

# Offices of the Governor in India and the United States of America: A Comparative Study

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## Abstract

Now a day there is a hot debate on the position, powers, and functions of Governors. In India, various committees and scholars have written only on their political or social aspects but there was no clear and comprehensive analytical study of the position, powers, and functions of Governors. As the Governor works under the Constitution of the country, there is a dire need for the legal and constitutional study of his powers, functions, and positions. We have before us the Governor System in the States of U.S.A., which has experienced this system for the last more than 200 years. This paper proposes to study and compare the legal and constitutional aspects of the position, powers, and functions of Governors in both countries. The prime purpose of my study is to present a clearer picture of the Governor's legal and constitutional position, powers, and functions in both the countries to find out the similarities and dissimilarities, which may become useful for further improvement in the system if Governorship in both the countries.

**Keywords:** Governor, Responsible Government, Constitution, Federal Government, Center-State Relations, House of the Parliament, State Legislature.

## Introduction

The term "Governor" as defined under Merriam Webster, and Encyclopedia Britannica is 'a person who is the leader of the Government of State, province, etc, or a person who is part of a group of people who control a large organization or Institution. In easy term, it can be said that one who exercises authority especially over on a group. Governor is an official elected or appointed to Act as ruler, chief executive or nominal head of a political unit'.

The power, position and function associated with the Governors of British India were altogether different from the Governor of democratic India. To some extent, the present Governor is a shadow of the Governor of British era.

In the federal systems of government under which India and the U.S.A operate, there are many similarities and dissimilarities in the area of National Government and the States. The U.S.A. has got the Presidential form whereas India has got the Parliamentary form of government, even then has many resemblances in their working and governing position, powers and functions, especially in their State Administration. In the United States, the Federal Constitution does not enumerate the powers of the States in detail, whereas our Constitution enumerates powers and functions of States and Union. The States are run under the supervision of the Governors in both countries.

## Importance of Office

In India ordinarily, each State has a Governor, but two or more States may have a common Governor also. The executive powers of the States are vested in the Governor who has to function on the advice of his Council of Ministers, who is inturn collectively responsible to the State Legislature. The executive functions of the States are distributed between and discharged by the Ministers according to the Rules of Business framed by the Governors.

In U.S.A. each of the 50 States has a Governor to head the executive branch of its government, but there cannot be a common Governor for two or more States. Each Governor has to work as the Head of the executive branch of the government. Most of the States have

Lieutenant Governors also; who may work as Governor in the absence of, or incapacity also; of a Governor. He is like a Deputy Governor. In India, there is no Lieutenant Governor in the State, who can work as Governor in his absence. In U.S.A., for there is a fairly wide variation in the powers conferred on State Governors through their Constitutions. The Governors do not carry with them exactly the same authority in every State, whereas in India each Governor enjoys similar powers, position and functions.

The Governor is designated as the States officer having the Supreme Executive power in U.S.A. He is the highest authority in the executive department. He is the real executive head. The executive power is in the hands of the Governor. The authority of the Governor is supreme in the exercise of his judgment or discretion. Though Governor is a Constitutional Head of the State in both the countries, however, they differ in the mode of exercising their powers as the Constitutional Head.

In India, as a Constitutional Head, the Governor has no function to perform in a large area of administration. The formation of policies, promulgation of laws and their implementation is the exclusive functions of the Cabinet and therefore he is termed sometimes as the ceremonial head of the State. However, as a Constitutional Head, occasions may arise when certain decisions are taken by him without aid and advice. These decisions relate to—(1) appointment of the Chief Minister, (2) dismissal of the Ministry, (3) dissolution of the Assembly, (4) Appointment and removal of certain Constitutional and other authorities, etc.

On the contrary, the Governors in U.S.A. enjoy extensive powers as the Chief-Executive, although in some sphere they are also helpless. They have vast discretionary powers as compared to Governors in India. In the performance of certain duties, the Governor of a State may be deemed a federal officer. While the power of the State, vested in Governor, is broad, and he has the power of the legislation and is accorded great flexibility in determining methods of enforcement, he may not go beyond stated legislative policy and prescribe a remedial device not embraced by that policy.

#### **Qualification and Eligibility**

In India, regarding the qualification and eligibility, the only qualification for a Governor's appointment is that he must be a citizen of India and should have completed the age 35 years. He cannot be a member of either House of the Parliament or the State Legislature, and if he was a member at the time of his appointment, he will have to vacate his seat in that House on the date on which he enters upon his office as Governor. He cannot hold any other office of profit. It is not necessary for him that he must be from the same State of which he is appointed as Governor, but on the contrary as a convention; the Governor is appointed in a State from the other State. There is no bar of religion, race, caste, sex, place of birth for holding the post.

Whereas in U.S.A., the candidate for the office of Governor; must bear the citizenship of the

concerned State and the United States. The residence of reasonable duration, e.g. 5 years or more is ordinarily prescribed by the State Constitutions. Minimum age of 30 years is commonly set. At an earlier period, in U.S.A., certain religious beliefs and qualifications were frequently considered essential, but States have now abandoned such formal Constitutional requirements. There, however, normal adherence to a conventional religious group is almost an unwritten law, while religious beliefs of an unconventional kind might serve as a barrier in actual practice. It is not difficult to meet the formal requirements, but those established by unwritten conventional law are more onerous and often rule out otherwise able candidates.

In both countries, one who lacks strong political backing will not have any chance of appointment or election as Governor, although in U.S.A., in exceptional and in most unusual circumstances able man can be elected, but in India, it is quite unlikely no matter how impressive a record he may offer in private or other affairs. This does not necessarily mean that Governor must have been personally active over a long period of years in politics, but it does ordinarily imply that there have been cordial relations with the party organisation. Apart from these in U.S.A. the background from which a man comes also plays a vital role in the selection and election of the candidate.

#### **Appointment/Election of Governor**

The procedure of selection of the Governors is altogether different in both the countries. In India, they are appointed by the President of India, whereas in U.S.A. they are elected by the people directly.

The Constitution of India gives power to the Centre in the matter of appointment of a State Governor. There is no system of nomination or election of the State Governor in India. The Governor is directly appointed by the President by the warrant, but in reality, the Governor is selected and appointed on the recommendation of the council of ministers. Since there are no prescribed qualifications for them; they are selected from various fields. Generally, they are seasoned politicians belonging to the Ruling Party, outstanding administrators favourite bureaucrats, favoured statesmen, academicians, luminaries from the fields of judiciary or military services, former Speakers of Lok Sabha, office bearers of Ruling Party retired civil servants, rejected political leaders.

On the contrary in U.S.A., the title "Governor" refers to the chief executive of each state. The governor is not directly subordinate to the federal authorities but is the political and ceremonial head of the state. The governor may also assume additional roles, such as the commander-in-chief of the National Guard when the role is not federalized. The governor may also have the ability to commute or pardon a criminal sentence.

The majority of State Governors are nominated by direct primary, but there are such States viz. New York, Connecticut, and Indiana cling to the party convention method. Except for a very few States, such as Georgia and Mississippi, which

maintain electoral colleges or something of the sort. Governors are everywhere elected by popular vote. In general elections, the candidate, who receives the largest number of votes, is declared elected, though he may not have polled a majority of the entire ballot cast.

#### **Term and Tenure of the Office**

In India the Governor holds office during the pleasure of the President, but subject to this he holds office for a term of 5 years from the date on which he enters upon his office. He, however, continues to hold office even after the lapse of his term till his successor enters upon his office. He may resign at any time by writing to the President.

For the gubernatorial term, there is some difference of opinion in the States in U.S.A. The States are divided at present between the States having 2 years and State shaving 4 year's term for the Governor. 27 States provide a 4-year term, while others have 2 years term.

In India, there is no limitation on the re-appointment of the Governor and there is no bar on more than one consecutive term for him. But in U.S.A. approximately one-fourth i.e. 12 or so States currently limit their Governor to a single term; 4 prohibit more than two consecutive terms and Tennessee fixes a limit of three consecutive terms.

In U.S.A., where the term of office of Governor is defined as being for a certain time to until a successor is duly qualified if no successor is chosen, or being chosen, one has not become duly qualified, the Governor in possession of the office still holds the office; he holds by the same warrant by which he held before the date fixed for the expiration of his term and continues to be the de-jure Governor of the State: and where it is provided by a Constitution that all officers shall continue to discharge the duties of their respective office until their successors are elected or appointed and qualified, the provisions of that Constitution limiting the terms of office of Governor to 4 years and making him ineligible to re-election do not prevent him from continuing to discharge the duties of his office after his term, where, by the Constitution, no one else is entitled to act as Governor.

In U.S.A. State Constitutions frequently provide for succession in the office of Governor in the event of his death, resignation, removal, or incapacity, or his otherwise becoming incapable of performing the duties of his office. The succeeding officer is usually the elected Lieutenant Governor or the Secretary of State. If the Constitution does not provide for the office of Lieutenant Governor or in the event of vacancies in the office of both the Governor and the Lieutenant Governor it is sometimes provided that the President of the Senate shall act as Governor until the vacancy is filled, or disability ceases. If the President of Senate is impeached or removed from office, refuses to qualify, resigns, dies, or is absent from the State, the Speaker of the House of Representatives may in like manner be invested with the duty of administering the government.

In India, in case of vacancy is caused in the office of Governor of the State due to his death,

resignation, removal or incapacity or otherwise his immediate ad hoc appointment is made by the President of India and the charge is taken by the person authorized under the warrant. In most cases, the Chief Justice of the State works as an acting Governor and in few cases, the additional charge is given to the Governor of other State, a person can be appointed for one or more States, till the next appointment.

As a general rule, a person acting as Governor under Constitutional provisions for successions of office upon the happening of certain contingencies is entitled to more emoluments of the office. Moreover, not only may the office succeeding to the office of Governor be entitled to receive the salary normally paid to the Governor, but he may even be allowed to retain, in addition, the compensation incidental to his existing office.

#### **Removal for the Office**

In India, all the Constitutional functionaries except the Governor e.g. President of India, Judges of the Supreme Court of India and High Courts, Controller and Auditor General of India, Election Commissioner, Chairman and Members of the Union and State Public Service Commissions, etc. can only be removed after following a procedure laid down in the Constitution of India i.e. impeachment or like. Even a member of civil service of the Union or State, however low he may be in the hierarchy, cannot be removed without being accorded a reasonable opportunity of being heard. But a Governor, who is the Head of a State, has no security of tenure, nor any safeguard against his removal and that's why he is the only such functionary, who works without any express security or specific safeguards in the matter of his removal. He may be removed from his office at any time by the President. It is not regulated or controlled by the procedure laid down in Article 311. The Governor may be removed by an expression of Presidential displeasure.

On the contrary, in U.S.A., impeachment is provided in all the States as a device that may be used under extreme provocation to get rid of Governors. The process resembles that which is provided in the Federal Constitution, although in New York a special impeachment Court is set up to hear charges, thus relieving the State Senate of the task.

A Governor convicted of a felony is ineligible to hold office and can be removed in a judicial ouster action brought by the Attorney General or by the Lieutenant Governor. The taxpayers may also have the standing to bring the action. So, impeachment is probably not the only mode of removing the felonious office holder.

In India, there is no provision for impeachment of the Governor in any manner. The Governor can be removed only by the President of India, who appoints it, although the President doesn't need to show cause for removal of any Governor of a State before the expiry of his term. Under Article 156(1) of the Constitution of India, the "doctrine of pleasure" works as under-"The Governor shall hold office during the pleasure of the President..." And so it is called sometimes that although the Governor of a

State enjoys more powers than the President of India (in some respect), but it is the most unsafe Constitutional functionary amongst all. The Governors are immune from any Court action whether civil or criminal. Under Article 361(2) of the Constitution of India, no criminal proceedings whatsoever shall be instituted or continued against the President, or the Governor of a State, in any court during his term of office. Similarly, Article 361(3) provides that no process for the arrest or imprisonment of the President, or the Governor of a State, shall issue from any court during his term of office."

#### **Privileges and Immunities**

In India the Governor of a State enjoys full privileges and immunities from all civil, or criminal proceedings, any mandate, writ or directions from any Court, it extends to acts or omissions which may be incidental to, as well as to any act purporting to be done by the Governor, in exercise and performance of the powers and duties of his office. These immunities are personal to the Governor, although appropriate proceedings can be brought against the Government of the State, but the Governor personally is not amenable to a court-process regarding the act in question, till he holds the office. The lack of bonafide unravels every transaction when a question arises whether in a given situation the Governor has acted rightly or wrongly. It may be decided only against the Government of State without questioning the Governor's conduct. On the other hand in U.S.A., the State Governor does not enjoy such immunity against criminal proceedings. So in this respect, the Indian Governor is better equipped than the American Governor.

#### **Salary, Emoluments and Allowances**

As per the provisions of the Constitutions, the State Governors in India get uniform salaries and other emoluments, whereas in U.S.A., there is no uniformity. The salary varies from State to State. Governors of rich States get more salaries and of poor States get less. The same is the case with the emoluments etc.

In India, the Governors in their respective States get the highest salary amongst other government employees or Constitutional functionaries therein. But in U.S.A. this is not true e.g. in some States football coaches of the tax-supported Universities in their States get more than the Governor.

Similar to Indian Governors, although with few exceptions. States in U.S.A. also furnish residence for the use of Governors and their families. Various allowances are usually made for travel, incidentals, entertainment, and so forth, though the amount involved may be from generous as compared to India.

#### **Power and Functions**

Modern governors can be true leaders in their states and the nation. The challenge to incumbents is to employ the many resources available to them in the proper combination in pursuit of the many responsibilities their office entails today. The Governors of the States can exercise the executive, legislative and judicial powers and may function as per the provision of the Constitution.

#### **1. Executive**

In India, all the executive functions in the State are carried on in the name of the Governor. The Governor is empowered to make rules for the more convenient transaction of the business of the State Government. All executive actions of the State Government are expressed to be taken in the name of the Governor. He/she not only appoints the Chief Minister but on his/her advice appoints the members of the Council of Ministers. On the advice of the Chief Minister Governor allocates portfolios among the ministers. He/she appoints the Advocate-General and Chairman and members of the State Public Service Commission. He/she has the power to appoint judges of the courts, other than the High Court. He/she, however, is consulted when the judges of the State High Court are appointed by the President of India. While discharging all his/her functions as Head of the Executive in the State, the Governor like the President, is aided and advised by the Council of Ministers headed by the Chief Minister.

Similarly in U.S.A., the Governor is the Chief Executive and therefore all executive functions are performed either by him or through his subordinate officials in accordance with the provisions of law. State Governor has been given heavy responsibilities in the fields of appointments, removals, and supervision of administration, budgets, legislative leadership, pardons, and the like.

In U.S.A., unlike India, the States have long provided for several elective positions in the executive and administrative departments. The common practice is to fill the offices of the Secretary of State, State Auditor, State-Treasurer, Attorney General, the Superintendent of Public Instruction, Regents of State Universities, the Public Service Commissioners, and the like come by popular election. Consequently, the Governor does not have the authority which the President of U.S.A. has in the National government to name all the department heads or policy-determining officials, even though he may be considered generally responsible for the conduct of the executive branch. But, on the other hand, if the Governor does not appoint all the heads of the departments, he usually has the opportunity to name some of them.

#### **2. Legislative**

In India, The Governor has the right to summon and prorogue the State Legislature. He/she can, on the recommendation of the Council of Ministers dissolve the State Legislative Assembly. Governor can address the session of the State Legislative Assembly or Joint Session of the two Houses of the Legislature. He can send messages to either or both Houses. He/She can nominate one member of the Anglo Indian Community to the State Legislative Assembly, He nominates one-sixth of members of the total strength of the Legislative Council if the same is existing in a State. The assent of the Governor is necessary for a bill to become a law. If the State Legislature passes the bill in its original shape or a modified form, the Governor has to give the assent to the bill; he may reserve the bill for the consideration of the President. The Governor has

the power to issue ordinances during the period when the State Legislature is not in session.

In U.S.A., all the States, except North Carolina, confer on their Governors the power to veto certain actions of State Legislature. Governors play two broad roles in relation to state legislatures. First, they may be empowered to call special legislative sessions, provided in most cases that the purpose and agenda for the sessions are set in advance. Second, and more familiarly, governors coordinate and work with state legislatures in approval of state budgets and appropriations; enactment of state legislation; confirmation of executive and judicial appointments; and legislative oversight of executive branch functions.

Apart from all these, the Governors in U.S.A. do not have any Ordinance making power like Governor of a State in India.

### **3. Financial**

In India, it has special provisions as to financial Bills. No Money Bill and Financial Bill can be introduced in the State Legislature except on Governor's recommendation. No demand for a grant can be made in the Legislative Assembly except on his recommendation. It is the duty of the Governor to get prepared and introduced in the State Legislature the annual budget showing the estimated revenue and expenditure of the State for that year and, if necessary, the supplementary budget for the State. The Governor can also make advances out of the Contingency Fund of the State in case of unforeseen expenditure, pending its authorization by the Legislature.

In U.S.A., at first sight it might seem that the role of the Governor in financial affairs would consequently be either non-existent or at the most very limited. However, there is a great deal of State finance i.e. passing appropriation and revenue measures and this brings the Governor into the picture. The budget is the spending plan for a state. Like most things in state government, it requires the governor and the legislature to work together. Governors in most states are in charge of preparing the budget and submitting it to the legislature. The post audit is also performed either by an elected officer or by an official responsible to the Governor. After the budget has become law and a new fiscal year started, experience has indicated that careful supervision by some central agency is almost an absolute necessity if the budgetary system is to operate effectively. Legislative Budgetary Committee provides useful assistance in a number of States and the State Auditor renders valuable services in keeping check of what is going on. But the Governor and his assistants are usually regarded as the most logical officials to undertake budgetary control.

### **4. Judicial**

The Governors in the States are also equipped with some judicial powers and functions. In United States, the principle is stated that the office of Governor is political, and the discretion vested with the Chief Executive by the Constitution and laws of the State respecting his official duties is not subject to control or review by the Courts and that his

proclamations, warrants, and orders made in the discharge of his official duties are as much due process of law as the judgment of a Court.

In India, the Governor has power to appoint judges to the subordinate Courts in the State. The Governor has also said in the appointment of the judges of the High Court of the State. He decides the question whether a member of the State Legislature has become disqualified or not. Under Article 309 of the Constitution of India Rules made for State Service, the Classification, Control and Appeals Rules gives power of review, where a government servant is given punishment under Article 311 of the Constitution. The power to grant pardons and reprieves is historically attached to the office of Governor. Almost in every democratic society the Constitutional or the Executive Head is armed with the power to grant pardon, and to suspend, remit or commute sentences, in view of the fact that the judicial error may be committed by a judicial authority which is likely to subject a particular person to harm punishment.

In India, the Governor has the power to Grant pardon, reprieves, respites or remission of punishment or to suspend, remit or commute the sentence of any person convicted of any offence against any law relating to a matter which the executive power of the State extends. However, the pardoning power of the Governor does not extend in case of death sentence as it is available to the President of India. Although the Governor is armed with these judicial powers, even then it is used very rarely in the rarest cases and he functions only on the advice from the Council of Ministers.

Governor in U.S.A. is also equipped with the powers of pardon, reprieves, commutations, judicial control and review. As in India very few people apply for it and rarely this power is exercised, but in U.S.A., maximum affected people apply for it and as compared to Indian Governor, the American Governor exercises this power with much more frequency and therefore there occurred some cases of misuse and abuse of the power.

### **5. During Emergency**

In India, during a national emergency or the emergency imposed under Article 356 i.e. Presidential Rule in the State, the President normally governs through State Governor.

Almost similar is the position in U.S.A. there also during national emergency or war-time, and when the usual civil authority of that State cannot be duly maintained, almost similar to that failure of Constitutional machinery in the State, the President appoints a Military Governor who works under him and he becomes the Commander-in-Chief of the military in the State.

In India, The Governor may recommend an imposition of the President's Rule on the President's behalf and in such circumstances, override the Council of Ministers and directly handle the workings of the State. Also, Governor may exercise his function as the administrator of adjoining Union Territory. The Governor holds the power to select the Chief Minister should no political party win a majority in the Vidhan

Sabha of the state, or in the Chief Minister's demise without any obvious successor.

Whereas, in U.S.A. states possess the "police power," governors are the most important state officials, by virtue of state statutes empowering governors to declare emergencies and exercise extensive emergency powers. The 50 states' emergency statutes vary slightly in their provisions for declaring emergencies. In all but two states, governors can declare an emergency without any need to secure legislative approval. Georgia and Oklahoma require the legislature to affirm an initial gubernatorial declaration of emergency. In both states, once the governor declares an emergency he must immediately call the legislature into special session for the purpose of approving or terminating the emergency declaration.

#### **Research Methodology**

The subject of the research is related to Constitutional law, the researcher has applied the doctrinal legal research methodology, the descriptive, analytical, and evaluative methods for drawing appropriate inferences and conclusions have been adopted with due care and honesty, Material for the present study has been collected and consulted from the primary and the secondary sources such as the statutes, Constitutional provisions, world Constitutions, Judicial decisions, Government and administrative reports, authentic books and Articles published in standard law journals and magazines, newspapers and material available on websites, and the recent changes and developments in the national, political scenario with the change of Government at the Center. As an outcome of the issue, the researcher can come to some important conclusions.

#### **Aim of the Study**

With the help of this paper, I propose to study and compare the legal and constitutional aspects of the position, powers, and functions of Governors in both countries. The prime purpose of my study is to present a clearer picture of the Governor's legal and constitutional position, powers, and functions in both countries so as to find out the similarities and dissimilarities, which may become useful for further improvement in the system of Governorship in both countries.

#### **Review of Literature**

John A. Fairlie, "The State Governor: Michigan Law Review, Mar. 1912, Vol. 10, No. 5 (Mar. 1912), pp. 370-383, In all the States of the American Union there is an official known as the governor, who is at the head of the executive department of the State government. The governor is classed by the State constitutions as an executive officer, vested with the chief executive power of the State. But little if any definite authority is conferred on the governor by the grant of "executive power".

National Governors Association, "Governors' Office Functions", The structure and operation of governors' offices vary across the states, commonwealths, and territories. Differences often reflect external factors such as the powers and authorities given to governors by constitution or statute as well as state tradition and custom. But

possibly more important, they reflect and support each governor's personal style.

Subodh Asthana, "Powers and Position of the Governor in India", June 1, 2019, Published by IPleaders Intelligent Legal Solutions, The author in this article discusses the powers and position of a Governor as per the constitutional provisions. The Governor of a state isn't just a figurehead. He can practice a few powers in his prudence, and free of the suggestions made by the state Chief Minister. The Governor goes about as the connection between the Union and the state.

Negi Mohita, "The Governor of State: Appointment, Term, Salary, Power and Function", Published by Your Article Library, The position of the Governor is dignified as well as an exalted social institution which is also a constitutional necessity. The Governor's functioning during 1950-1996 reveals that they were more involved in active politics of the State which has subjected them to public criticism. Their manners of summoning, proroguing and dissolving the Assembly have also tarnished their image.

Some Governors had been using these powers purely for partisan and personal ends which have brought disrepute to the office. The Governors are not seen to be the elder statesman acting as a bridge between the Centre and the States as Nehru had wanted them to be, but as an instrument of the party in power in New Delhi, always ready to obey its commands whether right or wrong.

#### **Conclusion**

India and U.S.A. both have federal systems of Government. But, unlike India, in U.S.A. every State has its own Constitution and its own laws to govern it, citizens have dual citizenship i.e. of United States as well as of the State. India has got the parliamentary form of Government, whereas U.S.A. has the presidential form of government, even then the office of the State's Chief Executive resembles in many ways. The Chief Executive of the State has got the common nomenclature i.e. the "Governor". In both countries, he is the executive head of the State. The State runs under the supervision of the Governor. In both the countries, there has been a trend towards a more powerful Central Government, without diminishing the powers of the States.

Under the Constitution of India, the Governor, is a nominal head, the real powers are vested in the Council of Ministers headed by the Chief Minister. However, in certain exceptional situations, he possesses discretionary powers. Whereas, in U.S.A., in the State Governor has emerged as a policy leader of no mean proportions, emerging gradually as a leader in the field of State management and has become the primary center of public attention at the State level, which has resulted in his great importance.

In India, the State Governor has no function to perform in a large area of administration. The appointment of Chief-Minister, dismissal of Ministry, dissolution of Assembly, appointment and removal of certain authority, etc. are few areas, where he has to exercise his discretion. On the other hand, in the U.S.A., the Governor enjoys more Powers as the

Constitutional Head or Chief Executive, although in some spheres he is also helpless, however, overall he has wide discretionary powers and acts as a real head unlike the Governor in India.

It can be concluded that the office of the Governor is neither ornamental nor a glorified one. It is a political necessity. The Governor in India can function in either of two capacities: as the constitutional head of the State, with powers and functions similar in many ways to Governor in U.S.A., and secondly, as the agent-the eyes and the ears of the Union Government in the States.

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