

Examrace

Polity Study Material: Governor

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The Governor

Appointment

The Governor of a State is appointed by the President. Only a citizen of India, who has completed 35 years of age, is eligible for appointment as a Governor. He need not be a resident to that State for appointment as Governor. He holds office during the pleasure of the President. Subject to this, he holds office for a period of five years. He receives a salary of Rs. 36, 000 per month, and is entitled to certain other allowances and privileges. Powers of a Governor:

1. **Legislative Powers:** He summons, fixes the time and place for the meeting of the Legislature. He addresses the meeting of the Legislature at the commencement of session once in a year, He can send messages to the State Legislature. Every Bill passed by the Legislature must have his assent. He has the power to promulgate an ordinance, whenever the legislature is not in session.
2. **Executive Powers:** He appoints Chief Minister of the State and the other Ministers on the advice of the Chief Minister, He also appoints the Chairman and members of the State Public Service Commission. He acts as the agent of the Centre during an emergency.
3. **Financial Powers:** No Money Bill can be introduced in the Legislative Assembly of the State except on the Governor's recommendation. The State Contingency Fund is at his disposal and he can make advances out of it to meet unforeseen expenditure pending its authorization by the State Legislature.
4. **Judicial Powers:** He has the power to grant pardons, and suspend, remit or commute sentences where the offence is under a law relating to matters within the executive competence of the State.
5. **Discretionary Powers:**
 - a. He determines whether the Government of a State can or cannot be carried on in accordance With the provisions of the Constitution. If he feels that it cannot be carried on, he can make a report to the President under Art. 356 (1).
 - b. If after the general elections, no single party is able to secure a clear majority or post-election splits reduce the majority to a minority, the Governor can use his own discretion to determine which party has the best chances of forming a stable government.

- c. In case the Governor comes to conclusion that none of the parties represented in the legislature is in a position to form a stable government he can in his discretion dissolve the legislature and order fresh elections.
- d. The Governor can reserve a bill or bills passed by the State Legislature for consideration of the President. Role of Governor: Ordinarily, the Governor has to act according to the wishes of the Council of Ministers. No other role can fit in well in a Parliamentary set up. It is only in the exercise of discretionary powers when he may ignore the wishes of the Ministers. Apart from the role of Governor as a Constitutional head of the State, the Constitution certainly visualizes another role on his part when he acts as the agent of the Centre. It is only, when so doing that the use of discretionary powers become relevant. When the administration of State is not carried on in accordance with the provisions of the Constitution, he is to report to the Centre, During President's Rule, he runs the administration directly with the help of the Advisers appointed by the Central Government

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