

CHIEF MINISTER

The Chief Minister (CM) is the **real executive head of the State** and functions in a role analogous to the Prime Minister at the Centre.

Governor → Nominal / De jure Executive
Chief Minister → Real / De facto Executive

The CM heads the **Council of Ministers (CoM)** and is responsible for governance and administration of the State.

I. APPOINTMENT OF CHIEF MINISTER

Constitutional Basis

Article 163

There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor.

Article 164

The Chief Minister is appointed by the Governor.

The Constitution does not prescribe a detailed procedure for appointment. It is governed largely by parliamentary conventions.

Normal Situation

- The leader of the majority party in the Legislative Assembly is appointed CM.
- Majority party forms government.
- CM recommends names for the Council of Ministers.

In Case of No Clear Majority (Hung Assembly)

- The Governor may exercise discretion.
- Usually appoints the leader of the largest party or coalition.
- CM must prove a majority on the floor of the House.

The floor test is the ultimate test of the majority.

Membership Criteria

- CM can be from the Legislative Assembly or the Legislative Council.
- If not a member, must get elected within 6 months (Article 164(4)).
- Failure → Ceases to be CM.

Tenure

- No fixed tenure in the Constitution.
- Holds office during the pleasure of the Governor.
- Practically depends on the majority support in the Legislative Assembly.

If the majority withdraws → Must resign or be dismissed.

II. POWERS AND FUNCTIONS OF THE CHIEF MINISTER

The CM exercises wide executive, legislative, financial, and political powers.

1. Relation with the Governor

- Communicates all decisions of the Council of Ministers.
- Acts as a link between the Governor and the Cabinet.
- Furnishes administrative information.
- Advises the Governor on key appointments.

(Article 167 governs these duties.)

2. Relation with Council of Ministers

- Forms the Council of Ministers.
- Allocates and reshuffles portfolios.
- Presides over Cabinet meetings.
- Guides, directs, and coordinates ministers.
- Influences policy decisions.

Important:

Resignation or death of CM → Entire Council collapses.

Resignation of other minister → Only vacancy created.

3. Legislative Role

- Leader of the House (if member of Assembly).
- Participates in debates in both Houses.
- Advises the Governor on summoning and dissolution.
- Frames laws and policies.
- Influences the passage of bills.

4. Financial Role

- Plays a key role in budget formulation.
- Decides financial priorities.
- Guides economic development.
- Oversees financial planning and infrastructure projects.

5. Administrative Role

- Chief coordinator of State administration.
- Supervises the functioning of departments.
- Acts as a crisis manager during emergencies.
- Chairs Cabinet and key committees.

6. Federal Role

- Vice-Chairman of Zonal Council (by rotation).
- Member of the Inter-State Council.
- Member of National Development Council (historically) and NITI Aayog Governing Council.
- Chairman of the State Planning Board.

III. CHIEF MINISTER RESPONSIBILITIES

1. Formation of Cabinet

- Prepares list of ministers.
- The Governor appoints ministers on the CM's advice.

2. Administration of the State

- Implements policies and laws passed by the legislature.
- Ensures smooth functioning of the government.

3. Allotment of Portfolios

- Sole authority to distribute and reshuffle departments.

4. Appointment and Removal of Ministers

- Can demote and resign a minister.
- Advises the Governor for removal if required.

5. Leadership

- Chief spokesman of the State Government.
- Represents the government in the legislature and the public.
- Maintains party discipline.

6. Law Formation

- Frames policies.
- Guides legislative agenda.
- Advises the Governor on summoning/dissolution.

IV. POSITION OF THE CHIEF MINISTER

- Equivalent to the Prime Minister at the state level.
- Head of Government (Governor is Head of State).
- Central figure in the State executive.
- Stronger in a majority government than a coalition government.
- Requires continuous support of the Legislative Assembly.

Practically, the entire executive machinery revolves around the Chief Minister.

V. ARTICLES RELATED TO THE CHIEF MINISTER

Article 163

Council of Ministers to aid and advise the Governor.

Article 164

Appointment of CM and ministers; collective responsibility.

Article 166

Conduct of business of the State Government.

Article 167

Duties of CM regarding communication with the Governor.

Article 177

Right of ministers to speak in the legislature.