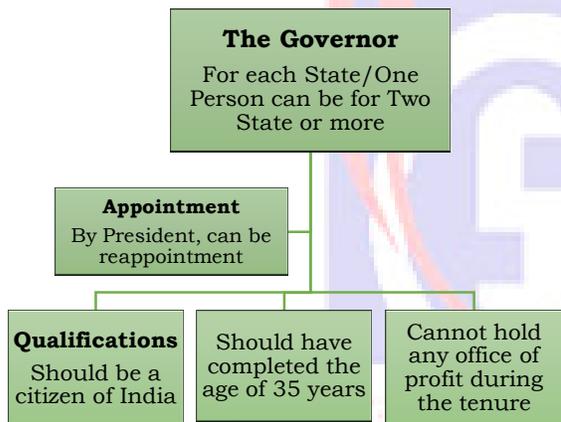


Lesson 13

Executive in the States

Summary –

The executive under a system is made up of two levels: union and states. At the State level, generally following the central pattern, the governor, like the President, acts as a nominal head and the real powers are exercised by the Council of Ministers headed by the Chief Minister. The members of the Council of Ministers at the State level are also collectively and individually responsible to the lower House of the State Legislature for their acts of omission as well as



Powers, Position & Role:

- a) As the head of the State, and
- b) As the representative of the Union Government.

A) Executive Powers –

- ✚ Executive functions in the State are in the name of the Governor.
- ✚ Appoints the Chief Minister & the members of the Council of Ministers.
- ✚ Allocates portfolios, appoints the Advocate General & Chairman & members

- ✚ of the State Public Service Commission, judges of the courts.

(B) Legislative Powers –

- ✚ Right to summon & prorogue the State Legislature & can dissolve the State Legislative Assembly.
- ✚ Can address Joint Session of the two Houses of the Legislature.
- ✚ Can nominate one member of the Anglo-Indian Community, & one-sixth members of total strength of Legislative Council.
- ✚ Nominates members who possess special knowledge in the field of literature, science, cooperative movement and social service, the assent of the Governor is necessary for a bill to become a law.

(C) Financial Powers –

- ✚ Provide permission to introduce money bill.
- ✚ Annual & supplementary budgets on his name.

- ✚ Control over the State Contingency Fund.

(D) Power of Pardon-

- ✚ The power to grant pardon reprieves, respites, or remission of punishment or to suspend.

(E) Discretionary Powers –

- ✚ Governor is aided and advised by the Council of Ministers headed by the Chief Minister.
- ✚ Governor may report the situation to the President for imposition of the President's Rule in that State.
- ✚ Governor may reserve a bill for the consideration of the President.

Position and Role of the Governor –

- ✚ In a parliamentary system the Council of Ministers is responsible to the legislature and therefore the real powers are exercised by it and not the

The Chief Minister –

- ✚ Chief Minister is the head of the government in the State.
- ✚ The Council of Ministers with the Chief Minister as its head exercises real authority at the State level.

Formation of the Council of Ministers –

- ✚ Chief Minister is appointed by the Governor.
- ✚ The other Ministers are appointed by the Governor on the advice of the Chief Minister.

Functions of Chief Minister–

1. Ministers are appointed and allocated portfolios by the Governor on the advice of Chief Minister.
2. Chief Minister presides over the Cabinet meetings.
3. Form the laws and policies of the State Government, Bills are introduced by the ministers with her/his approval, S/he the chief spokesman of the policies of his government both inside and outside the State Legislature.
4. Chief ministers communicate to the Governor all decisions of the Council of Ministers.
5. Chief minister furnishes the information relating to the administration for legislation as the Governor may call for.
6. Chief Minister submits for consideration of the Council of Ministers any matter on which a decision has been taken by a minister,
7. Chief Minister is the sole link of communication between the Cabinet and the Governor.

Relationship of the Governor with the Chief Minister

-The Governor is the constitutional head of the State, All executive actions in the State are taken on in his name.

-The Governor appoints the Chief Minister and on the advice of the Chief Minister he appoints other ministers.

The Governor is responsible for smooth running of the State administration.

-The Governor plays a dual role, as the constitutional head of the State, he/she acts on the advice of the Council of Ministers and serves as the agent of the Central Government.

-The relations between the Governor and the Chief Minister are influenced by the political and constitutional conditions in the State.

Evaluate yourself –

1. Write down the process of the appointment of the Chief Minister.
2. "The Governor acts as a nominal head and the real powers are exercised by the Council of Ministers headed by the Chief Minister", explain the given statement in your own words.
3. Explain the difference between the Executive Powers and Discretionary Powers of the Governor.