

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)

1	<p>Trap 61</p> <p>✗ CM is not a legislator.</p> <p>✓ Must be member of Legislature (Assembly or Council).</p>
2	<p>Trap 62</p> <p>✗ CM cannot speak in both Houses.</p> <p>✓ Can participate in both, vote only in own House.</p>
3	<p>Trap 63</p> <p>✗ CM has no role in legislative sessions.</p> <p>✓ Advises Governor to summon, prorogue or dissolve Assembly (Art. 174).</p>
4	<p>Trap 64</p> <p>✗ CM can dissolve Legislative Council.</p> <p>✓ Cannot — LC is a permanent body.</p>
5	<p>Trap 65</p> <p>✗ CM's advice on dissolution is optional.</p> <p>✓ Governor bound by Cabinet advice.</p>
6	<p>Trap 66</p> <p>✗ CM cannot move confidence motions.</p> <p>✓ Can move or face confidence/no-confidence motions.</p>
7	<p>Trap 67</p> <p>✗ CM introduces State budget.</p> <p>✓ Finance Minister presents budget on CM's behalf.</p>
8	<p>Trap 68</p> <p>✗ CM cannot participate in legislative committees.</p> <p>✓ Heads important committees like Business Advisory.</p>
9	<p>Trap 69</p> <p>✗ CM's speech to Assembly is discretionary.</p> <p>✓ Mandatory for policy/program announcements.</p>
10	<p>Trap 70</p> <p>✗ CM decides quorum and procedure.</p> <p>✓ Assembly decides its own procedure.</p>
<p>Trap 71</p> <p>✗ CM has veto over bills.</p> <p>✓ Only Governor withstands or assents.</p>	
<p>Trap 72</p> <p>✗ CM has power to reserve bills.</p> <p>✓ Governor reserves bills for President.</p>	
<p>Trap 73</p> <p>✗ CM drafts Governor's address personally.</p> <p>✓ Prepared by Cabinet.</p>	
<p>Trap 74</p> <p>✗ CM must sign every bill before it goes to Governor.</p> <p>✓ Bills sent after Speaker's certification.</p>	
<p>Trap 75</p> <p>✗ CM's government collapses only on money bill defeat.</p> <p>✓ Collapse on any confidence-related vote.</p>	

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.