



42nd Governor of Bihar | Bihar | 03 Jan 2025

Why in News?

Recently, **Arif Mohammad Khan** was sworn in as the **42nd Governor of Bihar**.

Key Points

- **Oath Administration:**
 - **Patna High Court Chief Justice** administered the oath at **the Raj Bhawan**.
 - The ceremony was attended by Chief Minister Nitish Kumar, his deputies, and Leader of Opposition.
- **Governor:**
 - The Governor's appointment, his powers and everything related to the office of Governor have been discussed under **Article 153 to Article 162 of the Indian Constitution**.
 - The role of the Governor is quite similar to that of the President of India. He stands as **executive head of a State** and under the Constitution of India, the governing machinery is the same as that of the Central Government.
 - It is stated that the Governor has a dual role.
 - He is the **constitutional head** of the state, bound by the advice of his council of ministers.
 - He functions as a **vital link between the Union Government and the State Government**.

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Governor

(Part - III)

President - Article 52 -78 in (Part V); Governor - Article 153 -167 (Part VI)

Governor and President - Similarities

Point of Similarity	Characteristics
Head	<ul style="list-style-type: none"> Both are nominal executive heads (constitutional/ titular heads) at their level
Promulgating Ordinances	<ul style="list-style-type: none"> Both are empowered (under Article 123/213 - President/Governor)
Civil and Criminal Proceedings	<ul style="list-style-type: none"> Both are immune from any criminal proceedings during tenure; cannot be arrested or imprisoned Civil proceedings can be instituted after giving a 2-months' notice
Re-appointment/Re-election	<ul style="list-style-type: none"> Both are eligible for reappointment/re-election to the same office
Appointing Officers	<ul style="list-style-type: none"> What President appoints at National level, Governor appoints at state level (members of Public Service Commission, Judges of courts, Election Commissioners etc.)
Role in Legislature	<ul style="list-style-type: none"> Power to summon or prorogue the State/Union Legislature and dissolve the State LA/Lok Sabha
Financial Powers	<ul style="list-style-type: none"> Constituting Finance Commission at State/Union level
Situational Discretionary Power	<ul style="list-style-type: none"> Appointing PM/CM (in case of PM/CM's death or when no party has clear majority) Dismissal of Council of Ministers Dissolution of Lok Sabha/ State LA

Governor v/s President - Differences

Point of Difference	President	Governor
Election	Indirectly elected	Appointed by President
Pleasure Doctrine	No concept of Pleasure doctrine	Serves at the Pleasure of the President
Declaring Scheduled Area	Can declare any area as scheduled area	Role is limited to consultation
Amending Constitution	His assent to the bill is required	No role in a Constitutional Amendment Bill
Pardoning Power	Can pardon a death sentence/punishment by a court-martial	Can't pardon a death sentence, no role in affairs of military
Constitutional Discretionary Power	No Constitutional Discretion	Constitutional Discretion in reserving a bill , imposition of President's rule & administrating an adjoining UT
Condition of Impeachment	Violation of the Constitution	No grounds laid

