

22 Discuss the roles and functions of governor in the context
2 of recent constitutional crisis

The constitutional tussle between the Governor and Kerala council of ministers is at the forefront. The tussle surfaced once the Governor delayed to grant assent to Kerala University laws, bill, 2022

Roles and Functions

The Governors act as the Chancellors to the universities of the states. The state own universities are created by statutes as the prerogative of the legislature to proceed with a part of Chancellor.

The role of the governor is to defend the constitution use the powers to caution the elected government when they violate the constitution

Also the Chief Minister and Council of Ministers are appointed by the Governor

under the Article 63, the confidence under the pleasure of the Governor.

The Pleasure doctrine to be exercised only on the advice of chief minister and council of ministers and Governor control over a minister unilaterally.

Court's view In the Shamsher Singh case the court said satisfaction of President or Governor with constitutional sense is under cabinet.

Governor can exercise discretion during the implementation of Article 356 and during when ruling party loses trust vote.

Towards real separation of powers
Recommendation of Punch Commission, such as removing Chancellor posts from Governor, creating fixed tenure of five years and provision of impeachment similar to President and taking decisions on state government laws within 6 months must be implemented in letter and spirit.