The Constitution of India provides for a system of government which can be described as federal – parliamentary. That 'Federalism' and 'Parliamentary government' are, to a certain extent, mutually inconsistent is a well-known proposition. The imperatives of national unity and co-operative federalism, which received a conspicuously articulate recognition from the founding fathers, further complicate the situation. Given this framework, it is not difficult to appreciate that the Governor of a State in India has to play a somewhat complex role. Before the fourth general elections in 1967, the Congress was having a clear majority at the Centre and in most of the States. Ministries in the States enjoyed great stability because the governments, namely at the Centre and in the States, were run by the same party. Hence the Governor's role was not a matter of public controversy and least attention was paid to it. Sarojini Naidu, one time Governor of Uttar Pradesh, said that she considered herself "a bird in a golden cage". B. Pattabhi Sitaranayya a former Governor of Madhya Pradesh, also observed that he had no public function to perform except making the fortnightly report to the President.

The 1967 general elections witnessed a drastic change in the political States of affairs. Although Congress retained power at the Centre, it lost its base in eight States that is West Bengal, Bihar, Uttar Pradesh, Orissa, Kerala, Punjab, Haryana and Madhya Pradesh where non-Congress and coalition
governments came to power. The reason for the unity among allies of the coalition ministries was their bitter opposition to the Congress regime and a desire to achieve power but they could not maintain their unity for a long time. The period between 1967 and 1970 saw the downfall more than two dozen ministries in different States giving birth to political defections and opportunistic tendencies and as a result, the Governors started facing complexities, pressures and strains in exercising their powers and position. The office of the Governor suddenly become significant and controversial and the role of the Governor was questioned for the first time. As a result, many debates took place to restructure the constitutional framework concerning the office and role of the Governor in a federal set-up. When the Chief Ministers belonged to the opposition, the Governor was considered as the Centre's agent and when there was a coalition government, the Chief Ministers position was rendered ineffectual. As a result the Governor started playing a stubborn role, which gave birth to debatable issues concerning the constitutional powers of the Governor. Form time to time, the role of Governor has made Indian citizen feel that they are living in a very fragile democratic realm which can be shaken effortlessly by the Governor. It is well known fact that the Governors have played a dictatorial role many time and transcended all the democratic limits. Different political parties have misused the role of the Governor at different times for their partisan interests, thus proving that Indian society has yet to achieve the State of political moderniation and political culture.
The present study is divided into 5 chapters. The first chapter which is the ‘introduction’. As the nature of every such office is to some extent rooted in the past it was thought indisputable essential to trace. Therefore, the very first chapter has been devoted to this problem. In connection with the office of the Governor, it seems important to analyse the in view of the fact that some provisions of the previous Acts such as Government of India Act 1909, 1919, and 1935.

The second chapter is concerned with ‘the Governor constitutional position and functions’ in India. The Governor is the executive head of the State government. All executive authority of the State is vested in him which he can exercise directly or through officers subordinate to him. As the head of the State, the Governor appoint the Chief Minister, which in post 1967 period claimed much attention of the authorities on the subject. The matter of appointment of the Chief Minister may appear to be simple under normal circumstances, but assumes great significance at certain other times. Various political scenarios might present themselves before the Governor and depending upon the situation, he has either to act strictly according to the provisions of the Constitution or use his discretion. When a single party secures an absolute majority in the State Legislative Assembly after the elections, the task of the Governor in the appointment of the Chief Minister is simple. He has no other alternative but to call the leader of the majority party to form his ministry. The task of the Governor becomes somewhat complicated when no single party secures a majority
in the State Assembly. Here the Governor has to appoint the Chief Minister at his discretion. The criteria that influences the decision of the Governor in such a situation is that the person to chosen should, in his opinion, be in a position to mobilize majority support in the Assembly. The Constitution has also assigned some judicial functions to Governor. The Governor decides matters relating to the appointments and transfers of the judges of the High Court and posting and promotion of district judges and other judicial officers. Besides, this the politics of granting pardon on account of pressures has also been a matter of concern in the role of the Governor. The Discretionary power of the Governor is much debated in the recent past. The Governor has exercised his discretion in the appointment of the Chief Minister, dismissal of the Chief Minister and the Council of Ministers, suspension of the Legislative Assembly, dissolution of the Legislature, recommending to the President to issue a proclamation of emergency, and matters related to the Assent to the Bills. These Discretionary powers are misunderstood and misused by the Governor in the State. The Governor is the Chancellor of the State Universities. But the function of the Chancellor is a statutory function. The Governor as the head of the State is very limited role to play in the administration of the State but as a Chancellor he may play very significant role in the field of higher education. He is not the executive functionary of the University but being the head of the University he can issue guidance and instructions to the Universities for their proper functioning.
The third chapter expresses the relationship between 'the Governor and the Legislature'. In the very beginning the chapter dealt with the politics of nominating members to the Legislature. The Governor has the power to nominate some members of the Anglo-Indian Community to the Legislative Assembly in case he/she finds that it does not have adequate representation in that House. He also nominates 1/6th of the member's to Legislative Council from among persons having special knowledge or experience in the fields of science, arts, social service, cooperative movement. Then comes the power to summon and prorogue the legislature and dissolution of the Legislative Assembly the popular chamber of the State. The summoning and prorogation of the Legislature do not seem controversial to a layman, the Governor may play a major role in saving and ousting a particular Council of Ministers, as our has show. In the pre-1967 period it is true that this power is not misused, but the development in the post-1967 period shows a groomy picture. So far as the prorogation of the Legislature is concerned in some of the States the Governor being a constitutional head, went to the extent of saving a particular Chief Minister by the misused of his power. On the advice of the Election Commission, he can decide a matter relating to disqualification of a member of the Legislature if the member's election is challenged. The Governor powers to Message to House and Special Address to the House also analyzed in this chapter. Hereafter comes the power of the Governor to Assent and Reservation of Bills. The Governor an integral part of the State Legislature. Therefore, all
Bills passed by the State Legislature are subject to his assent. Whenever a Bill passed by the State Legislature is received by him, the Governor has these options: (a) he may straightaway give his assent; (b) withhold it; (c) reserve it for consideration of the President; (d) return it (in case of only non-Money Bills) to the Legislature for reconsideration. It is provided that he/she cannot withhold his assent on a Bill in case it is re-adopted by the Legislature whether any of his recommendations has been accepted or not. According to Article 200 of the Constitution, certain categories of Bills cannot be assented by the Governor and they have to be reserved for consideration by the President of India. Legislation for compulsory acquisition of private property; or Bills likely to adversely affect the powers of the High Courts; or Bills seeking to impose taxes on items declared 'essential' by an Act of Parliament; or Legislation likely to be in conflict with some law of the Parliament covering a subject in the concurrent list; or other Bill likely to create conflict with the Union government fall in this category. The Governor has the power of issuing Ordinance. Despite the fact that this provision was adopted by the framers of the Constitution for certain unseen contingencies, it is misused in a State even to protect a legislator whose elections petition was pending in the High Court.

The fourth chapter deals with 'the Governor and Centre-State Relations'. The proper working of the office of Governor in India is of crucial importance not only for the proper functioning of the federation but also for the success of the democratic
system of government in the country. The Centre–State relations which till 1967 were not put to test due to the Congress party monopoly at the Centre and most of the States, but after fourth general elections there was confusion in political set up of the country. This chapter analyses the Administrative relations between Centre and State governments. It is also necessary to set out the relevant provisions in the Constitution which operate in the field of Centre–State relationship which may have their impact on such relationship. There are two separate fields in which the Governor is to function, namely the State – field; and non-State field. In the State field the Governor is an executive head and functions on the advice of his Council of Ministers except in the exercise of his discretion. The Governor functions in the Non – State field are such as laid down in part XI of the Constitution under ‘Administrative Relations’ (Chapter II ). In matters covered by Articles 256, 257 and 258 the Governor could not easily act on advice of his ministers, if that advice was contrary to the directions of the Central government. This is an important exception to the doctrine of parliamentary government in the States. The most important Articles that make the Governor an agent of the Centre are Articles 155 and 156. Article 155 vests the power of appointment of the Governor in the President of India and Article 156 requires the Governor to hold office during the pleasure of the President. The every Governor owes his office to the President and may lose it if the President so desires. The effect of this means that the Governor is dependent upon the Prime Minister and the Union Home
Minister for his removal. As such, the Governor for the fear of losing his office or of not getting any other government assignment after his present term he may heed the prompting of the Union more carefully than the advice of his own Council of Ministers. Recently in Jharkhand, Goa, and Bihar Governors acts established him as the agent of the Central government.

The fifth Chapter is concerned with ‘the Governor and Article 356’ of the Constitution of India. The careful analysis of the application of Article 356 brings to light the provision had not been used very much for the purpose for which it was incorporated. Since the inauguration of the Constitution in 1950 President’s rule was proclaimed more than hundreds times. It is in this background that chapter is tried to analyze the Constituent Assembly Debates and background, in which the provision was included in the Constitution to dismiss a duly elected government. After the Genesis of the Article 356, Federal spirit and Action of Article 356 of the Constitution is analyzed. India is a country having a federal system which in practice shows the dominance of the Union government over the State government. To establish this situation Governor a representative of Centre place a key role. Article 356 has empowered the Governor to shows its presence in the State. The use of Article 356 is conditioned by the Report from the Governor of the State., or ‘otherwise” than the Governor’s Report; the President must be satisfied; and the Breakdown of constitutional machinery in a State, analysis of each ingredient is essential. Hereafter, comes the Parliamentary control mechanism of Article
356 of the Constitution of India. Then comes the Judicial Interpretation of Article 356 of the Constitution of India. The first case on the issue of President's rule in State was decided by the Kerala High Court. But the Bommai case is a landmark in the history of the India Constitution. After the Supreme Court's judgment in the S.R. Bommai case, it is well settled that the Article 356 is an extreme power and is to be used as a last resort in cases where it is manifest that there is an impass and the constitutional machinery in a State has collapsed.

The last chapter contains 'Conclusion' has been highlights the problems in the totality in the context of the role of Governor since 1971 and suggests ways and means to proper functioning of the office of the Governor.