

AS INTRODUCED IN THE RAJYA SABHA
ON 1ST APRIL, 2022

Bill No. XIV of 2022

THE CONSTITUTION (AMENDMENT) BILL, 2022

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BILL

further to amend the Constitution of India.

BE it enacted by the Parliament in the Seventy-third Year of the Republic of India as follows:—

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| 5 | <p>1. (1) This Act may be called the Constitution (Amendment) Act, 2022.</p> <p>(2) It shall come into force with immediate effect.</p> <p>2. In article 153 of the Constitution, the proviso shall be omitted.</p> | <p>Short title and commencement.</p> <p>Amendment of article 153.</p> |
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- Substitution of new article for article 155. **3.** For article 155 of the Constitution, the following article shall be substituted, namely:—
- Election of Governor. “(1) The Governor of State shall be elected by the members of an electoral college consisting of;—
- (a) the elected members of the Legislative Assembly of the State; and 5
- (b) the elected members of the Gram Panchayats, Municipalities and Corporations of the State.
- Explanation.*—(1) For the purposes of this article "State" includes the National Capital Territory of Delhi and the Union Territory of Puducherry.
- (2) The election of the Governor shall be held in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret ballot.” 10
- Substitution of new article for article 156. **4.** For article 156 of the Constitution, the following new article shall be substituted, namely:—
- Term of office of Governor. “(1) The Governor shall hold office for a term of five years from the date on which he enters upon his office: 15
- Provided that a Governor shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.
- (2) The Governor may, by writing under his hand addressed to the Speaker of the State Legislative Assembly, resign his office. 20
- (3) The Governor may be removed from his office by a resolution of the Legislative Assembly of the State passed by a majority of not less than two-thirds of the members of Assembly present and voting.”

STATEMENT OF OBJECTS AND REASONS

Governor is the head of the executive of the State Government and holds immense dignity. The stature and dignity of the office require that the person who holds such a position enjoys the legitimate support of the people and be accountable to the people of the State.

2. The States in India through the long decades of evolution have emerged as stable political entities. To appoint the Head of the State Governments through executive orders is antithetical to the spirit of democracy and federal spirit.

3. Seven decades of political evolution demands that the highest offices of the country reflect the spirit of the age.

The Bill seeks to achieve the above objects.

DR. V. SIVADASAN

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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Governors of States.

153. There shall be a Governor for each State : 3

Provided that nothing in this article shall prevent the appointment of the same person as Governor for two or more States.

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Appointment of Governor.

155. The Governor of a State shall be appointed by the President by warrant under his hand and seal.

Term of office of Governor.

156. (1) The Governor shall hold office during the pleasure of the President. (2) The Governor may, by writing under his hand addressed to the President, resign his office. (3) Subject to the foregoing provisions of this article, a Governor shall hold office for a term of five years from the date on which he enters upon his office:

Provided that a Governor shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

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RAJYA SABHA

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(Dr. V. Sivadasan, M.P.)

MGIPMRND—26RS(S3)—04-04-2022.