be ready for the question of what they would say if the Union changed hands and their own State's Bills were pending.

Parties Governing States in Opposition to the Union

Core position: An unelected appointee cannot be permitted to nullify the legislative output of an elected Assembly through inaction. Since the courts have said they cannot fix a timeline, Parliament must, and if Parliament will not, a convention must be agreed.

Stated justification: Representative democracy, the federal principle, and the commission recommendations of 1988, 2002 and 2010, all of which endorsed time-bound action.

Actual interest: The ability to legislate on university governance, state services, and subjects where their policy diverges from the Union's, without a veto exercised by silence.

Fracture line: Several parties in this group have, in other States or in earlier decades, benefited from exactly this discretion. And a party that wants a strict timeline on the Governor may be less enthusiastic about a strict timeline on the President under article 201 if it hopes to hold the Union.

Parties in Coalition at the Union While Governing States

Core position: Cooperative federalism and consultation. Support for procedural reform, without joining an attack on the Union Government.

Stated justification: The Inter-State Council under article 263 exists for precisely this purpose and should be convened rather than bypassed.

Actual interest: Maintaining a coalition relationship at the Union while protecting the autonomy of the State they govern. This is a genuinely difficult position and it makes these parties the pivotal negotiators in this room.

Fracture line: They cannot sign a statement that reads as an indictment of the Union Government, and they cannot sign one that concedes indefinite discretion. Any consensus text has to be drafted for them, because without them there is no consensus.

Parties with a Strong Federalist or Regional-Autonomy Tradition

Core position: The problem is the office itself, not its incumbents. The appointment process should require the concurrence or at least the consultation of the State Government, and the Governor's discretionary space should be narrowed by amendment.

Stated justification: The federal structure as part of the basic structure of the Constitution, and the Sarkaria recommendation on consultation in appointment.

Actual interest: Structural protection for State autonomy that survives changes in who holds the Union, which is a more durable interest than any timeline.

Fracture line: Abolition or radical restructuring of the office is not achievable, since it would require an amendment ratified by half the State Legislatures. Representatives holding this position need a fallback that is actually passable, or they will be present at the end of the meeting and absent from the statement.

Left Parties

Core position: The office is a colonial inheritance used to undermine elected State Governments, and reform should be structural, including on appointment, removal and the scope of discretion, rather than merely procedural.

Stated justification: The Constituent Assembly's own debates on whether Governors should be elected, and the historical record of article 356 before Bommai.

Actual interest: Protection of State Governments they participate in, and a long-standing programmatic commitment to federal restructuring.

Fracture line: Structural reform requires the support of at least one national party with the numbers to move an amendment, which means the practical choice is between a pure position and a passable one.

Parties Currently in Opposition Everywhere

Core position: Free to take the principled position, because they hold no Governor's appointment and no State Government whose Bills are pending.

Stated justification: Whichever principle is most useful, and it is worth noting that this is the least constrained bench in the room.

Actual interest: Visibility and the ability to claim authorship of a reform that others cannot propose without appearing self-interested.

Fracture line: Their signature adds legitimacy but not numbers. They will be courted by both major blocs and should extract something for it.

If your party is not covered above, find six things before you write. First, which States does your party govern, and which does it hope to win next? Second, is it part of the coalition at the Union? Third, has your party's State Government publicly complained about a Governor, and what did it say? Fourth, has a Governor appointed while your party held the Union been accused of the same conduct? Fifth, what is your party's stated position on the Punchhi Commission recommendations? Sixth, does your party have a position on the Inter-State Council being convened? Those six answers will place you accurately on every clause in this meeting.

CASE STUDIES

What has been tried, and what happened? Four episodes, chosen because each tests a different proposed remedy.

Tamil Nadu, 2020 to 2025: litigation as a remedy. The State Government moved the Supreme Court over Bills pending with the Governor, several of which concerned the appointment of Vice-Chancellors and the Governor's role as Chancellor of State universities. On 8 April 2025 the Court held the inaction unconstitutional, prescribed periods for action under articles 200 and 201, and declared ten Bills deemed assented under article 142. Seven months later the Constitution Bench held that both the timelines and the deemed assent were beyond what the Constitution permits. The lesson is stark and it cuts against the States: litigation produced the most favorable possible outcome, and that outcome did not survive. Representatives who propose going back to court should explain what is left to argue.

S.R. Bommai, 1994: the judicial fix that worked. Article 356 was, for decades, the sharpest instrument of Union interference in the States. Bommai constrained it by making the proclamation reviewable and by holding that the floor of the House is the only test of majority. It is the strongest available precedent for the proposition that judicial intervention can permanently change the balance. It is also instructive for a different reason: Bommai worked because it attached a reviewable decision to the exercise of the power. The assent problem is harder precisely because inaction produces no decision to review.

The commissions, 1988 to 2010: recommendation without implementation. Three bodies, across twenty two years, under governments of different parties, recommended substantially the same reforms: consultation in appointment, persons not recently in active politics, defined periods for action on Bills, and criteria for reservation. Almost nothing was implemented. Any party can cite this, and every party should be uncomfortable with it. The most useful conclusion for this meeting is that the obstacle has never been the absence of a workable design.

The Inter-State Council: the mechanism nobody uses. Constituted in 1990 under article 263 on the Sarkaria Commission's recommendation, the Council exists to inquire into and advise upon disputes between the Union and the States. It has met infrequently. This matters for your drafting, because a recommendation to convene the Council is one of the few asks in this agenda that requires no amendment, no legislation and no judicial action, and that no party can easily oppose in principle. It is therefore the most likely component of any consensus text, and representatives should decide in advance whether they regard that as a genuine step or as a way of appearing to act while changing nothing.

POSSIBLE APPROACHES

What could this meeting actually recommend? Five named approaches. Each is a real position, and each has a cost.

- **Amendment-First.** Recommend a constitutional amendment inserting defined periods into articles 200 and 201, with a stated consequence for expiry. *Strength:* it is the only route that definitively resolves the question, and it responds directly to what the Constitution Bench said, which is that the remedy lies in amendment rather than interpretation. *Weakness:* an amendment affecting the federal scheme requires a special majority in both Houses and ratification by half the State Legislatures. That is a very high bar, and it hands the drafting to whoever holds the Union.
- **Convention-First.** Recommend a political convention, recorded in this meeting's statement and endorsed by party leaderships, that Governors will act within a stated period and will record reasons. *Strength:* it requires nothing from Parliament and can be agreed today. *Weakness:* conventions bind only while they are observed, and the entire agenda exists because a convention broke down. A convention with no enforcement is a promise from the party that currently benefits.
- **Council-First.** Recommend that the Inter-State Council be convened under article 263 to consider the working of articles 200 and 201 and to propose a framework, with a report within a defined period. *Strength:* it uses an existing constitutional mechanism, requires no amendment, and is difficult for any party to oppose openly. *Weakness:* the Council advises and does not decide, and a referral can function as a way of postponing the question indefinitely while appearing to address it.
- **Appointment-Reform-First.** Recommend implementation of the Sarkaria and Punchhi recommendations on the appointment of Governors: consultation with the Chief Minister, persons not recently active in politics, and a fixed tenure with protection against arbitrary removal. *Strength:* it addresses the cause rather than the symptom, and it has the endorsement of three commissions across three decades. *Weakness:* consultation is not concurrence, and a Governor appointed after consultation can behave exactly as one appointed without it. Several of these changes would also require amendment.
- **Transparency-First.** Recommend that the fact and date of receipt of every Bill, its current status, and the date and nature of any decision be published by Raj Bhavan and by the Union in the case of reserved Bills. *Strength:* it requires no amendment, it is administratively trivial, and it converts inaction from an invisible act into a public record, which is the single change most likely to alter behavior. *Weakness:* it changes what is known rather than what is permitted, and a Governor determined to delay can still delay in full public view.

BUILDING EFFECTIVE ARGUMENTS

How do you actually speak in this room? You build a chain in which each link earns the next, and you end on something the meeting could adopt.

Consider this chain of reasoning:

1. A Bill passed by a State Assembly represents the settled will of an elected legislature
2. Article 200 gives the Governor four options, each of which is a decision
3. Prolonged inaction is none of the four, and produces no decision at all
4. Because there is no decision, there are no reasons, no record and nothing to examine
5. The Constitution Bench has now held that courts cannot supply a timeline or deem assent
6. Therefore the only remaining check is one this meeting can create: a requirement that the receipt of a Bill and the date and nature of any action on it be placed on the public record

That argument ends in something the meeting can adopt. Saying that Governors should respect the mandate of elected Assemblies ends in agreement and nothing else.

Here is a second chain, for representatives arguing that the discretion should be preserved:

1. The Constitution deliberately provides no timeline in articles 200 and 201
2. The Constituent Assembly considered and rejected an elected Governor, retaining an appointee with a link function to the Union
3. The Supreme Court has now held that the absence of a timeline reflects contemplated elasticity rather than an oversight
4. A State Bill may raise questions of legislative competence, repugnancy with Union law, or derogation from the powers of the High Court
5. So the reservation and consideration powers serve a constitutional purpose that a mechanical deadline would impair
6. Therefore the productive reform is transparency and reasons, which improve accountability without converting a considered function into a stopwatch

Notice that the two chains converge on transparency and reasons. That convergence is where a consensus paragraph gets drafted, and a representative who spots it early is the one who ends up holding the pen.

Three habits that make a speech land in this forum.

- **Cite the article and the year.** Not “the Supreme Court said Governors must act quickly” but “the Constitution Bench held on 20 November 2025 that timelines cannot be judicially prescribed, while maintaining that inaction defeating the constitutional

scheme is not sanctioned.” Accuracy about a judgment that cuts partly against you is the fastest way to establish authority.

- **Own your party’s record before it is used against you.** Every party here has appointed a Governor accused of this conduct or has been the State Government complaining about one. Saying so in your first speech removes the strongest weapon the opposite bench has.
- **Speak to the pivot, not to the gallery.** In an AIPPM the parties who determine the outcome are the ones who can sign either text. Direct at least one passage of every speech at them specifically, and say what you are willing to drop.

Seed these terms and use them precisely: aid and advice, discretionary function, reservation for the President, advisory jurisdiction, deemed assent, cooperative federalism, and the basic structure doctrine, which is the principle that certain features of the Constitution, including federalism, cannot be abrogated by amendment.

ADDRESSING COUNTER-ARGUMENTS

What happens when someone attacks your position? Five objections you will face, each stronger than it first sounds.

Counter: “Your own party appointed Governors who did exactly this. Why should anyone take this position seriously?”

Almost always true, whichever bench it is aimed at. You might respond by proposing:

- Conceding the record directly and arguing that this is precisely why the rule should be structural, since a rule that binds every future Union Government is the only credible answer to a charge of self-interest
- Offering a reform that would apply to your own party in office, which is the test of sincerity the room actually applies
- Pointing out that a norm every party violates in power and demands in opposition is the definition of something that should be written down rather than left to good faith

Counter: “The Supreme Court has settled this. The Constitution contemplates elasticity, and this meeting is asking Parliament to overrule a Constitution Bench.”

Serious and frequently made. You might respond by proposing:

- Distinguishing precisely: the Court held that courts cannot supply a timeline, not that a timeline would be unconstitutional if enacted by amendment
- Noting that the opinion expressly maintains that inaction frustrating the constitutional scheme is not sanctioned, which leaves a gap the Court has effectively invited the political system to fill
- Confining your proposal to transparency and reasons, which no reading of the opinion forecloses

Counter: “A deadline will force Governors to reject Bills rather than consider them, and States will be worse off.”

The perverse-incentive argument, and it deserves a real answer. You might respond by proposing:

- A requirement of reasons attached to any withholding or reservation, which makes rejection costly rather than costless
- A distinction between the period for the initial decision and the period for reconsideration after re-passage, since the second proviso already limits withholding on a re-passed Bill
- Accepting the risk and arguing that a recorded refusal is constitutionally superior to indefinite silence, because it is reviewable after enactment and politically accountable immediately

Counter: “Article 201 is the real problem, and none of you want to touch it because you all hope to hold the Union.”

Uncomfortable and largely accurate. You might respond by proposing:

- Including article 201 explicitly in whatever framework you propose, which immediately distinguishes your position from the others in the room
- Accepting a longer period for the President than for the Governor, which is defensible on the ground that Union-level consideration may involve legislative competence and repugnancy questions
- Requiring publication of the date of receipt and the date of decision at the Union level, which is the least any party can concede

Counter: “The office is a colonial relic and nothing short of abolishing or electing it will work. Procedural tinkering is a distraction.”

Principled, and it has a Constituent Assembly pedigree. You might respond by proposing:

- Accepting the diagnosis and questioning the prescription, since an amendment restructuring the office requires ratification by half the State Legislatures and has no realistic path
- Arguing that the immediate harm is being caused by the absence of a record and a period, and that both can be addressed now
- Offering to record the abolition position as a dissent or a supplementary note, which respects the party’s position without holding the statement hostage

QUESTIONS YOUR JOINT STATEMENT MUST ANSWER

What has to be in the document? A consensus statement that leaves any of these open will collapse the moment a party is asked what it actually signed.

- **What is the ask, precisely?** A constitutional amendment, a referral to the Inter-State Council, a joint parliamentary committee, a political convention, or an administrative transparency measure. Name it, because a statement that expresses concern without an ask is a press release.
- **Does it cover article 201 as well as article 200?** If it does not, say why. If it does, say whether the period for the President differs from the period for the Governor.
- **What period, and running from when?** From presentation of the Bill, from receipt at Raj Bhavan, from re-passage after return. These are different dates and the difference has been litigated.
- **What is the consequence of expiry?** Deemed assent is now foreclosed judicially, so if you want it you must ask for it by amendment and say so. The alternatives are a reporting obligation, a duty to record reasons, or nothing at all.
- **Are reasons required, and are they published?** For withholding, for reservation, and for the President's decision under article 201.
- **Does the statement address appointment and removal?** Consultation with the Chief Minister, eligibility criteria, fixed tenure, and grounds for removal are separate questions from assent, and including them widens the coalition on one flank while narrowing it on another.
- **Who is the addressee?** The Union Government, Parliament, the Inter-State Council, or the parties themselves. A statement addressed to nobody achieves nothing.
- **How is dissent recorded?** Decide this before you draft, not after. A statement that papers over a real disagreement will be repudiated by the dissenting party the same evening.

Modelling a Clause

A recital, in the form a joint statement uses:

"This meeting notes that the Sarkaria Commission in 1988, the National Commission to Review the Working of the Constitution in 2002 and the Punchhi Commission in 2010 each recommended that action on Bills presented under article 200 be taken within a defined period, and that these recommendations remain unimplemented;"

Consider what this achieves. It grounds the demand in the recommendations of three bodies constituted under governments of different political complexions, which makes it very difficult for any party to characterize as partisan. It states a documented fact rather than an opinion, so it cannot be contested on the floor. And it establishes the premise for the operative paragraph without requiring any party to accept blame, which is the central drafting problem in a consensus text.

An operative paragraph:

“This meeting resolves to recommend that the fact and date of presentation of every Bill under article 200, and the date and nature of the action subsequently taken, including any reservation for the consideration of the President and the date of the decision under article 201, be placed in the public domain by the office concerned, and that this be given effect through appropriate administrative instructions pending consideration of any constitutional amendment;”

Take it apart. It asks for publication rather than a deadline, which means no party has to concede that its own Governors acted improperly and no party has to defend the Court’s November 2025 opinion being overridden. It covers article 201 explicitly, which is the clause the drafting will actually turn on. “By the office concerned” avoids naming a party or a Governor, which keeps the text signable. “Through appropriate administrative instructions” identifies a route that requires no legislation, so the recommendation can be acted on immediately. And “pending consideration of any constitutional amendment” preserves the position of parties that want more, without committing anyone who wants less.

Now the weak version: “This meeting expresses concern over delays in granting assent to Bills passed by State Legislatures and calls for cooperative federalism to be upheld.” Every party signs it, nothing is asked of anyone, no date or document is created, and the same meeting is convened again in two years. If your paragraph could be adopted without a single party pausing over it, it is not doing any work.

RESEARCH AND PREPARATION GUIDELINES

Where do you look? This is an agenda where the primary sources are short, public and decisive, and where secondary commentary is heavily colored by which side the writer supports. Go to the originals.

Read the articles. Articles 163, 200, 201, 356 and 361 together run to about two pages. Read article 200 twice, including both provisos, because most of the arguments in this room turn on the exact wording of the first proviso and on what the article does not say.

Read the opinion, or its headnote and operative conclusions. The advisory opinion in Special Reference No. 1 of 2025, delivered 20 November 2025, answers the fourteen referred questions in sequence. Even reading only the answers to the questions on timelines, deemed assent and justiciability will put you well ahead of most of the room, and it will stop you from making the single most common error, which is describing the opinion as either a total victory or a total defeat for the States. It was neither.

Read the April 2025 judgment's operative directions. You do not need the whole judgment. You need to know what it directed and why the Constitution Bench disagreed, because the contrast between the two is the entire structure of this agenda.

Read at least one commission's recommendations. The Sarkaria Commission's chapter on Governors and the Punchhi Commission's recommendations on the same subject are the most cited and the most quotable. A representative who can name the commission, the year and the specific recommendation is making an argument that cannot be answered with an opinion.

Find your party's own statements. Party press releases, statements by leaders in Parliament, and the positions taken by your party's State Governments in litigation are all public. Quoting your own party accurately is essential; quoting an opposing party accurately is more useful still, and it is the most effective single move available in an AIPPM.

What to avoid.

- **Aggregate pendency figures with no source.** Numbers of pending Bills vary depending on what is counted and as of when. Attribute them to a State Government statement, an affidavit or a court record, with a date.
- **Descriptions of the November 2025 opinion drawn from headlines.** Different outlets led with different halves of it and both were incomplete.
- **Treating the Governor's role as Chancellor of universities as the same question as assent.** They are related and they are legally distinct, and conflating them will get you corrected.
- **Attributing motives to named individuals holding constitutional office.** Argue about the office and the practice. It is more persuasive and it is what the convenor will permit.

POSITION PAPER FRAMEWORK

Paragraph one, your party's position and its map. State which States your party governs, whether it is in the coalition at the Union, and what its stated position on the Governor's powers has been. Then state its record honestly, including any period when it appointed Governors accused of the same conduct. A paper that omits the record will be read by a Board that knows it.

Paragraph two, your constitutional reading. What you consider the correct interpretation of article 200, whether you accept that the discretion is genuine or believe it is confined by article 163, how you read the November 2025 opinion, and whether you regard a constitutional amendment as necessary or merely desirable. Be specific about article 201, because that is where most papers go silent and where the negotiation will concentrate.

Paragraph three, your proposal and your red line. Two or three specific asks, each identified by route: amendment, referral to the Inter-State Council, administrative instruction, or political convention. Then state the one thing you cannot sign. In a consensus forum, knowing a party's red line is more useful to the convenor than knowing its preference, and a representative who states theirs clearly gets consulted during drafting.

SIMULATION SCENARIOS

What might get thrown at you mid-session? The Executive Board may introduce developments. These are illustrative categories rather than predictions.

- **A Bill is reserved during the meeting.** A State Government announces that a Bill on which this meeting has been arguing has just been reserved for the President. Parties that framed the entire problem around the Governor will discover their draft says nothing about article 201.
- **A Governor publishes reasons.** A Raj Bhavan issues a detailed public statement explaining why a particular Bill has not been assented, citing legislative competence. This is the strongest possible answer to the transparency demand, and it forces the meeting to decide whether reasons were what it actually wanted or whether it wanted a deadline.
- **A cross-party amendment is floated.** A party from one bloc offers to support a specific amendment if a clause is dropped. This is the moment an AIPPM either produces something or fragments. Representatives who have decided their red line in advance will handle it; representatives who have not will improvise and regret it.
- **A State announces it will legislate on the subject.** A State Assembly resolves to press for a constitutional amendment and calls on other States to do the same. Since ratification by half the State Legislatures is required for amendments affecting the federal scheme, this changes the arithmetic and gives State-governing parties leverage they did not have that morning.

BIBLIOGRAPHY AND FURTHER READING

What should you cite? These will hold up under challenge.

Constitutional provisions:

- Constitution of India, articles 143, 142, 156, 163, 200, 201, 263, 356, 361 and 368

Judgments and opinions:

- Shamsher Singh v. State of Punjab (1974) 2 SCC 831
- S.R. Bommai v. Union of India (1994) 3 SCC 1
- Rameshwar Prasad v. Union of India (2006) 2 SCC 1
- B.P. Singhal v. Union of India (2010) 6 SCC 331
- Nabam Rebia v. Deputy Speaker, Arunachal Pradesh Legislative Assembly (2016) 8 SCC 1
- State of Tamil Nadu v. Governor of Tamil Nadu, judgment of 8 April 2025
- In re Assent, Withholding or Reservation of Bills by the Governor and the President of India, Special Reference No. 1 of 2025, advisory opinion of 20 November 2025

Commission and committee reports:

- Report of the Commission on Centre-State Relations, chaired by Justice R.S. Sarkaria, 1988, chapter on the Governor
- Report of the National Commission to Review the Working of the Constitution, chaired by Justice M.N. Venkatachaliah, 2002
- Report of the Commission on Centre-State Relations, chaired by Justice M.M. Punchhi, 2010, volume on constitutional governance

Primary and contextual material:

- Constituent Assembly Debates on the office of the Governor, particularly the discussion of an elected versus appointed Governor
- The Presidential Reference under article 143(1) dated 13 May 2025, and the fourteen questions referred
- Statements and affidavits filed by State Governments in the assent litigation
- Reports of the Inter-State Council Secretariat and records of its meetings

FINAL NOTE FOR REPRESENTATIVES

Two habits will distinguish a strong representative in this meeting.

The first is applying your own standard to your own side. This agenda punishes selective outrage more severely than any other, because the record is symmetrical and everyone in the room knows it. A representative who says plainly that their party's Governors have done this, and that the party would accept a rule binding itself in office, becomes the person other benches actually negotiate with. A representative who claims a clean record will spend the second half of the meeting defending it instead of advancing anything.

The second is counting to a consensus. This is not a chamber where a majority carries a motion. The only thing that leaves this room with any force is a text that parties have signed, and every signature has a price. Work out early which parties can sign either version, which have a genuine red line, and what the smallest change is that would move a bench from dissent to agreement. The representative who does that arithmetic in the first hour is the one drafting in the last.

Come ready to give something up in exchange for something specific. That is the whole job.

IN SUPPORT OF



Building
Our Future
Together



IN COLLABORATION WITH



THE
WORLD
WE WANT



MY WORLD.
THE UNITED NATIONS
GLOBAL SURVEY
FOR A BETTER WORLD.



GENERATION
EQUALITY



HeForShe

JOINTLY ORGANIZED WITH



IYC
INTERNATIONAL
YOUTH COUNCIL



HOSTED BY



**SILVER OAK
UNIVERSITY**
EDUCATION TO INNOVATION

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