

Constitution of India Art 162 - Extent of executive power of State

Subject to the provisions of this Constitution, the executive power of a State shall extend to the matters with respect to which the Legislature of the State has power to make laws:

Provided that in any matter with respect to which the Legislature of a State and Parliament have power to make laws, the executive power of the State shall be subject to, and limited by, the executive power expressly conferred by this Constitution or by any law made by Parliament upon the Union or authorities thereof.

SYNOPSIS

Executive Power of State: is coextensive with the legislative power of the State but no executive action can interfere with the rights of a citizen unless backed by an existing statutory provision, Bishambhar Dayal Chandra Mohan V. State of U.P., (1982) 1 SCC 39: 1982 SCC (Cri) 53: AIR 1982 SC 33: (1982) 1 SCR 1137.