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## Governor as a Guardian of the Constitution or Guardian of Centre in the State?

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*Through the prisms of the constitution's founders, the constitution itself, and British colonial influences, this research paper examines the historical development and current role of the governor in India. The history of the Governor concept in India is outlined, with a focus on the change that occurred after 1935 and the subsequent granting of discretionary powers to governors. The research examines the potential effects of governors' discretionary powers on democracy and calls into question how well they enforce constitutional values and respond to public concerns. This research paper examines the tensions that exist between state governments and governors, using instances in West Bengal, Kerala, and Tamil Nadu as examples. Concerns over the erosion of democratic norms are raised by situations in which governors appear to have greater authority than elected governments. The research contends that the Governor's role tends to subvert rather than protect democracy in India.*

**Keywords:** *state autonomy, sarkaria commission, ventakachalliah commission.*

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### INTRODUCTION

India is well known for its unity in diversity and our Constitution reflects the harmony between diverse people and their cultures to preserve and promote them, the framers of the Constitution

gave importance to state autonomy. With the dawn of Independence, India transformed into a welfare state. We adopted a parliamentary form of democracy which differs from the British model of parliament democracy. India opted for a quasi-federal system to uphold the values of national unity, cultural diversity, democracy, and regional autonomy through collective effort. But, after the Independence; in the name of unity or uniformity, the Union Government started restricting the state autonomy by abusing the constitutional morality<sup>1</sup>.

“Unity, not uniformity, must be our aim. We attain unity only through variety.

Differences must be integrated, not annihilated, not absorbed.”<sup>2</sup>

- Mary Parker Follet

The Role of the governor should be seen through the lens of the framers of the constitution, the constitution, and the lens of the Britishers. The Governor is the Constitutional head of the State under the Indian Constitution. Part VI of the Indian Constitution (Articles 153-162) exclusively speaks about the role and powers of the Governor. The main role of the governor is to exercise his discretion to uphold the sanctity of the Constitution and to act as Constitutional Head while on the other hand, the Council of Ministers has the support of a State Legislature and is in charge of the administration for the benefit of the populace. Dr. B. R. Ambedkar emphasized that, ‘The Governor is representative, not of a party; he is representative of the people as the state’. India is a Union of states. The Union Government is the representation of the state at the center to administer the nation which means equal among equals. But, it changed into a Central Government where the Central government acted as shepherds and states were sheep.<sup>3</sup> In 1957, the Communist government was dissolved by the governor at his discretion in the name of law and order issues. This incident was largely spoken of as a ‘murder of democracy’ by the public and press. It is almost 75 years since India got its Independence. But, from the issue of

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<sup>1</sup> N.R. Deshpande, ‘The Role of the Governor in the Parliamentary Government in the States’ (1959) 20(1) The Indian Journal of Political Science <<https://www.jstor.org/stable/42743493>> accessed 12 December 2023

<sup>2</sup> Mary Parker Follet, ‘*The New State: Group Organization and the Solution of Popular Government*’ (Pennsylvania State University Press 1998)

<sup>3</sup> Digambar Mishra, ‘How They Became Governor : Portraits Of An Indian State Elite’ (1980) 41(2) Indian Journal of Political Science <<https://www.jstor.org/stable/41855022>> accessed 12 December 2023

dissolution of the E.M.S. Namboodiripad Government (1957) to the Government of National Capital Territory of Delhi (Amendment) Ordinance, 2023<sup>4</sup>, the Union government is still not able to uphold Constitutional morality and the voice of the people. It is a shame to be the largest democratic country that is not able to keep up with the layman's keenness. Is the discretionary power of the governor to murder the democracy and ignore the minority and state legislature? This project will focus on these issues and possible remedies and suggestions to construct an effective office of governor to uphold the constitution's values and democracy.

## **GOVERNOR'S ROLE - HISTORY AND BACKGROUND**

Governors have held this office since the Colonial period and The Irish Constitution inspired the concept of governorship. Nonetheless, modern politicians have been affected by the British style of government. In British India, the governor served as the monarch's envoy, and governors were chosen by the British king to oversee the East India Company's operations.<sup>5</sup> The Regulating Act of 1773 granted governors broader authority, making them representatives of the central administration in the province. It was this Act that introduced the Governor concept to India. The Government of India Act in 1935 vested governors with specific reserved powers, allowing them to exercise discretion independently of ministers. The Governor concept was first introduced by the British in India in 1935, mostly to manage affairs and exercise control over provincial administrations. During the Constitution Assembly debate on the governor's role, there was disagreement among members.<sup>6</sup>

“Why does a goat need a goatee & a state needs a governor?”

- Aringnar Anna

The first one was to be elected as a member of legislative members but after a set of arguments, it was rejected the reason that government may influence the action or the authority or the power

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<sup>4</sup> Government of National Capital Territory of Delhi Ordinance, 2023

<sup>5</sup> Sibraranjan Chatterjee, 'The Role of Governor In Indian Politics Since 1967' (1971) 32(4) Indian Journal of Political Science <<https://www.jstor.org/stable/41854471>> accessed 12 December 2023

<sup>6</sup> A K Ghosal, 'State Governor In The Constitution And Before' (1951) 12(1) Indian Journal of Political Science <<https://www.jstor.org/stable/42761881>> accessed 12 December 2023

of the Governor will be influenced by the party. So, he should be in the place to act on his own. By this, we can understand the intention or the main goal of the introduction of the Governor. So, the Governor is an inseparable part of a state legislature. What Dr Ambedkar has described as the duties of the Governor follow classic definition by backing the rights of the sovereign under a constitutional monarchy: the three rights with the right to be consulted, the right to encourage, and the right to warn.<sup>7</sup> The governor of a state also needs no more rights to be able to access considerable influence over the Government of his state. The recent reason behind this mode of appointment is to work independently from the government and act on his discretion; acting in discretion doesn't mean acting arbitrarily.

In Canada however, the lieutenant Governors of provinces are appointed by the governor-general in Council that is the governor-general acts on the advice of the dominant cabinet and can be removed by the governor general the role of the Indian State Governor is to smooth the relationship between the Union and State governments.<sup>8</sup>

The Governor's role in India has changed throughout time, especially concerning Article 356. It went from being a largely discretionary post to one that is more limited and subject to abuse. With minor adjustments, Article 143 of the proposed constitution – which became Article 163 – was quite similar to Section 50 of the Government of India Act 1935. Before the Indian Constitution was adopted, the governor was free to make decisions on his or her own, but after that, they were supposed to follow the counsel of the ministers. But as the Union government started using the governor's position as a weapon to exercise influence and control over states in the years after independence, worries surfaced. Article 356 became a controversial provision since it permits the imposition of the President's Rule if the constitutional mechanism malfunctions. There were moments when it seemed that the concept of constitutional machinery failure served political rather than constitutional interests and other times it was open to interpretation. One significant event was the formation of a coalition government in Rajasthan

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<sup>7</sup> S A H Haqqi, 'The Role Of The Governor' (1961) 22(4) Indian Journal of Political Science <<https://www.jstor.org/stable/41853899>> accessed 12 December 2023

<sup>8</sup> Dalip Singh, 'The Role Of The Governor Under The Constitution And The Working Of Coalition Governments' (1968) 29(1) Indian Journal of Political Science <<https://www.jstor.org/stable/41854247>> accessed 12 December 2023

in 1967 by non-Congress parties, who had a resounding majority in the legislature. The Governor, purportedly under the influence of the Union government, invited the leader of the Congress party, even though democratic norms dictate that the majority party should be invited to form the government. Since this decision was viewed as a violation of the democratic process, it sparked large-scale demonstrations and acts of violence.

The episode made clear how Article 356 may be abused to overthrow democratically elected governments and establish a President's Rule for political reasons rather than for the Constitution. This sparked questions about the governors' roles and the discretionary powers granted to them, which, if misused, might jeopardize the foundations of democratic governance and federalism.

The case of *Hargovind v Raghukul Kanth Tilak*<sup>9</sup> was a turning point in defining the Indian governor's constitutional position. The Governor is not an employee of the federal government, the Supreme Court stressed in its decision. With this proclamation, the governor was positioned as a separate constitutional post, emphasizing their independence from the federal government. The decision upheld the importance of the Governor's function in maintaining federalism and guaranteeing a fair division of powers between the federal government and the states.<sup>10</sup> The Supreme Court tackled the controversial subject of governor dismissal in *S.R. Bommai v Union of India*<sup>11</sup>. The idea that a government's majority should be established in Raj Bhavan, the governor's mansion, as opposed to on the floor of the legislative chamber, was rejected by the court. This emphasized how crucial parliamentary democracy and constitutional procedures are. The decision reinforced the democratic idea of proving a majority within the elected house by emphasizing that the legitimacy of a government should be ascertained through a floor test. The historical background deepens our comprehension of the removal of governors. A major political event happened in 1977, during the Janata government, when 15 governors were

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<sup>9</sup> *Hargovind v Raghukul Kanth Tilak* (1979) SCR (3) 972

<sup>10</sup> K H Cheluva Raju 'Dr. B. R. Ambedkar and Making of The Constitution: A Case Study of Indian Federalism Source' (1991) 52(12) Indian Journal of Political Science <<https://www.jstor.org/stable/41855548>> accessed 12 December 2023

<sup>11</sup> *S R Bommai v Union of India* (1994) SCC (3) 1

removed in one go. This move sparked worries about the possible abuse of the executive branch's capacity to remove governors for political purposes, jeopardizing the office's independence. The widespread termination brought to light the necessity of maintaining a careful balance between the federal government's authority and state institutions' autonomy to avoid arbitrary political meddling.<sup>12</sup>

### GOVERNOR'S ROLE - PROTECTOR OR SUBVERTER OF DEMOCRACY?

The Governor of a State shall be appointed by the President by warrant under his hand and seal.<sup>13</sup> In reality, only individuals deemed suitable by the Council of Ministers at the Centre may be appointed as governors. In the case of *Ram Jawaya Kapur v State of Punjab*,<sup>14</sup> the Supreme Court said that, "Article 53(1) of our Constitution grants the President the executive power of the Union. However, according to Article 75, there must be a Council of Ministers led by the Prime Minister to assist and advise the President in carrying out their functions. This designates the President as a formal or constitutional head of the executive, while the actual executive powers rest with the Ministers or the Cabinet."<sup>15</sup> However, the Centre has persisted in abusing the Governor's position, effectively turning the appointee into its de facto agent.<sup>16</sup>

There have been instances where the governors appointed by the preceding governments were changed by the ruling party, whenever the central government changed. One such instance is when Prime Minister Narendra Modi, came to power in May 2014, governors in 26 of the 29 States were changed. He changed all the seven Lt. Governors in charge of smaller units called Union Territories, which are more or less under the control of the Centre. Many of the governors tend to be politicians or persons associated with the party in power at the Centre. The framers of the Constitution had intended the Governor to be an independent, neutral umpire, a non-

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<sup>12</sup> B N Hosamani and M G Khan, 'President's Rule - An Analytical Study Of The Role Of Governor In Karnataka' (2012) 73(3) The Indian Journal of Political Science <<https://www.jstor.org/stable/41852119>> accessed 12 December 2023

<sup>13</sup> Constitution of India 1950, art 155

<sup>14</sup> *Ram Jawaya Kapur v State of Punjab* AIR 1955 SC 549

<sup>15</sup> *Ibid*

<sup>16</sup> Dr. Meera, 'Misuse of State Governors in India' (2019) 8(12) Indian Journal of Political Science <<https://www.ijsr.net/archive/v8i12/ART20203384.pdf>> accessed 12 December 2023

interfering advisor besides being the eyes and ears of the Centre. But except for the last requirement, the others are observed in the breach.<sup>17</sup> This turns the post of Governor into a largely political position.

The Indian Constitution's Article 156<sup>18</sup> and Article 157<sup>19</sup> explain that the Governor is chosen by the President and serves for a term determined by the President, with the only qualifications being that the Governor must be an Indian citizen and older than 35. For nominations and removals, the President follows the recommendations of the Union Government. As a result, governors frequently coordinate their actions with the Union Government's desires, highlighting a potential influence on their conduct.

Article 158(1) states that, "The Governor shall not be a member of either House of Parliament or of a House of the Legislature of any State specified in the First Schedule, and if a member of either House of Parliament or a House of the Legislature of any such State be appointed Governor, he shall be deemed to have vacated his seat in that House on the date on which he enters upon his office as Governor".<sup>20</sup> The intent behind the framing of Article 158(1) of the Indian Constitution was to preserve the autonomy and integrity of the governor's office inside the framework of the constitution and to favor non-political individuals to be appointed as Governors. However, several instances have been contrary to this intention. The idea outlined in the Constitution about a 'safety valve' for governor selections that favors eminent, non-political people has weakened. Instead, most appointments go to party-loyal retired officials or defeated politicians who must resign from office.<sup>21</sup> The declared goal of the governor's appointments is undermined by the ongoing cycle.<sup>22</sup> The Sarkaria Commission has mentioned in its report that, frequent removal and transfer of Governors have lowered the dignity of Governors.

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<sup>17</sup> *Ibid*

<sup>18</sup> Constitution of India 1950, art 156

<sup>19</sup> Constitution of India 1950, art 157

<sup>20</sup> Constitution of India 1950, art 158

<sup>21</sup> Rajni Goyal 'The Governor: Constitutional Position and Political Reality' (1992) 53(4) The Indian Journal of Political Science <<https://www.jstor.org/stable/41855632>> accessed 12 December 2023

<sup>22</sup> Ministry Home Affairs, *Commission on Centre State Relations* (2010)

## TENSIONS BETWEEN GOVERNOR AND STATE GOVERNMENTS

From the capital of the country to South India's Kerala, Tamil Nadu, Telangana, West Bengal, Punjab, and Jharkhand, there is a struggle between the elected government and the corresponding Governors wherever there is an opposition party, that is, a government that is not associated with the Bharatiya Janata Party (BJP). There are instances when the governor appears to have more power than the elected government. That being said, this is nothing new. There have always been disagreements or conflicts between the governor and the state administrations, but it is alarming how much worse things have gotten in the current era.

**Tamil Nadu:** Tamil Nadu Chief Minister MK Stalin wrote to President Droupadi Murmu on July 8, claiming that state Governor N Ravi has engaged in acts that are a 'threat to democracy' and that he would trust her to take 'appropriate action' to protect the spirit of the Constitution and to ensure that Governor R.N. Ravi acts as per Article 163(1) of the Constitution.<sup>23</sup>

Since the current administration took office, there have been ongoing disagreements between the Tamil Nadu government and Governor RN Ravi. Due to earlier differences, the state administration went to Rashtrapati Bhavan to request that Governor Ravi be removed, citing his 'inciting of communal hatred.' In addition, the Chief Minister questioned delays in the Governor's approval of several bills by submitting a list of them. One of these bills asks for the state to be exempt from the NEET medical examination. Governor Ravi, according to the DMK and its supporters, is trying to impose Central government orders on the Tamil Nadu government, which they see as needless meddling in the federal system of government.<sup>24</sup>

"Sitting in the state capital and looking for an opportunity to overthrow the state government, the governor can only be considered as an agent of the Union and such action of the governor

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<sup>23</sup> 'Tamil Nadu Governor is on a confrontation with State government, Chief Minister Stalin tells President' *The Hindu* (13 January 2023) <<https://www.thehindu.com/news/national/tamil-nadu/tamil-nadu-governor-is-on-a-confrontation-with-state-government-chief-minister-stalin-tells-president/article66371385.ece>> accessed 12 December 2023

<sup>24</sup>Rishika Singh 'Tussle between Stalin, N Ravi: When Tamil Nadu govt opposed the Governor' post 50 years ago' *The Indian Express* (13 July 2023) <<https://indianexpress.com/article/explained/explained-politics/stalin-n-ravi-when-tamil-nadu-opposed-governor-50-years-ago-8827394/>> accessed 12 December 2023



will destroy our federal philosophy and the basic principles of Indian democracy,"<sup>25</sup> wrote Stalin in his letter. The Governors' function as agents of the center was brought to light by this circumstance, raising questions about their objectivity and the possibility that they would abuse constitutional procedures for political purposes.

**Kerala:** The relationship between the Pinarayi government and Raj Bhavan has been strained since the Governor demanded the resignation of nine vice-chancellors last year alleging that rules had been flouted in their appointment.<sup>26</sup> Currently, the Government of Kerala has approached the Supreme Court stating that the Governor of Kerala, Arif Mohammed Khan, is delaying the consideration of bills that the State Assembly has passed. The State Government has contended that the Governor has failed in his constitutional duties by causing unreasonable delay in considering over 8 pending bills.<sup>27</sup> The Kerala government has claimed that the governor is delaying the bills by withholding his assent and this is 'defeating the rights of the people'.<sup>28</sup> This circumstance calls into doubt the Governor's ability to support or obstruct democratic principles.

**West Bengal:** The West Bengal Chief Minister, Mamata Banerjee, has had a tumultuous relationship with Governor Jagdeep Dhankhar for a long time and has been demanding his removal from the constitutional post.<sup>29</sup> Mamata Banerjee has continuously criticized Dhankhar's

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<sup>25</sup> Arun Janardhanan, 'Stalin urges President to remove R N Ravi as Tamil Nadu Governor: "Incited communal hatred, is a threat to peace in state"' *The Indian Express* (10 July 2023) <<https://indianexpress.com/article/political-pulse/governor-r-n-ravi-communal-hatred-threat-to-peace-tamil-nadu-stalin-letter-president-8822062/>> accessed 12 December 2023

<sup>26</sup> Jeemon Jacob, 'Kerala | State versus the governor' *India Today* (Kerala, 17 November 2023) <<https://www.indiatoday.in/magazine/up-front/story/20231127-kerala-state-versus-the-governor-2464272-2023-11-17>> accessed 12 December 2023

<sup>27</sup> Sheryl Sebastian, 'Governor Defeating Rights Of People': Kerala Government Moves Supreme Court Against Governor's Inaction In Assenting Bills' *Live Law* (2 November 2023) <<https://www.livelaw.in/top-stories/governor-defeating-rights-of-people-kerala-government-moves-supreme-court-against-governors-inaction-in-assenting-bills-241406>> accessed 12 December 2023

<sup>28</sup> 'SC seeks reply of Centre, Kerala governor's office on state govt's plea alleging delay in granting assent to bill' *The Times of India* (20 November 2023) <<https://timesofindia.indiatimes.com/india/sc-seeks-reply-of-centre-kerala-governors-office-on-state-govts-plea-alleging-delay-in-granting-assent-to-bills/articleshow/105350253.cms?from=mdr>> accessed 12 December 2023

<sup>29</sup> Jayanta Ghosal, 'Jagdeep Dhankhar vs Mamata Banerjee: Will Bengal CM support her bête noire?' *India Today* (17 July 2022) <<https://www.indiatoday.in/news-analysis/story/jagdeep-dhankhar-vs-mamata-banerjee-will-bengal-cm-support-b-te-noire-1976616-2022-07-17>> accessed 12 December 2023

activities, pointing out governance challenges posed by the Governor, such as interfering with file motions and contesting the Chief Minister's authority on several issues. The dispute has gotten worse after the BJP nominated Dhankhar for vice president without first contacting Mamata Banerjee. TMC regards the absence of consultation as a violation of constitutional standards and an indifference to state sovereignty. The dispute calls into question the governors' obligation to uphold democratic values and the necessity of striking a balance between upholding state autonomy and their constitutional responsibilities.

The function of governors has become a controversial topic in the complicated political environments of Indian states like Tamil Nadu, Kerala, and West Bengal, prompting debate over whether they uphold or undermine democracy. In these areas, disputes between state administrations and governors highlight a common theme: governors are seen as going beyond their constitutional authority, which feeds concerns about the eroding of democratic values. When considered collectively, these incidents allude to a tendency in which Indian governors may be more inclined to undermine democracy than to defend it, as evidenced by their appointments, actions, and conflicts with elected administrations. There is reason to be concerned about whether governors are faithfully defending the democratic ideals they are tasked with defending, given the recurring theme of perceived meddling in state affairs and threats to government.

According to the research, in India, the function of governors tends to be more of a subverter of democracy than a protector, as evidenced by their appointments, actions, and disputes with elected governments. Rather than acting as political agents, governors must follow the Constitution's mission. The federal framework and the Union-State relationship could be strengthened by an impartial and proactive Office of the Governor.

**State of Punjab v Principal Secretary to the Governor of Punjab and Another:** The Supreme Court's three-judge bench led by the Chief Justice of India, D.Y.Chandrachud and comprising Justices J.B. Pardiwala and Manoj Misra, held that in a Parliamentary form of democracy, real power rests in the elected representatives of the people and that the Governor, as an appointee of the President, is the titular head of State. The bench clarified that the Governor acts on the aid

and advice of the Council of Ministers, save and except in those areas where the Constitution has entrusted the exercise of discretionary power to the Governor.<sup>30</sup> The decision looked at Article 200<sup>31</sup>, which outlines the governor's authority to approve or reject a bill and stipulates that the governor must notify the public when using this authority. It emphasized that expedition is required under the Constitution and that waiting to act is contradictory to the phrase "as soon as possible." The controversy surrounding Tamil Nadu Governor R.N. Ravi's refusal to ratify Assembly-passed bills lends relevance to the ruling. The court made it clear that the Governor cannot refuse to sign without first sending a message to the State Legislature for review, as specified in the first proviso. The bench issued a warning, arguing that granting the governor the power to stall bills indefinitely would be tantamount to vetoing the legislature's ability to carry out its duties and go against the core values of constitutional democracy. The court brought serious charges against the Punjab Governor for raising questions about the legitimacy of the Assembly session. Along with upholding the Speaker's right to call a special assembly, the decision emphasized the importance of cooperation and statesmanship in preventing these kinds of disputes. This decision emphasizes the Governor's function following constitutional principles and serves as an important reinforcement of the supremacy of elected representatives in parliamentary democracies. It sets a precedent for the Governor to act more quickly and forewarns against possible misuse of authority. It is an outline for maintaining democratic norms and fostering collaboration across constitutional authorities.

## SUGGESTIONS

1. Following the 1969 Administrative Reforms Commission's recommendations, nonpartisan individuals with knowledge of administrative and public life experience ought to be given preference when a State's governors are appointed. The focus lies in the selection of individuals who possess a track record of impartiality and public service as well as administrative roles.

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<sup>30</sup> V. Venkatesan, 'Supreme Court Ruling on Governor Powers will be a Game-changer for Federal Disputes' *The Hindu* (New Delhi, 24 November 2023) <<https://frontline.thehindu.com/columns/supreme-court-ruling-on-state-governor-powers-a-game-changer-for-federal-disputes/article67569425.ece>> accessed 12 December 2023

<sup>31</sup> Constitution of India 1950, art 200

2. Based on the recommendations provided by various committees, including the Sarkaria Commission, Raja Mannar Committee, and the Constitutional Reform Committee changes have to be made:
3. To improve the effectiveness and neutrality of the governor's position in state government, it is advised that nonpartisan standards be strictly followed while appointing new governors.
4. As suggested by the Raja Mannar Committee, the Governor ought to be chosen after consulting with the Chief Minister to foster a cooperative and amicable relationship between the state and federal governments.
5. The Governor should primarily be a non-political figure with a key focus on administrative tasks, in accordance with the suggestion of the Sarkaria Commission.
6. Before taking any drastic actions, the governor ought to give a warning to prevent abuse of Article 356 and protect the federal framework.
7. In light of Pylee's criticisms of the Governor's qualifications, it is recommended that the qualification standards be reexamined and reformulated in accordance with the recommendations made by the Constitutional Reform Committee to rectify any perceived shortcomings and improve the general competency of those nominated to this pivotal constitutional position.
8. It is crucial to align the authority and roles granted to governors with their constitutional domain, as suggested by the Punchhi and Sarkaria Commissions. With this modification, the governor's high office will be protected from needless public disputes and be able to concentrate on their constitutional responsibilities free from unnecessary distractions.
9. Reaffirming the fundamental idea that governors must act in the interests of the Union and the State, neutrality is important in the current situation. Governors must be viewed as an essential channel for cooperation and communication between the Union Government and the States, not as agents of the political party in power at the Centre.

10. Provide a thorough 'Code of Conduct' to direct the Governor's authority and constitutional duty. To promote openness and accountability in the Governor's activities, a well-defined set of norms and standards will guarantee that discretion is used judiciously, rationally and with good intentions.

11. Codify the Governors' discretionary powers by clearly saying that they must follow the advice of the Cabinet, especially when it comes to Bills, and by clearly outlining the areas and time frames within which they have discretion. Establishing unambiguous parameters for discretionary powers can mitigate ambiguity, foster consistency, and avoid the abuse of power, thereby augmenting the credibility and efficacy of the governor's function.

## CONCLUSION

Historical and constitutional factors have a major impact on the governor's function in Indian politics. Concerns regarding the integrity of state autonomy and the federal system have been raised by the conflicts and problems resulting from the power dynamics between governors and state governments. Re-examining the appointment process is crucial in upholding the Governors' constitutional responsibility and maintaining the delicate balance between the Union and State Governments. The Sarkaria Commission's and other committees' recommendations highlight the necessity of appointing nonpartisan candidates to the position of governor. Governors should also follow the letter and spirit of the constitution, highlighting their neutral role as intermediaries between the Union and State Governments. It is important to make sure that the Office of the Governor maintains democratic principles, acts as a unifying force, and strengthens the federal government. Governors can be vital in maintaining peace, protecting state sovereignty, and advancing the country as a whole if they uphold the spirit of the Constitution and abstain from political meddling.