

**1. POLITICAL VIEWS AND INTERFERENCE OF THE GOVERNOR HAMPERS THE INDEPENDENCE AND INTEGRITY OF THE GUBERNATORIAL OFFICE. COMMENT IN THE LIGHT OF RECENT DEVELOPMENT.**

The Sarkaria Commission described the Governor as “a Constitutional sentinel and a vital link between the Union and the State.” In S.R. Bommai (1994), the Supreme Court said, “The office of the Governor... is intended to ensure protection and sustenance of the constitutional process of the working of the Constitution by the elected executive.” M.K. Gandhi said about the Governor’s office: “He would be an arbiter when there was a constitutional deadlock in the State and he would be able to play an impartial role.

According to B.R. Ambedkar, “He is the representative not of a party; he is the representative of the people as a whole of the State. It is in the name of the people that he carries on the administration.” In Hargovind Pant v. Raghukul Tilak (1979), the Supreme Court affirmed that the “office of the Governor was not subordinate or subservient to the Government of India”.

In the contemporary constitutional landscape, the Governor is expected to advance the cause of ‘federalism’ and ‘democracy’, which form a part of the basic structure of the Constitution.

Despite his unique constitutional positioning, the Governor is sometimes not seen as willing or able to discharge his functions as judiciously, impartially and efficiently as envisaged by the first Administrative Reforms Commission. A perusal of the reports of the Sarkaria, Punchhi and Venkatachaliah Commissions reveals that the independence and dignity of the gubernatorial office is invariably undermined by the appointment of persons not suited to the post, the lack of security of tenure, the lack of an appropriate removal mechanism, with no reasonable post-retirement benefits and limitations on post-retirement political ingratiation. Consequently, the promise of the institution remains as underwhelming as ever while the perils continue to multiply. It is high time that the recommendations of the relevant commissions are implemented in letter and spirit to obviate the danger of a full-blown constitutional crisis, to buttress constitutional morality and to restore the dignity of this office.