



Functions and Duties of the Governor

The Governor is the Executive Head of the State within the meaning of Article 153 and 154 of the Constitution of India. Article 154 vests the executive powers of the State in the Governor who exercises it either directly or through officers subordinate to him in accordance with the Constitution. Under Article 163, the Governor as the Constitutional Head exercises all powers under the Constitution on the aid and advice of the Council of Ministers. It includes summoning and proroguing the Session of the State Legislature, Promulgation of Ordinances, giving assent to the Bills and appointing the Council of Ministers.

There are certain functions, which are possibly to be exercised by the Governor in his/her discretion as sending report to the President under Article 356 and reserving Bill for the consideration of the President under Article 254(2).

The Governor is the appointing authority in respect of the following authorities:

1. Advocate General
2. The Lokayukta and Upa Lokayukta
3. The State Election Commissioner
4. The Chairman and Members of the Human Rights Commission
5. The Chairman and Members of Public Service Commission
6. The State Chief Information Commissioner and members of Information Commission.

Duties of Chief Minister

Article 167 of the Indian Constitution, states the vital responsibilities that a chief minister is ought to fulfil.

With regard to Governor

- *CM* advises the Governor in affairs of the appointing of significant officers like advocate general, chairman and members of the State Public Service Commission, etc
- Article 167 holds the responsibility of the chief minister to keep the governor acknowledged about the decisions related to administration and legislation furnished by the cabinet

Chief Minister's Share of Power in regard with the Council of Ministers

The state legislative assembly is the collective duty of the council of ministers. The council of ministers includes ministers who are the heads of their respective ministries or department e.g. Ministry of Textile, Ministry of External Affairs, etc. The council of ministers is also referred to as Cabinet.

- According to *Article 164 of the Indian Constitution*, ministers shall hold office during the pleasure of the Governor



SNS COLLEGE OF TECHNOLOGY, COIMBATORE –35 (An Autonomous Institution)



DEPARTMENT OF COMPUTER SCIENCE AND ENGINEERING

- The council of ministers acts as the reinforcement for the status of the chief minister
- On the nod of the chief minister, the governor then appoints the ministers
- Allotment and rearrangement of portfolios among the ministers is as per the will of the chief minister
- During the assembly, it is the responsibility of the CM to guide and safeguard its council around any negotiations
- He plays a pivotal role in keeping a check on whether a decision made by the council is sound and lucid
- The resignation or death of the CM leads to the automatic termination of the council of ministers
- Amidst any air of disparity with a minister, he can advise the governor, regarding the removal of the minister
- The political conditions prevailing in the state also decide the strength of the CM in regard to the Council of Ministers
- The Chief minister's position is reinforced if there is a state or regional party in action
- A regional or state party, as the name suggests works solely in a particular region or state and doesn't operate outside state boundaries
- When there is an alliance between different political parties, a coalition is sought to take place, that is referred to as a coalition form of government
- All the parties agree to come together and collaborate to run the government
- But, this form of government can cause a downfall in the strength of the chief minister
- In both the cases, the CM has to maintain equilibrium among the coalition or different segments of the party by finding a middle ground among them

With Regard to the Legislature

All the MLAs (members of legislative assembly) who assemble in the legislative assembly are called the Legislature. A legislature is formed by a governor and one house or two houses. The two houses are the legislative council also known as Vidhan Parishad & Legislative assembly also known as Vidhan Sabha.

The composition of Legislative Assembly/Vidhan Sabha of a state is maximum of 500 members and not a minimum of 60 members. Elections in territorial constituencies in the state lead to the selection of the



SNS COLLEGE OF TECHNOLOGY, COIMBATORE –35 (An Autonomous Institution)



DEPARTMENT OF COMPUTER SCIENCE AND ENGINEERING

legislative assembly. The Legislative Council/Vidhan Parishad of a state comprises a maximum of one-third of the total number of members in the legislative assembly of the state and minimum of 40 members.

- The chief minister accounts for the proposal of legislation to uphold government policies
- Besides that, the Chief Minister makes statements, mediates debates thereby, keeping the assembly well informed regarding numerous activities

With regard to Executive

- The secretariat headed by the chief secretary aids the chief minister in handling the administration of the state
- Approval of appointments for senior level posts like that of Secretaries, also at deputy level, HOD (head of department) and posts in the Public Sector, etc. are made by the chief minister
- Their efficiency is evaluated by administrative agencies and CM's own avenues that include party workers, grievances and others

Other Duties of Chief Minister

- Chief spokesman of the state government
- Member of *Governing Council of NITI Aayog* [the chairperson of NITI Aayog is the prime minister (PM) of India]
- The governor can summon and prorogue legislative proceedings, on the advice of the chief minister
- Member of the inter-state council
- Being a state leader, the CM interacts with various strata of people to hear their grievances and thereby seek solutions for them