Polity & Governance · GS - II

Discuss the position of the Governor in the federal polity of India. What is the nature of his power while giving assent to a bill passed by the State Legislature ? Is he bound by the aid and advice of his Council of Ministers in all his functions ?

EXAM YEAR	PAPER	SUBJECT
2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Articles 153, 154, 163, 200, 201, federal balance, constitutional head, discretionary powers, assent to Bills, reservation for President, aid and advice, exceptional discretion, judicial review

Model Answer

The Governor occupies a unique position in India's federal structure. Appointed by the President, the Governor serves as the constitutional head of the State while also functioning as an important link between the Union and State governments. Articles 154 and 163 establish the executive framework, with the Governor ordinarily exercising powers on the aid and advice of the Council of Ministers.

Article 200 provides three constitutional options when a Bill is presented: assent, withholding assent and returning a non-Money Bill for reconsideration, or reserving the Bill for the President. The Constitution also specifically requires reservation where a Bill would, in the Governor's opinion, substantially derogate from the powers of the High Court. The Supreme Court's 2025 Presidential Reference clarified that the Governor has discretion in choosing among these Article 200 options and is not bound by ministerial advice while exercising this specific function. However, prolonged and unexplained inaction can attract limited judicial intervention.

The Governor is therefore not a parallel political authority. Under Article 163, aid and advice is the general rule, while constitutionally recognised areas of discretion form exceptions. Such discretion must operate within

constitutional morality, federalism and democratic accountability.

A balanced interpretation requires the Governor to maintain neutrality, respect the elected State government and exercise discretionary powers only within constitutional limits.

Thus, the Governor's office represents a constitutional balance between responsible government at the State level and the broader requirements of India's federal constitutional framework.

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