

Is Governor under Duty to Give Assent to a Bill? The State of Tamil Nadu v. The Governor of Tamil Nadu and Governor's Power in Parliamentary Democracy



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Abstract

The present paper examines the role of Governor of a State with regard to giving concurrence to a Bill which is presented to him by the State Legislature complying with the constitutional requirements. The issue will be discussed with principal reference to the Supreme Court's recent landmark judgment in State of Tamil Nadu v. The Governor of Tamil Nadu & Anr in which a two-Judge Division Bench ruled that the Governor has not unfettered power in respect of granting or withholding assent to the Bills and his action in this respect is subject to judicial review. In that case, after careful examination of the relevant authorities, the Court made some very important pronouncements on the Governor's power which the present paper attempts to highlight. As will be seen in the course of the discussion, significance of the judgment lies in the fact that it has by bringing the Governor's legislative power into sharp focus brought clarity and certainty to the law in this regard. Remarkably, as the discussion in this paper will reveal the Court in State of Tamil Nadu has adopted a liberal approach in interpreting constitutional provisions concerning competence of State Legislature which is in accord with the notion of the Parliamentary form of government.

Key Words: *Legislature, Constitution, Competence, Parliamentary Form of Government, Governor.*

I. Introduction

Whether Governor is duty bound to give assent to those Bills which are presented to him after reconsideration by a State Legislature in terms of

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Article 200 of the Constitution? Whether Governor acts unconstitutionally by reserving even those bills for consideration of the President which do not derogate from the powers of High Courts? Whether the Governor can withhold assent to a Bill without complying with the requirements of Art. 200? Whether there is any timeline for Governor and President, as the case maybe, to take action on Bills pending their approval? And whether Governor's power in respect of granting or withholding assent to Bills which have been produced after full compliance of the requirements is immune from judicial review? These questions of vital importance concerning the nature and extent of the Governor's powers in a parliamentary democracy like India's were considered by SC recently in *State of Tamil Nadu v. Governor of Tamil Nadu & Anr* (2025).¹ A Division Bench comprising Justices JB Pardiwala and R. Mahadevan made clear that the Governor has no unfettered power in respect of approval of Bills and his action in this respect is not sacrosanct and can be challenged. In other words, in the opinion of the Court, Governor's action in both cases—refraining from assent or reserving the Bills for the consideration of the President—is not immune from judicial scrutiny. His functions in this regard are well defined and demarcated and for that reason cannot be exercised arbitrarily.

Although, Court's recent ruling has clearly established that Governor has not unfettered powers in respect of Bills presented to him for further action after they are passed by a State Legislature in compliance of the prescribed requirements and that he cannot refuse to assent to a bill without recourse to the constitutional mandate, the issue is very much alive. Soon after the judgment, on 13 May 2025, President of India made a reference to the SC and sought its opinion on a range of questions relating to Governor's and President's authority to grant or withhold approval to Bills presented before them under Articles 200 and 201 respectively. Thus, Presidential reference has revived the interest in the matter.

Some of the most pertinent issues raised by Presidential reference include whether Governor has unfettered power in respect of the Bills presented to him for assent? Whether his powers in this regard are justiciable? Whether by imposing a time-limit for taking action by Governor or President under Articles 200 and 201 respectively, the Court has exceeded its limit and has acted unconstitutionally? Whether President should seek opinion of SC by making a reference under Article 143 when Governor has reserved a Bill

¹(2025) 8 SCC 1.



for President’s approval or otherwise? Is it not mandatory for the Court that it must first decide whether or not the question raised before it raises substantial questions warranting interpretation of the Constitution and, if it is so, refer the same to a Constitution Bench for consideration? Are the actions of Governor and President under Articles 200 and 201 respectively, justiciable at a stage when a Bill is yet to become law? And are the Courts allowed to adjudicate upon the subject-matter of a Bill before it matures into law?

Against this backdrop, this paper examines Governor’s power to give approval to a Bill which is passed by the State Legislature complying with the constitutional requirements. The issue will be discussed with principal reference to SC’s recently delivered judgment in *State of Tamil Nadu*. In that case, a two-Judge Division Bench after careful examination of the relevant authorities made some very important pronouncements on the Governor’s power in respect of giving assent to a Bill. As will be seen below, significance of the judgment lies in the fact that it has by bringing the Governor’s legislative power into sharp focus brought clarity and certainty to the law in this regard. The Court in *State of Tamil Nadu* has adopted a liberal approach regarding the competence of the State Legislature which is in accord with the notion of the parliamentary form of Government.

II. Role of Governors and “Responsible Government”

Under the scheme of our Constitution, a Governor is the (symbolic) head of a State. He acts in “dual” capacity. First, he acts in the capacity of the executive head.² Constitution explicitly states that executive function of the concerned State government shall be taken in the name of Governor.”³ Secondly, a Governor acts in the capacity of an agent of the Union government.⁴ Further, unlike President, Governor is not an elected functionary but is an appointee of the former.⁵ President is elected by an “electoral college” consisting of the (elected) members of Parliament and legislative assemblies of States.⁶ Further, Governor occupies his office only at the will of the

²The Constitution of India, Art. 154.

³*Id.*, Article 166 (1).

⁴*Rameshwar Prasad & Ors. v. Union of India* (2006) 2 SCC 1. In *Rameshwar*, it was observed that the Governor of the State performs “dual responsibility” to both—Union and State. (Cited in *State of Tamil Nadu*, *supra* note 1, Para 130)

⁵Constitution of India, Art. 155.

⁶*Id.*, Article 54. See also *State of Tamil Nadu*, *supra* note 1.



President which means Governor can be removed by President at any time.⁷ Since the President's power, in this respect, cannot be circumscribed by any conditions or restrictions, the Governor can be removed from his office without assigning any reason.⁸ Nevertheless, so far as Governor is executive and nominal head, his position resembles to that of President of the country in many respects. He performs a vital role in respect of running government.

Although, Constitution vests the Governor with the executive power, according to Art. 154, Governor shall exercise the power in a manner consistent with Constitution.⁹ Meaning is that in exercise of the powers, Governor has no option but to act as per the advice given to him. Art. 163 clearly provides that there shall be a "Council of Ministers" which shall assist and advise Governor how he will perform his functions, except those cases in which he is to function in his discretion."¹⁰ In fact, President and Governor do not discharge their functions in an individual or personally capacity. An action taken in the name of President is actually the action of Union Government. Similarly, an action which is taken in the name of Governor is the action of State.¹¹ In *Shamsher Singh*, SC categorically said that under the parliamentary system, two functionaries—President and Governor are formal heads of the Union and State governments respectively and that they exercise their functions on the aid and advice of their Council of Ministers. In respect of Governor, it was specifically pointed out that he performs his functions on the basis of advice of his Council of Ministers except in cases where he is expressly permitted to act in his discretion.¹² In that case, Court went to observe that wherever it is required that action be taken on the satisfaction of President and Governor, the satisfaction required by the Constitution is not their personal satisfaction "but is the satisfaction of President or of Governor in the Constitutional sense, that is to say, "[i]t is the satisfaction of [their] Council of Ministers...."¹³

⁷*Id.*, Article 156.

⁸See also *B. P. Singhal v. Union of India*, (2010) 6 SCC 331, Para 71. It may be noted that a distinction exists between requiring a cause for the removal and the obligation to disclose it. Not having an obligation to giving reasons for removal does not mean that a Governor can be removed without a cause. *Ibid.*

⁹The Constitution of India, Art. 154.

¹⁰Art. 74 contains similar provisions with respect to President. It provides that President shall function on the basis of the assistance and advice given by a Council of Ministers to be headed by Prime Minister.

¹¹*Shamsher Singh v. State of Punjab*, AIR 1974 SC 2192,

¹²*Id.*, Para 28.

¹³*Id.*, Para 30.



Thus, it is well established principle that Governor performs his functions and responsibilities on the basis of advice rendered to him by Council of Ministers except in cases—which are very few— he is allowed to act in his discretion. A similar view was taken by SC in *Nabam Rebia & Bamang Felix v. Dy. Speaker, Arunachal Pradesh Legislative Assembly*.¹⁴ In that case, a Constitution Bench observed that Governor’s discretion is limited to situations where it is expressly required by him to act in his discretion. According to the Court, there are two cases where Governor can exercise his discretion. First, where the concerned provision could not be interpreted otherwise. Secondly, where advice rendered to him was contrary to the scheme of Constitution.¹⁵ The position taken by the Court in *Nabam Rebia*, therefore, clearly shows that our Constitution does not assign Governor a dominant role in running government.

Here mention may be made of Art 163 which provides that a decision as to whether a question falls within the discretion of Governor or not is to be decided by Governor himself. Further, as it is the case with President that judicial review is not available in respect of what advice was tendered to him the same rule applies in the case of Governor. What advice was tendered to him shall also not be questioned.¹⁶ However, from this it cannot be inferred that Governor’s discretionary power is unguided or cannot be made subject to judicial review. Governor is not “super-constitutional authority” and as per Constitutional scheme he has not been entrusted with “any significant role” in running government.¹⁷

While executive power is vested with Governor, the term, “executive power” is not defined anywhere. Art 162 which provides that the executive power of a State shall be co-extensive with legislative power of a State, only indicates in a way the extent of the power.¹⁸ In fact, it primarily demonstrate the distribution of executive power between Union and States.¹⁹ In *Ram Jawaya Kapur*, SC realizing the difficulty in providing an exact definition of executive power stated that although it seems impossible to say with

¹⁴(2016) 8 SCC 1.

¹⁵*Id.*, Para 142. See also: B. Shiva Rao, *The Framing of India’s Constitution: A Study*, 400-01 (Indian Institute of Public Administration, New Delhi: 1968).

¹⁶The Constitution of India, Art. 163 (2).

¹⁷*Nabam Rebia*, Para 138.

¹⁸The related provision concerning the Union’s executive power is outlined in Article 73.

¹⁹*Ram Jawaya Kapur v. State of Punjab*, AIR 1955 SC 549.



precision what executive function implies, it may safely be said that such a power is the residue of governmental functions that remain after legislative and judicial functions are taken away.²⁰

In that case, SC took the view that our Constitution does not adopt the scheme of strict separation of powers and some overlap in the functions between different organs are perfectly possible. Executive organ indeed can exercise the legislative functions when such functions are specially delegated to it. Not only that, it can also when entrusted with judicial functions exercise those functions albeit “in a limited way.” However, Court cautioned that executive should never intend to go against the Constitution.²¹ Relying on this basic premise our Constitution establishes a system of governance in which executive has to bear primary responsibility in running government the Court went on to suggest that following powers may fairly be taken as included within the expression, “executive power” as they relate to general administration: (1) the initiation of legislation; (2) the maintenance of order; (3) the promotion of social and economic welfare; (4) foreign policy. In *Shamsher Singh*²², the Court adopted a similar approach. According to the Court, executive power is generally taken to mean as “residue” which falls outside the legislative or judicial power. In that sense executive power maybe sharing some legislative or judicial functions.

Since, in a parliamentary democracy, powers and functions of different organs of the State may overlap, there is nothing unusual if Constitution vests the Governor with some legislative powers. Like the President, Governor is also part of the State Legislature.²³ Art 168 expressly states that Legislature of a State shall consist of Governor and either two Houses or one House.²⁴ *State of Tamil Nadu* makes it clear that much like in the Westminster system of Government, under our Constitution in order to become a law for a Bill can become a law to be passed by the Legislature, it must receive the approval of only when all the components of the Legislature concur.²⁵

²⁰*Ibid.*

²¹*Ibid.*

²²Supra note 11.

²³*Ibid.* See also *Union of India v. Valluri Basavaiah Chowdhary*, AIR 1979 SC; *State of Bihar v. Kameshwar Singh*, AIR 1952, SC 252. However, term, “legislature” does not always include the Governor. In some cases, the word is used in contexts which excludes the Governor. For example, in Article 173, the term, “Legislature of a State”, excludes Governor. See also *State of Bihar v. Kameshwar Singh*, *ibid.*

²⁴Article 168 (2).

²⁵Supra note 1, Para 47.



Further, Article 200 provides after a Bill is passed by State Legislature in a prescribed manner it will be put before Governor for his assent. Thereafter, Governor has following options: either (a) he shall declare that he approves the Bill in which case it will become law; or (b) he refrains from giving assent; or (c) he reserves the Bill for President's approval. Therefore, it goes without saying that in the absence of Governor's assent the Bill cannot mature into a law.²⁶

However, Governor's power in this respect is much restricted. This is clear from a plain reading of Art. 200. It says that if Governor decides to refrain from approving Bill, he "as soon as possible" after receiving a Bill for his approval return the same for reconsideration by Legislature. But if after the reconsideration, the Bill is re-sent with or without amendment to Governor for approval, he "shall not withhold assent therefrom." And second proviso states that Governor shall refrain from giving assent to a Bill and shall reserve it for consideration of President, if the bill, in his opinion would derogate from the powers of the High Court.

III. Pre-state of Tamil Nadu Jurisprudence

A. Assent to Bills

Although there are good number of cases in which the Court has dealt with powers of Governor vis a vis State Legislature and have indeed been cited and discussed at sufficient length in *State of Tamil Nadu, State of Punjab v. Principal Secretary to the Governor of Punjab*²⁷ handed down on 10 November 2023, is the only authority decided prior to *Tamil Nadu* which directly addresses the issue of the Governor's power in accepting or refraining from accepting a Bill. A Division Bench comprising DY Chandrachud CJ., BJ Pardiwala and Manoj Misra JJ. held that once Governor decides to refrain from acting on a Bill he must have recourse to the procedure prescribed by the first proviso to Art 200. In other words, he cannot withhold assent simpliciter. One of the issues that arose for consideration was whether Governor's act of withholding assent to Bills which have been passed by Legislature complying the requirements in this regard was constitutional? In adopting the view that Governor's discretion in regard to giving or refusing assent to Bills is not unfettered and he cannot withhold acceptance to a Bill simpliciter the Court placed reliance on the well-established position that our

²⁶*Id.*, Para 169.

²⁷(2024) 1 SCC 384



Constitution establishes a form of government in which government is responsible to the legislative organ. In running government, executive is assigned primary responsibility while Governor is only formal head of State. The Court reiterated that Governor acts on the advice rendered to him by Council of Ministers. It is only in a few number of cases where he can act in his discretion. In fact, the role of Governor is limited to provide guidance to government in performing its functions.²⁸

In dealing with the question whether Governor can withhold the assent simpliciter without sending back the Bill for reconsideration by Legislature, Court pointed out that although a plain reading of Art 200 suggests that Governor has power to refrain from giving assent but in that case he must recommend reconsideration of the bill and if the Bill is again passed he cannot refrain from giving assent. Interestingly, the phrase, “as soon as possible” found in the first proviso drew significant attention of the Court. In the opinion of the Court, the phrase is of much significance in deciding the number of options available to Governor. The phrase shows that Governor is obliged to expedite the act of returning the Bill to Legislature and cannot postpone his decision for an indefinite duration of time.²⁹ As will be seen below, this point was also emphasized by the Court in *State of Telangana v Governor of Telangana* cited below.

B. Duty to Act within a Time Limit

In *Purushothaman Nambudiri v. State of Kerala*³⁰ SC expressed the view that Articles 200 and 201 do not require any specific time limit within which Governor or President is to take action on a Bill. But difficulty with *Nambudiri* is that, as the Court in *State of Tamil Nadu* clarified, in that case, Court faced with the issue of the effect of dissolution of House on Bills awaiting approval of Governor or President and not the expediency with which action is to be taken on Bills.³¹ Therefore, the ratio of that case does not apply to the issue whether or not the Constitution envisages a time-limit within which the Governor or the President should take an action regarding assent to a Bill under Articles 200 and 201.

²⁸*Id.*, Para 15.

²⁹*Id.*, Para 24.

³⁰1961 SCC SC 361.

³¹In *Nambudiri*, which was cited by the Respondents in support of the proposition that there is no time limit for Governor (or President) to act with regards to Bills awaiting approval, it was indeed stated that since Constitution does not require that action on the Bills pending approval should be taken within a time limit it is not unlikely that the Bills run the risk of lapse upon dissolution of the House. AIR 1962 SC 694, Para 16.



Nambudiri concerned with the validity of an agrarian reform Bill which was duly passed by the Legislative Assembly, but was then reserved by the Governor for President's approval. However, later the Assembly was dissolved. After new Assembly was constituted, Bill was sent back to it for reconsideration. Consequently, the Bill had to be again passed albeit with amendments on the lines suggested by President. In these circumstances, the question that arose for consideration related to the effect of dissolution of the Assembly on a Bill awaiting assent of the President.

A particular relevant case on the issue that deserve attention here is *State of Telangana v Governor of Telangana*³² referred to by SC in *State of Tamil Nadu* in support of proposition that Governor should act expeditiously and within a reasonable time on the Bill presented to him for his assent under Article 200. In *State of Telangana*, the Court emphasized that expression "as soon as possible" [in Art. 200] has much significance in the context.

IV. State of Tamil Nadu Decision

Tamil Nadu is mainly concerned with two interrelated issues. First, whether the Constitution permits withholding of assent to a Bill simpliciter, that is to say, withholding of assent without resorting to the procedure laid down in this regard? Secondly, is Constitution prescribes a specific deadline which must be complied with by Governor? One ancillary issue that arose for consideration was is it appropriate for Governor to reserve a Bill for President's consideration when it was presented to Governor after it is reconsidered by the State Legislature in accordance with the requirements mentioned in the first proviso to Art. 200? Differently put, whether Governor has power to reserve a Bill for President's consideration when the Bill is presented to him after reconsideration and when he had not reserved it in the first instance?

A. Assent to Bills

Regarding the first issue mentioned above, the Court took the view that it is not permissible for Governor to withhold assent simpliciter. Governor's power to act in respect of a Bill which is presented after it is duly passed is not unfettered. He is obliged to return the Bill if he chooses the option of refraining from assent. According to the Court, Governor has only three options in respect of assent to a Bill. These are (1) to assent, or (2) to withhold assent in which case he is obliged to return the Bill to Legislature, or (3) to reserve it for President. There is no fourth option. For Court, any contrary

³²(2024) 1 SCC 405.



view will amount to conferring on Governor a veto in respect of a Bill which is not in accord with the notion of parliamentary democracy.³³ Therefore, in the opinion of Court once Governor chooses the option of refraining from giving approval to a Bill he is under obligation to return such Bill for reconsideration.³⁴

In maintaining that Art 200 gives Governor only three options –either he approves a Bill or reserves it for President if the Bill is of the description provided for in the second proviso or return it to the Legislature for reconsideration in which case he shall be under obligation to approve the Bill if it is passed again and presented to him, the Court heavily relied on its previous judgment in *State of Punjab*.³⁵ In that case, it was observed by a three -Judge Division Bench that the option of not giving assent necessarily brings first proviso into operation. Therefore, if Governor does not give assent, he is duty bound to return the Bill for reconsideration of Legislature.³⁶

The position that the Governor cannot refuse approval to a Bill simpliciter and he is obliged to return the Bill if he chooses the option of refusal is founded on the fundamental tenets of the cabinet system based on Westminster model of government. In cabinet form of government the law- making power is entrusted to the elected representatives of the people. The final decision in this regard rest with the Legislature and not with Governor.³⁷

It is to be noted that Court examined the issue of the Presential and Gubernatorial assent in the context of the parliamentary democracy. In so doing it also referred to Professor Nicholas Barber’s ‘Can Royal Assent Be Refused on the Advice of the Prime Minister?’ which forcefully argued that in a democratic government the primacy of the Parliament must be upheld.³⁸

In response to the argument that the Court’s dicta in *Valluri Basavaiah* and *Hoechst* support the view that Governor in choosing to refrain from approving a Bill exercises his discretion, the Court in *State of Tamil Nadu* noted that these cases rather support the argument that there is connection between the exercise of the option of refraining from assent and coming

³³State of Tamil Nadu, *supra note 1, Para 209.*

³⁴*Id.*, Para 203.

³⁵(2024) 1 SCC 384.

³⁶State of Tamil Nadu, *supra note 1. Para 182*

³⁷State of Punjab, *supra note 27, Para 23.*

³⁸State of Tamil Nadu, *supra note 1, Para 143.*



into effect of the procedure contemplated by first proviso.”³⁹ In fact, in none of the two cases—*Valluri Basavaiah* and *Hoechst*, the issue of assent to State Bills did squarely arise. Therefore, they cannot be taken as authority on the issue under consideration.

According to the Court, three options available to Governor are “mutually exclusive” as they are connected by the use of the conjunction “or.” Therefore, Governor cannot approve a bill and also reserve it for President’s consideration. These two options cannot be exercised simultaneously. Similarly, “the he cannot withhold approval and also reserve the bill for President’s consideration.”⁴⁰

In summary, in *Tamil Nadu*, the Court emphatically refuted the idea that Governor has unfettered power in respect of assent to a Bill. According to Court, from Governor’s power to reserve a Bill for President’s consideration, it cannot be inferred he can veto a Bill duly presented to him for approval. In the considered opinion of the Court, if a bill is produced before Governor for approval, he may approve it or postpone the grant of approval “but only for so long till the bill comes back to him after reconsideration”⁴¹

B. Duty to Act Promptly and within a Time Limit

On the issue whether Governor is obliged to act within a time-limit in respect of assent to a Bill, it was argued before the Court that the expression “as soon as possible” used in first proviso to Art 200 puts an obligation on Governor to act expeditiously and the absence of any prescribed time period does not permit Governor to act on his choice. On the other hand, respondents, placing reliance on *Nambudiri*⁴² argued that the Court in that case expressly ruled that absence of a time limit in the text of Art. 200 indicates that Governor cannot be mandated to act within a time limit.

However, Court expressed the view that since Governor has no unlimited power in respect of giving or refusing assent to a Bill, he is not at liberty to defer his decision for an unreasonably long time. Court distinguished this case with *Nambudiri* and rightly refuted the argument allegedly based on the latter that absence of a provision prescribing a time limit does not suggest that Governor (or the President) has absolute discretion and can refrain from assenting a duly passed Bill for indefinite period of time. It was clarified that in *Nambudiri* the Court was mainly concerned with the issue of determining

³⁹*Id.*, Para 191.

⁴⁰*Id.*, Para 42.

⁴¹*Id.*, Para 198.

⁴²AIR 1962 SC 694.



the implications of dissolution of House for those Bills which were awaiting the assent.⁴³ Therefore, decision in *Nambudiri* should be seen in different light.⁴⁴

C. Governor's Power to Reserve a Bill for Consideration of the President

Regarding another significant question, whether Governor has the power to reserve a Bill for President when the same was resented to him for approval, Court opined that because first proviso expressly state that Governor shall not refrain from giving assent to a Bill repassed by Legislature, the option of reserving the Bill for President is not available to him. It is suggested here that Court's view is based on the premise since first proviso expressly state that a re-passed Bill will not be returned again to Legislature, Governor has no choice in the matter and he is under obligation to approve the Bill. In this situation, he is prevented from reserving it for President.⁴⁵

The Court thus found that Governor is not allowed to reserve a Bill for President's consideration if the same is presented to him again for his approval.

D. Justiciability of Governor's Power under Article 200

Regarding one of the most debated aspects of Governor's power which is the issue of justiciability of Governor's action in respect of approving or refusing to approve a Bill, Court held that Governor's power is indeed subject to judicial scrutiny if it transgresses the limit defined by the Constitution. In fact, in the opinion of the Court, no power to be exercised under Constitution is beyond the purview of judicial review, let alone Governor and President's functions with respect to assent to a Bill⁴⁶ The Court further observed that since President or Governor as formal heads exercise their constitutional powers in the manner provided for in Constitution, in discharge of their functions they are "undoubtedly subject to judicial review..."⁴⁷

V. Conclusion

State of Tamil Nadu settles some of the very important issues related to the Governor's power in respect of a Bill presented to him for his assent and may be regarded a definitive pronouncement of law on the subject. The case has important implications for Governor's power vis a vis State Legislature

⁴³See the discussion in Part III, B, supra.

⁴⁴State of Tamil Nadu, Para 237.

⁴⁵*Id.*, Para 205.

⁴⁶*Id.*, Para 332.

⁴⁷*Id.*, Para 335.



in a country like India which has a written Constitution combining the elements of a parliamentary democracy and a system based on the idea of cooperative federalism. Like, Britain, in India, the head of the executive is an integral part of the Legislature and shares legislative powers with the Legislature. But legislative powers of the head of the executive—president or Governor is limited. Since it is the Council of Ministers headed by Prime Minister or the Chief Minister, as the case maybe, which is responsible to the Legislature, the head of the executive in discharge of his functions acts on the aid and advice of the former. The principle of responsible government demands that the Governor in exercising his power in giving assent to a Bill is guided by the Constitutional norms.

Keeping in view these fundamental tenets of the Constitution, the Court *inter alia* ruled that (a) the Governor does not possess any absolute veto in respect of granting or refusing assent to a Bill; (b) he cannot refuse assent to a Bill without following the procedure laid down in the first proviso to Article 200; (c) he cannot exercise the option of reserving the Bill for the consideration of the President after the Bill is re-passed by State Legislature and presented before him for assent; (d) the Constitution envisages a time-limit within which the Governor is to act in the exercise of his powers under Art 200 of the Constitution; (e) the Governor's power under the Constitution including his power under Art. 200 is subject to judicial review if it transgresses the power allocated to it by the Constitution. In the considered opinion of the Court, Constitution does not envisage the exercise of the power of any absolute veto by Governor. Any suggestion to the effect that the Governor has discretion in deciding whether or not to give assent to a Bill passed by the state legislature would be contrary to the Constitution. To sum up, the decision in *State of Tamil Nadu* takes a broadened view of the matter and may be regarded as the quintessential constitutional adjudication.