

Comparative Table: President of India and Governor

This document presents a sentence based comparative table that highlights points of similarity and difference between the President of India and the Governor of a State, with constitutional provisions and selected case law where it adds clarity.

How to read and remember this table

- Read the table in thematic blocks. Each row is a single theme such as appointment, advice, legislation, or emergencies, and you should revise one theme at a time rather than trying to memorize the entire document in one sitting.
- Use the Memory cue column as a one sentence recap. After reading a row, cover the President and Governor columns and try to recall the rule using only the Memory cue sentence.
- Prefer active recall over re reading. After finishing a page, write the theme names from memory and then check your answers against the table.
- Use spaced repetition. Revise the first half of the rows on day one, revise the second half on day two, and then do a mixed revision on day three.
- Notice repeated constitutional patterns. Articles 52 and 153 define the offices, Articles 53 and 154 vest executive power, Articles 74 and 163 deal with aid and advice, Articles 123 and 213 deal with Ordinances, and Articles 111 and 200 deal with assent to Bills.
- Pay special attention to the Governor's discretion and Bill reservation, because these are common areas for problem questions and case law discussion in examinations.

Table of similarities and differences

All entries are written in complete sentences. Article numbers are stated in full, and case names are included only where they help explain how the Constitution operates in practice.

Theme	President of India	Governor of a State	Memory cue
Constitutional position	The President is the constitutional head of the Union Executive under Article 52, and the executive power of the Union is vested in the President by Article 53.	The Governor is the constitutional head of the State Executive under Article 153, and the executive power of the State is vested in the Governor by Article 154.	Remember that both offices are described as the head of the executive, but one belongs to the Union and the other belongs to the State.
How the office is filled	The President is elected indirectly by an Electoral College consisting of elected members of both Houses of Parliament and elected members of the Legislative Assemblies of the States, as stated in Articles 54 and 55.	The Governor is appointed by the President under Article 155, which in practice means appointment on the aid and advice of the Union Council of Ministers.	Remember that the President is chosen through an election process, while the Governor is chosen through an appointment process.
Security of tenure and removal	The President holds office for a term of five years under Article 56 and can be removed only by impeachment for violation of the Constitution under Article 61.	The Governor holds office for a term of five years under Article 156, but continues during the pleasure of the President and can be removed without impeachment, subject to constitutional limitations discussed by the Supreme Court in <i>B P Singhal v Union of India</i> (2010).	Remember that the President is removed by impeachment, while the Governor serves during the pleasure of the President, although the pleasure cannot be exercised arbitrarily.
Aid and advice of the Council of Ministers	Under Article 74, the President acts on the aid and advice of the Union Council of Ministers, and the President may once require reconsideration, but must act in accordance with the advice thereafter.	Under Article 163, the Governor generally acts on the aid and advice of the State Council of Ministers, except where the Constitution requires the Governor to act in the Governor's discretion.	Remember that both act on ministerial advice, but the Governor has an express constitutional reference to discretion in Article 163.
Nature of the office in a parliamentary system	The President is primarily a constitutional head, and the real executive authority is exercised by the Council of Ministers headed by the Prime Minister, which the Supreme Court affirmed in <i>Shamsher Singh v State of Punjab</i> (1974).	The Governor is also primarily a constitutional head, and the real executive authority is exercised by the Council of Ministers headed by the Chief Minister, and <i>Shamsher Singh v State of Punjab</i> (1974) applies by analogy to the Governor's role as well.	Remember that parliamentary government places political executive power in the elected ministry, while the President and Governor usually act as formal heads.

Theme	President of India	Governor of a State	Memory cue
Oath and constitutional obligation	The President takes an oath under Article 60 to preserve, protect, and defend the Constitution and the law, and to devote service to the well being of the people of India.	The Governor takes an oath under Article 159 to preserve, protect, and defend the Constitution and the law, and to devote service to the well being of the people of the State.	Remember that both swear fidelity to the Constitution, but the President's oath speaks to the whole nation and the Governor's oath speaks to the State.
Eligibility and basic qualifications	The President must be a citizen of India, must have completed thirty five years of age, must be qualified to be elected as a member of the House of the People, and must not hold any office of profit, as laid down in Article 58.	The Governor must be a citizen of India, must have completed thirty five years of age, and must not hold any office of profit, as laid down in Articles 157 and 158, and the Governor must not be a member of Parliament or a State Legislature.	Remember that both require citizenship and minimum age, but the President must be eligible for the House of the People and the Governor must not sit in any legislature.
Supreme command and defence forces	The President is the Supreme Commander of the Defence Forces of the Union under Article 53, and exercises this role according to law.	The Governor has no constitutional role as a supreme commander over defence forces.	Remember that defence is a Union function, so the President has a constitutional defence role while the Governor does not.
Appointment of head of government	The President appoints the Prime Minister under Article 75, typically inviting the leader who commands majority support in the House of the People, and discretion is used mainly when no clear majority exists.	The Governor appoints the Chief Minister under Article 164, typically inviting the leader who commands majority support in the Legislative Assembly, and discretion is used mainly when no clear majority exists.	Remember that both appoint the political executive, and the guiding principle is majority support in the directly elected House.
Appointment of ministers and their tenure	The President appoints other ministers on the advice of the Prime Minister under Article 75, and ministers hold office during the pleasure of the President, but political responsibility to the House of the People controls this in practice.	The Governor appoints other ministers on the advice of the Chief Minister under Article 164, and ministers hold office during the pleasure of the Governor, but political responsibility to the Legislative Assembly controls this in practice.	Remember that the pleasure doctrine exists at both levels, but it operates within the logic of collective responsibility to the legislature.
Collective responsibility	The Union Council of Ministers is collectively responsible to the House of the People under Article 75.	The State Council of Ministers is collectively responsible to the Legislative Assembly under Article 164.	Remember that responsibility flows to the elected House, which is why the ministry, not the head of state, is accountable for policy.
Legislative sessions and dissolution	The President summons and prorogues Parliament and <u>dissolves the House of the People</u> under Article 85, subject to constitutional conventions and the aid and advice framework.	The Governor summons and prorogues the State Legislature and <u>dissolves the Legislative Assembly</u> under Article 174, subject to constitutional conventions and the aid and advice framework.	Remember that both control the formal calendar of the legislature, but political accountability remains with the elected government.

Theme	President of India	Governor of a State	Memory cue
Address and messages to the legislature	The President addresses both Houses of Parliament and may send messages to either House under Articles 87 and 86.	The Governor addresses the House or Houses of the State Legislature and may send messages under Articles 176 and 175.	Remember that both communicate government policy through constitutional speeches and messages at the opening of sessions.
Ordinance making power	The President may promulgate Ordinances when Parliament is not in session under Article 123, and such Ordinances must be laid before Parliament and cease to operate unless approved within the constitutionally prescribed period.	The Governor may promulgate Ordinances when the State Legislature is not in session under Article 213, and such Ordinances must be laid before the Legislature and cease to operate unless approved within the constitutionally prescribed period.	Remember that Ordinances are emergency law making tools at both levels, but their subject matter follows the Union and State legislative competence.
Assent to Bills and return of Bills	Under Article 111, when a Bill is presented, the President may give assent, may withhold assent, or may return a non money Bill for reconsideration, and the President must assent if the Bill is passed again.	Under Article 200, when a Bill is presented, the Governor may give assent, may withhold assent, may return a non money Bill for reconsideration, or may reserve the Bill for the consideration of the President.	Remember that both can return a non money Bill once, but the Governor has an additional option to reserve a Bill for the President under Article 200.
Money Bills and financial procedure	Money Bills at the Union level require recommendation of the President under Articles <u>110</u> and <u>117</u> , and the President cannot return a <u>Money Bill</u> once it is presented for assent under Article 111.	Money Bills at the State level require recommendation of the Governor under Articles <u>199</u> and <u>207</u> , and the Governor cannot return a <u>Money Bill</u> once it is presented for assent under Article 200.	Remember that Money Bills have stricter rules because they relate to the public purse, and the head of state does not send them back for reconsideration.
Clemency powers	The President has clemency powers under Article 72, including in cases of court martial, in cases under Union law, and in cases where the sentence is a sentence of death, and the Supreme Court has discussed the constitutional nature of this power in <u>Kehar Singh v Union of India (1989)</u> and <u>Epuru Sudhakar v Government of Andhra Pradesh (2006)</u> .	The Governor has clemency powers under Article 161 for offences against laws within the executive power of the State, but the Governor does not have a clemency power for court martial cases and does not have the same breadth as Article 72. <i>Epuru Sudhakar vs Govt of A.P.</i>	Remember that both can grant mercy, but the President's power is wider and includes death sentences and court martial matters.

Theme	President of India	Governor of a State	Memory cue
Constitutional emergency framework	The President proclaims a National Emergency under Article 352, may proclaim President's Rule in a State under Article 356, and may proclaim a Financial Emergency under Article 360, and the Supreme Court in <i>S R Bommai v Union of India</i> (1994) imposed significant constitutional limits on misuse of Article 356.	The Governor does not proclaim these emergencies, but the Governor may send reports to the President about constitutional breakdown in the State and may administer the State as an agent of the President during President's Rule.	Remember that emergency proclamations are Union powers exercised by the President, while the Governor's role is typically advisory and administrative in relation to the Union.
Discretion and floor test situations	The President's discretion is generally narrow, and in situations of unclear majority the President relies on constitutional conventions to ensure that the Prime Minister enjoys confidence of the House of the People.	The Governor may have limited discretion in situations of unclear majority, but the Supreme Court has emphasized that the test of majority must ordinarily be on the floor of the House, and <i>Nabam Rebia v Deputy Speaker</i> (2016) is often cited for limiting unconstitutional interference by the Governor in legislative functioning.	Remember that both may act in uncertain political situations, but the Governor's discretion is more frequently litigated because it directly affects State government stability.
Appointments of key constitutional law officers	The President appoints the Attorney General for India under Article 76.	The Governor appoints the Advocate General for the State under Article 165.	Remember that the Attorney General serves the Union and the Advocate General serves the State, and both are constitutional legal advisers.
Public Service Commission appointments	The President appoints members of the Union Public Service Commission under Article 316.	The Governor appoints members of the State Public Service Commission under Article 316.	Remember that both offices participate in appointments to constitutional commissions, but the commission corresponds to the Union or the State.
Role as a federal link	The President embodies the Union in constitutional form, and the President's actions are guided by the Union Council of Ministers in matters that shape Union policy.	The Governor is often described as a constitutional link between the Union and the State, particularly through the power to reserve certain Bills for the President and through reports under Article 356, which makes the office central to federal debates.	Remember that the Governor's office sits at the intersection of Union and State relations, which is why it is frequently discussed in federalism.