

Chief Minister of India

Constitutional Position (Traps 1-10)

Trap 1

✗ Chief Minister is the Head of State.

✓ Governor is the Head of State; CM is the real executive head of State Government.

Trap 2

✗ Constitution doesn't mention the Chief Minister's office.

✓ Mentioned under Articles 163-167 (State Executive).

Trap 3

✗ CM is appointed directly by the Legislative Assembly.

✓ Appointed by the Governor (Art. 164).

Trap 4

✗ CM is the nominal executive of the state.

✓ Real executive authority; Governor acts on CM's advice.

Trap 5

✗ CM's advice to Governor is optional.

✓ Binding in all routine matters (Art. 163).

Trap 6

✗ CM is part of the judiciary.

✓ Executive head, not a judicial authority.

Trap 7

✗ CM holds office for a fixed 5-year term.

✓ Holds office during the pleasure of the Governor (i.e., while commanding majority).

Trap 8

✗ CM must be an elected member of the Legislative Assembly.

✓ Can be from either House (if bicameral); must get elected within 6 months.

Trap 9

✗ CM's office is statutory.

✓ It is a constitutional office, not statutory.

Trap 10

✗ CM is a subordinate of the Governor.

✓ Governor acts on aid and advice of CM and Council of Ministers (except limited discretion).

Appointment & Eligibility (Traps 11-25)

Trap 11

- ✗ **CM** is elected by the **people** of the state.
- ✓ **Indirectly chosen** by **MLAs**; formally appointed by **Governor**.

Trap 12

- ✗ **Governor** can appoint anyone as **CM** permanently.
- ✓ Must appoint leader commanding **Assembly majority**.

Trap 13

- ✗ **Constitution** prescribes an election process for **CM**.
- ✓ No election process — it's convention-based.

Trap 14

- ✗ **Governor's choice** is final even in majority situations.
- ✓ Bound by democratic convention to appoint majority leader.

Trap 15

- ✗ **CM** must belong to ruling party.
- ✓ Can head coalition or minority governments with confidence of House.

Trap 16

- ✗ **Governor** can reject majority leader's claim.
- ✓ Only if majority is in dispute (hung assembly).

Trap 17

- ✗ **CM** must always be from Legislative Assembly.
- ✓ May be MLC in bicameral states (like Maharashtra, UP).

Trap 18

- ✗ **Governor** can appoint CM from the opposition.
- ✓ Only in rare constitutional breakdown scenarios (transitional).

Trap 19

- ✗ **CM's qualification** is laid down in Art. 164(3).
- ✓ **Qualifications** same as MLA (Art. 173) — citizen, ≥25 years (LA) or ≥30 (LC).

Trap 20

- ✗ **CM's oath** is given by Chief Justice of High Court.
- ✓ **Administered** by Governor (Art. 164(3)).

Trap 21

- ✗ **CM** takes oath of secrecy before the Speaker.
- ✓ Before the Governor, same as oath of office.

Trap 22

- ✗ **CM** must be from the largest pre-poll alliance only.
- ✓ Can be from post-poll coalition if majority proven.

Trap 23

- ✗ **CM** can be from outside the Legislature for the full term.
- ✓ Must get elected within 6 months or vacate office.

Trap 24

- ✗ **Governor** can act independently in CM appointment even in clear majority.
- ✓ No — must follow established majority convention.

Trap 25

- ✗ **CM appointment** requires President's approval.
- ✓ **Governor's prerogative**, not the President's.

Tenure & Removal (Traps 26-40)

Trap 26

- ✗ CM holds office for 5 years fixed term.
- ✓ Holds office during pleasure of Governor (Art. 164).

Trap 27

- ✗ Governor can dismiss CM anytime.
- ✓ Only if he loses majority or refuses to resign.

Trap 28

- ✗ CM resigns automatically if LS dissolved.
- ✓ Applies only to Lok Sabha and PM, not states.

Trap 29

- ✗ CM continues even after losing Assembly majority.
- ✓ Must resign or face floor test.

Trap 30

- ✗ CM's removal requires impeachment.
- ✓ No such procedure — loss of confidence = removal.

Trap 31

- ✗ CM can be removed by President.
- ✓ Governor removes.

Trap 32

- ✗ CM's office automatically ceases with Governor's resignation.
- ✓ No connection; only loss of majority affects CM.

Trap 33

- ✗ CM can hold office indefinitely after losing election.
- ✓ Must vacate within 6 months if not re-elected.

Trap 34

- ✗ CM has security of tenure.
- ✓ No — tenure depends on legislative confidence.

Trap 35

- ✗ CM's resignation dissolves Governor's office.
- ✓ Only Council of Ministers dissolves, not Governor.

Trap 36

- ✗ CM can stay as "caretaker" even after new government formed.
- ✓ Caretaker role ends when successor appointed.

Trap 37

- ✗ CM continues by default if Assembly suspended.
- ✓ No — President's Rule (Art. 356) applies.

Trap 38

- ✗ CM's term automatically ends on President's Rule.
- ✓ Yes — Council dismissed under Art. 356.

Trap 39

- ✗ CM cannot resign voluntarily.
- ✓ May resign anytime to Governor.

Trap 40

- ✗ CM can be dismissed by Speaker.
- ✓ Only Governor can remove.

Executive Powers (Traps 41-50)

1

Trap 41

Executive powers of the State lie in **CM**.
 They formally vest in **Governor**, exercised through **CM & Council of Ministers**.

2

Trap 42

CM personally exercises all **executive power**.
 Executes powers through **ministers** and **departments**.

3

Trap 43

CM individually responsible for administration.
 Council of Ministers is **collectively responsible** to **Legislative Assembly (Art. 164)**.

4

Trap 44

CM can remove **ministers** directly.
 Advises Governor to remove.

5

Trap 45

CM decides **ministerial portfolios** along with **Governor**.
 CM allocates portfolios; Governor formalizes.

6

Trap 46

CM's advice to **Governor** can be ignored freely.
 Binding except in **discretionary situations**.

7

Trap 47

CM appoints **High Court judges**.
 President appoints on **collegium recommendation**.

8

Trap 48

CM appoints **Advocate General of India**.
 Appoints **Advocate General of State (Art. 165)**.

9

Trap 49

CM controls **state bureaucracy** without checks.
 Under **rules of business** framed by **Governor** on advice of **CM**.

10

Trap 50

CM is the **formal head of police**.
 Home Minister controls; **CM** directs through **Cabinet**.

Executive Powers Continued (Traps 51-60)

Trap 51

✗ Chief Minister decides Governor's address to Legislature.

✓ Cabinet drafts address; Chief Minister supervises.

Trap 52

✗ Chief Minister has no role in recommending President's Rule.

✓ Governor reports; Chief Minister's role is political, not constitutional.

Trap 53

✗ Chief Minister appoints Election Commissioners of State.

✓ State Election Commission headed by State Election Commissioner appointed by Governor.

Trap 54

✗ Chief Minister directly controls judiciary.

✓ Judiciary independent; Chief Minister cannot interfere.

Trap 55

✗ Chief Minister has no role in inter-state councils.

✓ Chief Minister represents state in Inter-State Council meetings.

Trap 56

✗ Chief Minister cannot attend NITI Aayog meetings.

✓ Chief Minister is ex-officio member of NITI Governing Council.

Trap 57

✗ Chief Minister cannot interfere in All India Services.

✓ Has administrative control over IAS, IPS, IFS cadres of state.

Trap 58

✗ Chief Minister's executive authority ends with Assembly dissolution.

✓ Continues as caretaker till new government.

Trap 59

✗ Chief Minister is not part of State Cabinet.

✓ Heads the Cabinet.

Trap 60

✗ Chief Minister cannot preside over Cabinet meetings.

✓ Chairs all meetings of Council of Ministers.

Legislative Powers (Traps 61-75)

Trap 61

1 **CM** is not a legislator.
 Must be member of Legislature (Assembly or Council).

Trap 62

2 **CM** cannot speak in both Houses.
 Can participate in both, vote only in own House.

Trap 63

3 **CM** has no role in legislative sessions.
 Advises Governor to summon, prorogue or dissolve Assembly (Art. 174).

Trap 64

4 **CM** can dissolve Legislative Council.
 Cannot — LC is a permanent body.

Trap 65

5 **CM's** advice on dissolution is optional.
 Governor bound by Cabinet advice.

Trap 66

6 **CM** cannot move confidence motions.
 Can move or face confidence/no-confidence motions.

Trap 67

7 **CM** introduces State budget.
 Finance Minister presents budget on CM's behalf.

Trap 68

8 **CM** cannot participate in legislative committees.
 Heads important committees like Business Advisory.

Trap 69

9 **CM's** speech to Assembly is discretionary.
 Mandatory for policy/program announcements.

Trap 70

10 **CM** decides quorum and procedure.
 Assembly decides its own procedure.

Trap 71

CM has veto over bills.
 Only Governor withstands or assents.

Trap 72

CM has power to reserve bills.
 Governor reserves bills for President.

Trap 73

CM drafts Governor's address personally.
 Prepared by Cabinet.

Trap 74

CM must sign every bill before it goes to Governor.
 Bills sent after Speaker's certification.

Trap 75

CM's government collapses only on money bill defeat.
 Collapse on any confidence-related vote.

Relations with Governor (Traps 76-85)

1 Trap 76

Governor and CM are co-equal executives.

CM is real head; Governor nominal head.

2 Trap 77

Governor can act without CM always.

Only in discretionary matters (Art. 163).

3 Trap 78

CM reports to President directly.

Reports to Governor constitutionally.

4 Trap 79

CM can overrule Governor's discretion.

Cannot; discretionary decisions final.

5 Trap 80

Governor presides over Cabinet meetings.

CM presides.

6 Trap 81

Governor must follow CM in reserved bills.

May reserve on discretion.

7 Trap 82

Governor can choose to ignore CM's advice indefinitely.

Can once seek reconsideration, then bound.

8 Trap 83

CM can remove Governor.

Only President can remove Governor.

9 Trap 84

CM must consult Governor on all policies.

Not required; political courtesy only.

10 Trap 85

Governor and CM are hierarchically related.

Constitutionally separate offices.

Relations with Governor Continued (Traps 86-90)

01

Trap 86

✗ CM's advice is optional for **Assembly dissolution**. **✓ Governor** acts on **advice (Art. 174)**.

02

Trap 87

✗ Governor's report (Art. 356) prepared by **CM**. **✓ Governor** prepares independently.

03

Trap 88

✗ Governor decides **Council of Ministers' strength**. **✓ CM** recommends; limited to 15% (**91st Amendment**).

04

Trap 89

✗ CM's government ends automatically with **Governor's resignation**. **✓ Independent tenures**.

05

Trap 90

✗ Governor can assign **executive functions** directly to **Chief Secretary**. **✓ Only on CM's advice** normally.

Miscellaneous & Facts (Traps 91-100)

Trap 91

✗ CM's oath form differs from Union Ministers.

✓ Same wording as prescribed in Schedule III.

Trap 92

✗ CM has no role in constitutional appointments.

✓ Consulted for HC judge and Governor recommendations.

Trap 93

✗ CM's salary is fixed by President.

✓ Fixed by State Legislature.

Trap 94

✗ CM can pardon death sentence.

✓ Only Governor under Art. 161 can pardon.

Trap 95

✗ CM appoints Lokayukta.

✓ Governor appoints, usually on CM's advice.

Trap 96

✗ CM is an ex-officio member of Finance Commission.

✓ Not a member; may be consulted.

Trap 97

✗ CM must belong to same party as Speaker.

✓ No party linkage constitutionally.

Trap 98

✗ CM cannot advise dissolution of Assembly after losing majority.

✓ May advise; Governor's discretion applies.

Trap 99

✗ CM represents state abroad.

✓ Can, with Centre's permission; not automatic.

Trap 100

✗ CM is a ceremonial post like Governor.

✓ Real executive authority at the state level.