**Governor**

The **Governors** and **Lieutenant Governors/Administrators** of the [states and union territories of India](https://en.m.wikipedia.org/wiki/States_and_union_territories_of_India) have similar powers and functions at the state level as that of the [President of India](https://en.m.wikipedia.org/wiki/President_of_India) at Union level. Governors exist in the [states](https://en.m.wikipedia.org/wiki/States_of_India) while lieutenant governors exist in [union territories](https://en.m.wikipedia.org/wiki/Union_territories) and in the [National Capital Territory of Delhi](https://en.m.wikipedia.org/wiki/National_Capital_Territory_of_Delhi). The governor acts as the nominal head whereas the real power lies with the [Chief ministers of the states](https://en.m.wikipedia.org/wiki/Chief_Ministers_of_India) and his/her councils of ministers.

### Qualification[Edit](https://en.m.wikipedia.org/w/index.php?title=Governor_(India)&action=edit&section=2)

[Article 157](https://en.wikisource.org/wiki/Constitution_of_India/Part_VI#Article_157_.7BQualifications_for_appointment_as_Governor.7D) and [Article 158](https://en.wikisource.org/wiki/Constitution_of_India/Part_VI#Article_158_.7BConditions_of_Governor's_office.7D) of the [Constitution of India](https://en.m.wikipedia.org/wiki/Constitution_of_India) specify eligibility requirements for the post of governor. They are as follows:

A governor must:

* be a [citizen of India].
* be at least 35 years of age.
* not be a member of the either [house of the parliament](https://en.m.wikipedia.org/wiki/Parliament_of_India) or [house of the state legislature](https://en.m.wikipedia.org/wiki/State_Legislative_Assembly_%28India%29).
* not hold any office of profit.
* **Power and Function**

The primary function of the governor is to preserve, protect and defend the constitution and the law as incorporated in his/her oath of office under [Article 159](https://en.wikisource.org/wiki/Constitution_of_the_India/Part_VI) of the Indian constitution in the administration of the State affairs. All his/her actions, [recommendations](https://en.m.wikipedia.org/wiki/Three_Judges_Cases) and supervisory powers (Article 167c, Article 200, Article 213, Article 355, etc.) over the executive and legislative entities of a State shall be used to implement the provisions of the Constitution. In this respect, the governor has many different types of powers:

* **Executive powers** related to administration, appointments and removals,
* **Legislative powers** related to lawmaking and the [state legislature](https://en.m.wikipedia.org/wiki/State_Legislature_%28India%29), that is [State Legislative Assembly](https://en.m.wikipedia.org/wiki/State_Legislative_Assembly_%28India%29) (Vidhan Sabha) or [State Legislative Council](https://en.m.wikipedia.org/wiki/State_Legislative_Council_%28India%29) (Vidhan Parishad),
* **Discretionary powers** to be carried out according to the discretion of the governor

### Executive powers[Edit](https://en.m.wikipedia.org/w/index.php?title=Governor_(India)&action=edit&section=4)

The [Constitution](https://en.m.wikipedia.org/wiki/Constitution_of_India) vests in the governor all the executive powers of the state government. The governor appoints the [chief minister](https://en.m.wikipedia.org/wiki/Chief_minister_%28India%29), who enjoys the support of the majority in the State Legislative Assembly. The governor also appoints the other members of the Council of Ministers and distributes portfolios to them on the advice of the chief minister.

The Council of Ministers remain in power during the 'pleasure' of the governor, but in the real sense it means the pleasure of obtaining majority in the Legislative Assembly. As long as the majority in the State Legislative Assembly supports the government, the Council of Ministers cannot be dismissed.

The governor appoints the [chief minister of a state](https://en.m.wikipedia.org/wiki/Chief_Ministers_of_India). He or she also appoints the [Advocate General](https://en.m.wikipedia.org/wiki/Advocate_General) and the chairman and members of the State Public Service Commission. Apart from this, State Election Commissioner is also appointed by the Governor (though removed by the President). The [president](https://en.m.wikipedia.org/wiki/President_of_India) consults the governor in the appointment of judges of the [High Courts](https://en.m.wikipedia.org/wiki/High_Courts_of_India) and the governor appoints the judges of the District Courts. All administrations are carried on his or her name, he or she also has the power to appoint staff for his or her tenure in class one and class four as per constitution of India.

The Governor of the state by virtue of his or her office is also the [Chancellor](https://en.m.wikipedia.org/wiki/Chancellor_%28education%29) of most of the [Universities in the State](https://en.m.wikipedia.org/wiki/State_university_%28India%29).[[1]](https://en.m.wikipedia.org/wiki/Governor_%28India%29#cite_note-1) The dignity and impartiality of the office of the Chancellor puts the Governor in a unique position with regard to protecting the autonomy of the Universities and saving them from undue political interference. The Governor as Chancellor of University also acts as President of the Senate. Governor has power to direct inspection of every component of the Universities and affiliated colleges, required due action on the result of inquiry. The Chancellor appoints search committee for appointments of [Vice Chancellor](https://en.m.wikipedia.org/wiki/Chancellor_%28education%29). Governor accords consent of warrant of degrees and withdraw degree or distinctions both at the recommendations of the Senate. Governor approves or disapproves statutes passed by the Senate and appoints teachers of the University based on recommendation of the respective committees.

### Legislative powers[Edit](https://en.m.wikipedia.org/w/index.php?title=Governor_(India)&action=edit&section=5)

The state head summons the sessions of both houses of the state legislature and prorogues them. The governor can even dissolve the State Legislative Assembly. These powers are formal and the governor while using these powers must act according to the advice of the Council of Ministers headed by the Chief Minister.

The governor inaugurates (to dedicate) the state legislature by addressing it after the assembly elections and also at the beginning of the first session every year. The governor's address on these occasions generally outlines new policies of the state government. A bill that the state legislature has passed, can become a law only after the governor gives assent. The governor can return a bill to the state legislature, if it is not a [money bill](https://en.m.wikipedia.org/wiki/Money_bill), for reconsideration. However, if the state legislature sends it back to the governor for the second time, the governor must assent to it. The governor has the power to reserve certain bills for the president.

When the state legislature is not in session and the governor considers it necessary to have a law, then the governor can promulgate ordinances. These ordinances are submitted to the state legislature at its next session. They remain valid for no more than six weeks from the date the state legislature is reconvened unless approved by it earlier. [[1]](https://en.wikipedia.org/wiki/Governor_%28India%29#endnote_ordin)

Governor is empowered under Article 192 to disqualify a member of a [House of the State](https://en.m.wikipedia.org/wiki/Rajya_Sabha) legislature when the election commission recommends that the legislator is no longer complying with provisions of Article 191.

Per [Articles 165 and 177](https://en.wikisource.org/wiki/Constitution_of_India/Part_VI), Governor can ask the Advocate General to attend the proceedings of both houses of the state legislature and report to him any unlawful functioning if any.

### Financial powers[Edit](https://en.m.wikipedia.org/w/index.php?title=Governor_(India)&action=edit&section=6)

The governor causes to be laid before the State Legislature the annual financial statement which is the State Budget. Further no demand for grant shall be made except on his recommendation. They can also make advances out of the Contingency Fund of the State to meet any unforeseen expenditure. Moreover, he constitutes the Finance Commission of state.

### Discretionary powers[Edit](https://en.m.wikipedia.org/w/index.php?title=Governor_(India)&action=edit&section=7)

The governor can use these powers:

* When no party gets a clear majority, the governor has discretion to choose a candidate for chief minister who will put together a majority coalition as soon as possible.
* He can impose [president's rule](https://en.m.wikipedia.org/wiki/President%27s_rule).
* He submits reports on his own to the president or on the direction of the president regarding the affairs of the state.
* He can withhold his assent to a bill and send it to the president for his approval.
* During [emergency rule](https://en.m.wikipedia.org/wiki/Emergencies_in_India) per [Article 353](https://en.wikisource.org/wiki/Constitution_of_India/Part_XVIII), he can override the advice of the council of ministers if specifically permitted by the president.

## Contingency situation[Edit](https://en.m.wikipedia.org/w/index.php?title=Governor_(India)&action=edit&section=8)

The governor has no role or powers in a contingency situation such as [president's rule](https://en.m.wikipedia.org/wiki/President%27s_rule) unless specifically permitted by the president under [articles 160](https://en.wikisource.org/wiki/Constitution_of_India/Part_VI), 356 and 357. The Governor is not permitted to take any decision on his own without state cabinet advise when an elected government is in charge under the provisions of [Part VI](https://en.wikisource.org/wiki/Constitution_of_India/Part_VI) of the constitution