

Topic: Enquiry Into Complaints Against The Chief Minister

Name of the Case: M Karunanidhi v. UOI, AIR 1979 SC 898

Bench: Chief Justice Y.V. Chandrachud, Justice P.N. Bhagwati, Justice P.N. Untwalia, Justice Syed Murtuza Fazalali, Justice R.S. Pathak

Background: In 1973, a centrally appointed commission, consisting of a judge of the Supreme Court, was appointed to inquire into some complaints against the member of the Karunanidhi ministry in Tamil Nadu which was dismissed by the President under Article 356. The Chief Minister had earlier asserted on the floor of the state legislature that, under the Constitution, the Centre had no right to interfere in the power conferred on the State List. The state cabinet was responsible only to the state assembly which was supreme in so far as the affairs of the state were concerned.

Judgment: The Supreme Court while upholding the constitutionality of the enquiry commission observed that on several occasions, the State Government have appointed enquiry commission to probe into allegations of corruption and misuse of power against their ex-minister and ex-chief ministers. The legality and constitutionality of appointing such commissions has been judicially upheld in several cases. But nothing concrete appears to have been achieved by such an exercise as no conviction has even resulted as a result of reports of this commission.

It was observed that the scheme of Constitution is a scientific and equitable distribution of legislative power between the Parliament and the state legislature. First, regarding the matters contained in List 1, i.e, The Union list to the seventh schedule, Parliament alone has power to legislate and state legislature have no authority to make any law in respect of the entries content in List 1. Secondly, so far as the concurrent list is concerned, both the Parliament and the state legislature are in title to legislate in regard to any of the entries appearing therein, but that is subject to the condition laid down by Article 254 (1). Thirdly, so far as the matter in List II, i.e, the state lists are concerned, the state legislature are competent to legislate on them and only under certain conditions Parliament can do so.