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CLASS NOTES

CUET & CLAT

GENERAL KNOWLEDGE

TOPIC:

POLITY - GOVERNER

BY

NIKHIL SAREEN & TEAM

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INDIAN POLITY

GOVERNOR

Governor
↓
Chief Executive Head of the State.
↓
Article 153 - 167] Indian Constitution (State executive)
↓
Part VI
↓
Governor, CM, Council of Ministers, Administrator
↓
Act as a Agent of Central Government
↓
As per 7th Constitutional Amendment Act, 1956
(A person can be appointed as governor of two or more state)
↓
India (Bag of Borrower)
↓
Governor
↓
Government of India Act, 1935
↓
Governor act as a agent of Central government in the state.
↓
Canadian constitution

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Governor

↓

Elected by president of India

↓

Governor model

↓

Canadian model

↳ Qualification of Governor

↓

→ 35 years minimum age

→ Indian

↳ Appointment of Governor

① Governor - Outsider

② President must consult CM of a state before appointment of Governor for concerned a state.

↓

↳ Oath

→ Chief Justice of concerned High court.

↓

↳ Tenure

→ Hold office for 5 years.

→ Pleasure of president.

↓

↳ Resign.

→ President of India

↓

↳ Remove

↓

President of India

{ 1982 - S.C. given wordings regarding "pleasure of president"

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Governor can be transfer to another state by president.

↓

Governor died during his/her tenure.

↓

Chief Justice of H.C will be ~~appointed~~ acting as a Governor.

If Chief Justice of H.C will not be there, then the senior most judge of H.C will be acting as a Governor.

↓

Power & function of Governor

↓

Governor has all powers same as president except :-

↳ Diplomatic power

↳ Military power

↳ Emergency power

Executive power

- All the state governments run on the name of Governor.
- Governor appoint Chief minister & other minister.
- Appoint state Advocate ~~General~~ General.
- Appoint state Election commission.
- Recommend imposition of constitutional emergency to president.
- Chancellor of all the state Universities.

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Legislature power

- Governor is the integral part of state legislature.
- No bill become act until governor sign it although ~~Governor~~ do not sit under State Legislature Assembly.

State Assembly → Bicameralism (Two houses)

(MLA's) Vidhan sabha — Vidhan Parishad (Governor)

Under Article 168 ↓ Every State consists of Governor & either one or two houses.

Under Article 169 ↓ Creation or Abolition of Legislative Council (Vidhan Parishad) in a State by the parliament after Special Majority Resolution in the State Legislature.

★ 6 states - Bicameralism
- Andhra Pradesh
- Maharashtra
- Telangana
- Karnataka
- Uttar pradesh
- Bihar

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Election commission consult with respect to Disqualification of state legislature

BILL

↓

Introduce vidhan Sabha

↓ Pass

Governor → (yes , Bill become Act)

↓

When bill sent to governor :-

↳ Governor give assent to bill (yes) ✓

↳ with hold his assent (Refuse)

↳ Return the bill for Reconsideration to state Legislature. (Suspensive Veto)

[If the bill is passed again by state legislature with / without Amendment then Governor has to give his assent.]

↳ Governor can reserve the bill for consideration of the president.

↳ Governor can't reject money Bill.

* Governor → Ordinance power

↓

When state Assembly is not in session : at that time Governor can make a law but once State Assembly comes in a session then within 6 week the state Assembly must approved it & if they are not approving it becomes NULL or VOID.

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Financial power

- All money bill introduce in State legislature after prior recommendation of governor.

Imp - Governor appoints finance commission for every 5 year to review the position of panchayat & municipality.

Judicial power

→ Pardoning power : Death sentence can not be pardon. (It is with president only under Article-72)

★ Article 163	★ Article 164
↓	↓
There shall be council of Ministers headed by CM to aid & advice to governor in the exercise of his/her function	The council of Minister shall be collectively responsible to state legislative Assembly.

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