

A GOVERNOR'S TEST: THE HINDU EDITORIAL ON CONVENING RAJASTHAN ASSEMBLY

Relevant for: Indian Polity | Topic: Functions & Responsibilities of the States, the Governor, the Chief Minister and State COM

Rajasthan Governor Kalraj Mishra could have sought a floor test in the State Assembly to ensure that the government of Chief Minister Ashok Gehlot has a majority, as soon as a rebellion in the ruling Congress cast a shadow on it. Far from that, Mr. Mishra now appears to be bending over backwards [to delay a trust vote](#). The Governor has cited six reasons for his procrastination in calling an Assembly session. But the Supreme Court has settled that the [Governor has no discretionary powers](#) in summoning a session of the Assembly, and he or she is bound to act according to the aid and advice of the CM and the Council of Ministers. The Governor can require the CM and the Council of Ministers to seek a trust vote if he or she has reasons to believe that they have lost the confidence of the Assembly. Either way, the only appropriate way forward for Mr. Mishra is to convene the session and allow the democratic process to take its course. Now that the State cabinet has reiterated its demand for a session, specifying a date and an agenda as demanded by the Governor, he should not look for more excuses and bring embarrassment to the high office he holds.

The CM has said the Governor is acting under pressure from the Centre, as he took the battle to the streets. Congress MLAs supporting the CM [held a dharna](#) at the Governor's residence, and a public protest is to be held on Monday. It is instructive to compare Mr. Mishra's conduct with that of Lalji Tandon, the former Governor of Madhya Pradesh, when similar sabotage brought down the Congress government led by Kamal Nath in March. Mr. Nath had said Congress MLAs were held captive, and the voting could be vitiated, but the Governor declared that the failure to take an immediate floor test would be presumed as a lack of majority. Mr. Mishra wants to ensure that all MLAs are free to move around before a session could take place, though there is no public knowledge of anyone complaining to him being restrained. He requires the government to take into consideration the spread of the novel coronavirus, but in Madhya Pradesh, the reasoning was the opposite — the Governor did not want any delay on account of the pandemic. These arguments of two Governors four months apart in two States certainly appear contradictory, but also partisan in favour of the Bharatiya Janata Party. The BJP's imprint is unmistakable in the crisis in Rajasthan, its denial apart. The Raj Bhavan should not be a tool of the BJP to dislodge and install governments as and when it wants. Mr. Mishra too has a test to pass, of constitutional morality.

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