



# RAS

## Rajasthan Administrative Services

Rajasthan Public Service Commission

### Volume - 7

## State – Politics and Economy of Rajasthan



# STATE – POLITICS AND ECONOMY OF RAJASTHAN

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# 1

## CHAPTER

# Governor

### Constitutional Provisions

- **Articles** - 153 to 161 of the constitution of India.
- **Part** - VI of the constitution of India.
- **Important Articles related to Governor.**



Article	Provisions
153	Governors of State.
154	Executive Power of State.
155	Appointment of Governor.
156	Term of office of Governor.
157	Qualifications for appointment as Governor.
158	Conditions of Governor's Office.
159	Oath and affirmation by the Governor.
160	Discharge of the functions of the Governor in certain contingencies.
161	Power of Governor to grant pardons, etc., and to suspend, remit or commute sentences in certain cases.

### Constitutional Position

- **Dual role** -
  - State Government's **constitutional head**.
  - A **link between the central and state governments**.
- Executive leader of a state.
- Operates on the **recommendation of the Com of State**.
- All state **executive activities are formally taken in the Governor's name**.
- **Represents the Centre in the State** as a nominee of the President.
- **Serves as a channel of communication** and interaction between the State and the Centre.
- Responsible to **keep the center up to date** on the state's activities.



### Appointment of Governor

- **Appointed by** - The President by warrant under his hand and seal.
- **Article 153** - Each state should have its own governor.
- **7th amendment Act 1956** - Appointment of the same individual as Governor of one or more states.
  - He acts on the **recommendations of the Com of individual states** while Acting as governor for one or more states.



### Qualifications

In order to be appointed as Governor, a person.

- Must be a **citizen of India**.
  - Must have completed the **age of 35 years**.
- In addition, there are **two conventions** with regard to appointment of the Governor -
- He **Must not belong to the state where he is appointed**.
  - **Consult the CM of the state where to be appointed**.



### Term of Office

- **Term** - **5 years** at the **pleasure of the President**.
  - He may be requested to stay on for longer than the usual five years, until his replacement takes up.
- **Transfer** - The President can also transfer the Governor from one state to another.
- **Resignation** - By writing to the President, the Governor may resign at any time.
- **Unforeseen Circumstances** - The Constitution makes no provision, such as the death of the Governor, the President may make whatever measures he deems appropriate for the fulfilment of the Governor's tasks (Article 160).
- The **Rajasthan HC** has ruled that the **Governor's powers might be temporarily delegated to the Chief Justice of the HC**.



## Conditions of Governor's Office

- **Cannot be a member of Parliament** or a State Legislature, and if he or she is, then has to vacate his seat before joining as Governor.
- **Prohibited from holding any other office of Profit.**
- **Official residence without rent.**
- Entitled to the **emoluments, allowances, and privileges that Parliament may designate.**
  - Governor of **two or more states, his emoluments are divided** among them in the proportions determined by the President.
  - **During his term of service, his emoluments and allowances shall not be reduced.**
- **Must take an oath or affirmation administered by the Chief Justice of the respective state HC, or in his absence, the most senior judge of that court available.** \* RAS Pre 2013



## Salary

- Draws a **salary** of Rs.3,50,000 per month charged on **the Consolidated Fund of the State.**
- Entitled to a **rent-free official residence** and other allowances.
- **Not subject to the vote** of the State Legislature.



## Immunities to Governor

The Constitution grants certain immunities to a Governor, such as -

- **Article 361 - not liable to any court for the exercise and performance of his powers and duties, or for any act done or said to be done in the exercise and performance of such powers and responsibilities.**
- During his tenure -
  - **No criminal proceedings can be initiated** or continued in any court.
  - **No process for his arrest or imprisonment** can be issued by any court.
- **Civil proceedings against a Governor** in which relief is requested can be brought in court while the Governor is still in office, but **only after two months have passed after he was given adequate notice in writing of the proceedings in full.**



## Powers and Functions of the Governor

### Executive Powers

- **In charge of the state's executive power** - In conformity with the Constitution, he **exercises it** himself or via officers subordinate to him.
- **Extends to all subjects** over which the State Legislature has legislative authority.
- **Subject to the President's executive authority** on subjects stated in the **Concurrent List.**
- **All executive Measures** of the state government are in his name.
- **Authority to establish procedures** for the authentication of orders and instructions issued and implemented in his name.
- **Establishes standards for** the efficient conduct of **government operations** and the distribution of responsibilities among ministers.



### Powers with respect to Some States -

Jharkhand, Madhya Pradesh, Chhattisgarh and Odisha	94th Constitutional Amendment Act, 2006	Ensure that a Minister is appointed to oversee <b>tribal care.</b>
Assam	Sixth Schedule	<b>Administration of tribal territories.</b>

- **Appointment and patronage rights** -
  - **Advocate General of the State.**
  - **Chairman and members of State Public Service Commission** (can be removed by the President only).
  - **State Election Commission and the State Finance Commission (Article 243K) (243I).**
- **Can demand any information from the CM** of the State regarding administrative matters and legislative measures.
- **Submits a report to the President, along with suggestions, on the breakdown of constitutional machinery and the imposition of President's Rule** in a State.
- Serves as the **Chancellor of State Universities.** \* RAS Pre 2016
- **Ministers hold office** during the pleasure of the Governor.
- **Bring to the CoM any topic** for reconsideration.
- It is **the CM's responsibility to report to the Governor any decisions of the CoM pertaining to the administration of the State and legislative measures, as well as to supply any information requested by the Government.**

## Legislative Powers

- **Nominate one member** to the **State's Lower House** and a **few members** to the **State's Upper House**.
  - **One member of the Anglo-Indian community** to the State Legislative Assembly if they are underrepresented in that body.
  - **One-sixth** of the total number of **members** of the State Legislative Council.
- Can call a **special session of the State Legislature**, prorogue one or both Houses, or dissolve the Legislative Assembly.
- **Addresses the House or Houses of the State Legislature** singly or jointly.
  - Make a **speech** at the start of each **new session** and immediately following a general election to the Assembly, in which he lays out his **Government's strategy for the coming year**.
- Can **communicate with any House** of the State Legislature.
- Before becoming law, **every bill enacted by the State Legislature must gain the Governor's consent**.
- The Governor can - \* RAS Pre 2018
  - He **can give his consent** to the Bill -
  - **Withholds assent** - or
  - He may **reserve the Bill for the consideration of the President** if -
    - **Ultra-vires**, that is, **against** the provisions of the **Constitution**.
    - **Opposed** to **DPSPs**.
    - **Against** the larger **interest of the country**.
    - Of **grave national importance**.
    - Dealing with compulsory acquisition of property.
  - He **can return it to the Legislature**, if it is not a Money Bill, for reconsideration, suggesting alterations and modifications in part or in the whole.
    - But such **Bills when passed again** by the Legislature **must receive the assent** of the Governor, which means that the Governor cannot withhold his assent to a Bill if it is passed a second time by the State Legislature (**Article 200**).
- In the state legislature **presents reports of** -
  - **State Public Service Commission (Article 323)**.
  - **State Finance Commission (Article 243(1))**.
  - **Comptroller and Auditor General (Article 151)**.
- May resolve a subject pertaining to the **disqualification of a member of the Legislature** on the recommendation of the **Election Commission** if that person's **election is contested through a petition** by some voter or voters in his State (**Article 192**).



## Financial Powers

- **No Money Bill or Financial Bill can be introduced** in the state legislature **without the Governor's recommendations**.
- Only on his suggestion may a **request for a grant be made in the Legislative Assembly**.
- **Responsible for** preparing and presenting the **annual budget to the State Legislature**, which includes the expected revenue and expenditures for the year as well as **supplementary budgets** for the State.
- In the **event of an unplanned expenditure**, the **Governor can make advances from the State's Contingency Fund**, pending approval by the Legislature.
- Every five years, **he appoints a Finance Commission** to assess the financial situation of the **Panchayats and municipalities**.



## Judicial Powers

- **Pardoning Power (Art.161)** - can award **pardons, reprieves, respites, and remissions of penalty**, as well as **suspend, remit, and commute** the sentences of anybody guilty of laws pertaining to the state.



Difference between President's Pardoning Power	
President	Governor
Can commute death sentences	Cannot commute
Can pardon penalties imposed by court martial	Cannot pardon such penalties
Pardoning power for anybody guilty under central laws	Guilty under state laws

- **Judicial Appointments** - The President consults the Governor to **appoint the justices of the State HC**.
  - Makes **district judge** nominations, postings, and promotions **with the help of the State HCs**.
  - Selects people to the **state's judicial service**, other than district judges, after **consulting with the State HC and the State Public Service Commission**.

### Ordinance Making Power of Governor

- **Article 213** - Can issue an Ordinance **when one or both Houses of the State Legislature are not in session**. It has the force of a law.
- Can **promulgate Ordinance** when he is satisfied that circumstances exist where **immediate action is required**.
  - **Prohibited from promulgating Ordinances** that contain provisions, which **require the previous sanction of the President for introduction** in the State Legislature or which are to be **reserved for the assent of the President**.
    - In such conditions **can promulgate** an Ordinance **after obtaining permission from the President**.
- An Ordinance issued by the Governor **ceases to be in operation six weeks after the re-assembly of the Legislature** unless approved earlier.
  - **May withdraw an Ordinance** any time before it expires.



### Difference between Ordinance Making Powers of the President and Governor -

President	Governor
Can issue ordinances <b>only on those subjects on which the Parliament can make laws</b> .	Can issue ordinances <b>only on those subjects on which the state legislature can make laws</b> .
Same force and effect as an <b>act of the Parliament</b> .	Same force and effect as an <b>act of the state legislature</b> .
<b>Invalid</b> beyond the legislative limits of Parliament	Invalid beyond legislative limits of state legislature.
<b>Can promulgate or withdraw</b> an ordinance <b>only on the advice of the Com headed by the PM</b> .	<b>Can promulgate or withdraw</b> an ordinance <b>only on the advice of the state Com headed by the CM of the state</b> .
Should be laid before <b>both the Houses of Parliament</b> when it reassembles.	Should be laid before the <b>legislative assembly or both the Houses of the state legislature</b> (in case of a bicameral legislature) when it reassembles.

### Emergency Powers

- **Report to the President** whenever he believes that a situation has arisen in which the State's government cannot be carried out in accordance with the Constitution's provisions (**Article 356**), thereby **inviting the President to assume** all or part of the **State's government functions (President's Rule)**.
  - Becomes an "**agent of the Union Government in the State**."
  - He takes **administration in his own hands** and, with the help of the civil service, administers the state.



### Discretionary Powers of the Governor

- **lynchpin of constitutional democracy** in the States.
- **If there is any doubt** as to whether a topic is one for which the Governor has discretionary authority, the **Governor's judgement is definitive**.

**Governor has following Constitutional discretionary powers -**

- **Reserve a bill** for consideration of the President.
- Recommend **President's Rule**.

- The Governor of Rajasthan and Uttar Pradesh, Ram Naik has amended the present system of protocol in the state.
- According to the orders issued by the Governor's Secretariat on August 26, 2014, the word 'His Excellency' will not be used in state functions, interaction with dignitaries and in official comments.
- Governor will be addressed as 'Honorable Governor' in English.
- Also, 'Mr., Mrs. or Ms.' shall be used before the name of the Governor.

- Serves as the **administrator of a bordering Union Territory**.
- Under **Schedule VI**, determines the **royalty paid to the Tribal District Council** accruing from licenses for **mineral exploration** by **Assam, Meghalaya, Tripura and Mizoram**.
- **Seeking information from the CM** with regard to the administrative and legislative matters of the state.

**Governor has following situational discretionary powers-**

- **Appointment of CM** when no party has a clear-cut majority in the state legislative assembly or when he dies suddenly and there is no obvious successor.
- **Dismissal of the Com** when it cannot prove the confidence of the state legislative assembly.
- **Dissolution of the state legislative assembly** if the Com has lost its majority.

**Governor has following discretionary powers as directed by the President -**

- **Maharashtra** - Establish **separate development boards** for Vidarbha and Marathwada and Rest of Maharashtra. (**Art. 371**)
- **Gujarat** - Establish **separate development boards** for Saurashtra and Kutch. (**Art. 371**) Chief Minister
- **Nagaland** - To maintain **law and order** in the wake of **internal disturbance** in the Naga Hills-Tuensang Area. (**Art. 371A**)
- **Assam** - Administration of the **tribal areas** (**Art.371B**)
- **Manipur** - Administration of the **Hill areas in the state**. (**Art. 371C**)
- **Andhra Pradesh** - **Regional development** of Andhra Pradesh (**Art.371D**)
- **Sikkim** - For peace and for ensuring social and economic advancement of the different sections of the population. (**Art. 371F**)
- **Arunachal Pradesh** - Maintaining the **law and order** in the state. (**Art. 371H**)
- **Karnataka**- Development of **Hyderabad-Karnataka region**. (**Art.371J**, added by 98th Constitutional Amendment Act, 2012)

**Key Facts about the Governor of Rajasthan**

- Sardar Gurmukh Nihal Singh was the first Governor of Rajasthan.
- Sawai Mansingh was the first Rajpramukha of Rajasthan who is considered equivalent to the Governor.
- The Rajpramukha system was abolished in Rajasthan by constitutional amendment on November 1, 1956.
- Smt. Pratibha Patil was the first woman governor of Rajasthan.
- Smt. Prabha Rao was the second woman governor of Rajasthan.
- Mrs. Margaret Alva was the third woman governor of Rajasthan
- The summer stay of the Governor of Rajasthan is the Raj Bhavan located in Mount Abu, Rajasthan.
- This building was built in 1868 as the Residency of the Governor General of India, AGG.

**List of Governors of Rajasthan**

Name of governor	Assumed office on	End of tenure
Maharaj Man Singh II (Rajpramukh)	30- March -49	31- October -56
Gurmukh Nihal Singh (1st Governor) RAS Pre 2021	01- Nov -56	15- April -62
Sampoornanand	16- April -62	15- April -67
Sardar Hukam Singh	16- Apr -67 / 24- Dec -70	19- Nov - 70 / 30- Jun -72
Jagat Narayan (Charge)	20- November -70	23- December - 70
Sardar Joginder Singh	01- July -72	14- February -77
Vedpal Tyagi (Charge)	15- February -77	11- May -77
Raghukul Tilak	12- May -77	08- Aug -81

<b>KD Sharma (Charge)</b>	08- Aug -81	05- March -82
<b>Om Prakash Mehra</b>	06- March -82 / 1 February 1985	04- Jan -85 / 3 Nov 1985
<b>PK Banerjee (Charge)</b>	3 January 1985	3 November 1985
<b>Dr. P. Gupta (Charge)</b>	4 November 1985	19 November 1985
<b>Vasantrao Patil</b>	20- Nov -85	14- October -87
<b>JS Verma (Charge)</b>	15 November 1987 / 3 February 1989	19 February 1988 / 19 February 1989
<b>Sukhdev Prasad</b>	20- February -88 / 20 February 1989	02- February -90 / 2 February 1990
<b>Milap Chand Jain (Charge)</b>	03- February -90	13- Feb -90
<b>Devi Prasad Chattopadhyay</b>	14- Feb -90	26- Aug -91
<b>Swaroop Singh (Governor of Gujarat)</b>	26- Aug -91	04- February - 92
<b>M. Chenna Reddy (Additional Charge)</b>	February 5 , 1992	30- May -93
<b>Dhaniklal Mandal (Governor Haryana) (Additional Charge)</b>	31- May -93	29- Jun -93
<b>Baliram Bhagat</b>	30- Jun -93	30- Apr -98
<b>Darbar Singh</b>	01- May -98	24- May -98 ( Death )
<b>Navrang Lal Tibrewal (Charge)</b>	25- May -98	15- Jan -99
<b>Anshuman Singh</b>	16- Jan -99	13- May -03
<b>Nirmal Chandra Jain</b>	14- May -2003	22- September -2003 ( Death )
<b>Kailashpati Mishra (Governor Gujarat) (Additional Charge)</b>	22- September -2003	13- Jan -04
<b>Madan Lal Khurana (Resigned)</b>	14- Jan -04	01- Nov -04
<b>TV Rajeshwar (Governor Uttar Pradesh) (Additional Charge)</b>	01- Nov -04	08- November -04
<b>Pratibha Patil (Resigned)</b>	08- November -04	23- Jun - 07
<b>Akhlaq-ur-Rehman Kidwai (Governor Haryana) (Additional Charge)</b>	23- Jun - 07	06- Sept -07
<b>SK Singh (Charge)</b>	06- Sept -07	01- December -09 ( Death )
<b>Prabha Rao (Governor Himachal Pradesh) (Additional Charge)</b>	03- December -09	24- Jan -10
<b>Prabha Rao (Charge)</b>	25- Jan -10	26- April -10 ( Death )
<b>Shivraj Patil ( Governor Punjab ) ( Additional charge )</b>	28- Apr -10	12- May -12

<b>Margaret Alva (Charge)</b>	12- May -12	07- Aug -14
<b>Ram Naik (Additional Charge)</b>	08- Aug -14	03- Sept -14
<b>Kalyan Singh</b>	09- Sept -14	08- September -19
<b>Kalraj Mishra</b>	09- Sept -19	Present

- Prabha Rao is the fourth such Governor who died (26 April, (2010) while serving as the Governor of Rajasthan.
  - Earlier, Darbar Singh died on 23 May, 1998, Nirmalchand Jain died on 21 September, 2003 and SK Singh died on 1 December, 09.
- Madanlal Khurana and Pratibha Patil (the first woman governor of the state) had resigned from the post of governor before the completion of their term.
- President's rule (March 13, 1967 to April 26, 1967) was imposed for the first time as a result of the ambiguity (ambiguous majority) in the elections.
  - During the tenure of Dr. Sampooranand (16-04-1962 to 15-04-1967), President's rule was imposed for the first time in Rajasthan on March 13, 1967, which lasted in the tenure of Sardar Hukum Singh (16-04-1967 to 19-11-1970) till 26 April, 1967.
- The tenure of the fourth President's rule was the longest (December 15, 1992 – December 3, 1993).
  - Then Governor- M Chennareddy, Baliram Bhagat.
- Shri Baliram Bhagat, who was the Governor of Rajasthan from 30 June, 1993 to 30 April, 1998, was also the Speaker of the Lok Sabha.

## President's Rule in Rajasthan

\* RAS Pre 2016 / 2013

### First President's Rule in 1967

- Reason - Till 26 April 1967, no party had got a clear majority in the fourth assembly election in the state.
- Duration - 13 March 1967 - 26 April 1967 (about 42 days - shortest president's rule).
- Governor - Dr. Sampooranand
- Chief Minister - Mohanlal Sukhadia
- President - Dr. Radhakrishnan
- Prime Minister - Indira Gandhi

### Second President's Rule in 1977

- During the fifth Rajasthan Legislative Assembly.
- Duration - 30 April, 1977 - 21 June, 1977
- Chief Minister - Haridev Joshi
- Governor - Ved Pal Tyagi
- Acting President - B. D. Jatti
- Prime Minister - Morarji Desai

### Third President's rule in 1980

- On 17 February 1980, President's rule was imposed by dissolving the first elected government and mid-term elections were held.
- Duration - In effect from February 17, 1980 to June 5, 1980 (approximately 100 days).
- Governor - Raghukul Tilak
- Chief Minister - Bhairon Singh Shekhawat
- President - Neelam Sanjeeva Reddy
- Prime Minister - Indira Gandhi

### Fourth President's Rule in 1992

- Reason - Because of Babri Masjid issue
- Duration - December 15, 1992 - December 3, 1993

- Chief Minister - Bhairon Singh Shekhawat
- Governor - Dr. Marri Chenna Reddy
- After the President's rule ended, Bhairon Singh Shekhawat formed the government.
- President - Dr. Shankardayal Sharma
- Prime Minister - PV Narasimha Rao

Year	Governor	Chief Minister
1967	Dr. Sampooranand	Mohan Lal Sukhadia
1977	Ved Pal Tyagi	Haridev Joshi
1980	Raghukul Tilak	Bhairon Singh Shekhawat
1992	Marri Chenna Reddy	Bhairon Singh Shekhawat





# 2

## CHAPTER

# Chief Minister

### Constitutional Provisions

- Elected head of the State.
- Important articles related to Chief Minister -

Article	Provision
163	Aid and advise Governor as head of State CoM.
164	Governor to appoint CM.
167(a)	Communicate to the governor all decisions of the CoM related to the management of the state's affairs and legislative measures.
167(b)	Provide the governor with any facts or ideas for legislation relevant to the management of the state's affairs.
167(c)	Present to the CoM for consideration any item on which a minister has made a decision.

### Appointment of CM

- **Art. 164** - Governor must appoint the CM from the majority party in the state legislative assembly.
- When **no one party has a clear majority** in the legislature, the governor may choose and appoint the CM at his discretion.
  - Selects the leader of the **assembly's biggest party or coalition**, and instructs him to **seek a vote of confidence** in the House **within a month**.



### Oath

- **Governor administers the oaths** of office and secrecy to the CM -
  - **Have genuine faith** and devotion to the Indian Constitution.
  - To **protect India's sovereignty** and territorial integrity.
  - To do out his **responsibilities truthfully and conscientiously**.
  - To **treat all persons with respect** and decency, in conformity with the Constitution and the law, without fear or favour, affection or malice.
- He will **not Communicate or divulge** to any person(s) any thing that is presented before him or becomes known to him as a state minister, save as may be needed for the proper fulfilment of his responsibilities as such minister.



### Term

- **Not fixed**, he serves at the **discretion of the governor**.
- **Can't be removed** by the governor as long as he **enjoys majority** in the legislature (Ruled by SC in **SR Bommai vs. Union of India case, 1994**).
- However, if the **assembly loses confidence** in him, **he must resign** or face dismissal by the governor.



### Salary and allowances

- **State legislature determines** the CM's salary and allowances.
- He receives a **sumptuary allowance, free housing, travel allowance, medical facilities, and other benefits in addition to his salary** and allowances as a member of the state legislature.



### Powers of Chief minister

#### In relation to State Council of Ministers

As **chairman of the state council of ministers** -

- Proposes governor to whom to select as **minister**.
- **Distributes and reshuffles ministerial portfolios**.
- In case of a disagreement, **can ask the minister to quit or urge the governor to fire him**.
- He **presides over the CoM' meetings** and has a say in its decisions.
- He **directs, oversees, and organises all of the ministers' operations**.
- The **CoM is automatically dissolved** if he resigns or dies.
  - Any other minister's resignation or death, on the other hand, simply creates a vacancy, which the CM may or may not fill.

## In relation to Governor

- **Communicate** to the Governor of the state all **decisions of the CoM** relating to the administration of the state's affairs and proposals for legislation.
- **advises the governor on the nomination of significant authorities** such as the advocate general, chairman, and state public service members.



## In relation to State Legislature

As the **head of the house** -

- **Advise the governor on the summoning and proroguing** of the state legislature's sessions.
- **Recommend** to the governor the **dissolution of the legislative assembly** at any moment.
- On the floor of the House, **he announces the government's policies.**

## Functions

- **State Planning Board's chairman.**
- By rotation, **serves as vice-chairman of the concerned zonal council**, holding office for one year at a time.
- Member of the PM's **Inter-State Council and the Governing Council of NITI Aayog.**  
\* **RAS Pre 2013**
- State government's **main spokesman.**
- In times of crisis, **serves as the principal crisis manager** at the political level.
- **Interacts with diverse groups of people** and gets memoranda from them on their issues, among other things.
- **Services' political leader.**

The designation of the Chief Minister was 'Prime Minister' from 7 April, 1949 till 24 January, 1950.

## Relationship with Governor

- **Article 163** - A **CoM, with the CM as its chairman**, to assist and advise the governor in the discharge of his duties, save when he is Compelled to exercise all or part of his duties in his discretion.
- **Article 164** - **(a) Governor shall appoint the CM**, and other ministers appointed by the Governor on the CM's advice.  
**(b) Ministers shall serve at the governor's pleasure.**  
**(c) CoM shall be collectively responsible to the state's legislative assembly.**
- **Article 167** - It is the **CM's responsibility** to:  
**(a) convey** to the governor of the state **all decisions of the CoM** related to the management of the state's affairs and legislative measures.  
**(b) Provide** the governor **with any facts or ideas for legislation** relevant to the management of the state's affairs.  
**(c) If the governor so directs, to present to the CoM** for consideration any item on which a minister has made a decision but which has not been considered by the council.

### Key Facts about the Chief Minister of Rajasthan

- Hiralal Shastri was the first Chief Minister of Rajasthan.
- The first elected Chief Minister was Tikaram Paliwal.
- Jaynarayan Vyas was the only nominated and elected Chief Minister.
- Mohanlal Sukhadia was the Chief Minister for the longest period (four times).
- Indo-Pak war (1971) took place during the time of Chief Minister Barkatullah Khan.
  - He died when he was incumbent.
- Emergency was enacted during the time of Chief Minister Haridev Joshi.
- Bhairon Singh Shekhawat became the first non-Congress Chief Minister. Jagannath Pahadia was the first Scheduled Caste Chief Minister.
- Hira Lal Devpura was the Chief Minister for the shortest time.
- Vasundhara Raje Scindia became the first woman Chief Minister.
- Presently Ashok Gehlot is the Chief Minister.

## Chief Minister of Rajasthan

Chief Minister	Description
<b>Chief Minister of Ajmer State</b>	<ul style="list-style-type: none"> <li>● Haribhau Upadhyay was the first and last Chief Minister of Ajmer who was Chief Minister from 24 March, 1952 to 31 October, 1956.</li> <li>● He was also a leader of the Indian National Congress.</li> </ul>
<b>Pt. Hiralal Shastri</b>	<ul style="list-style-type: none"> <li>● On March 30, 1949, when Rajasthan was formed by merging 22 princely states, the former Prime Minister of Jaipur State, Pt. Hiralal Shastri was nominated as the Prime Minister of the new state on March 30, 1949.</li> <li>● He served as the Prime Minister of Rajasthan till January 5, 1951.</li> <li>● After the enactment of the Constitution in the country, the name of his post was changed to Chief Minister.</li> </ul>
<b>CS Venkatachari</b>	<ul style="list-style-type: none"> <li>● Hiralal Shastri was removed from the post through a motion of no confidence.</li> <li>● In his place, ICS officer Shri CS Venkatachari was given the charge.</li> <li>● He served in this position till April 25, 1951.</li> </ul>
<b>Jaynarayan Vyas</b>	<ul style="list-style-type: none"> <li>● Jaynarayan Vyas was nominated as the Chief Minister on 26 April, 1951.</li> <li>● He worked till the results of the first general elections were declared.</li> <li>● He remained in office till March 3, 1952.</li> <li>● After the results of the first general election were declared in August, 1952, he became an MLA from Kishangarh and remained in this post till November 13, 1954.</li> </ul>
<b>Tikaram Paliwal</b>	<ul style="list-style-type: none"> <li>● Tikaram Paliwal became the first elected Chief Minister of the state.</li> <li>● Earlier all the Chief Ministers were nominated.</li> <li>● On March 3, 1952, Tikaram Paliwal took over the reins of the first democratic government of the state.</li> <li>● He continued to serve in this post till October 31, 1952.</li> </ul>
<b>Mohan Lal Sukhadia</b>	<ul style="list-style-type: none"> <li>● He got the distinction of being the Chief Minister of the state at the age of 38.</li> <li>● On 13 November, 1954, he took over the command of the state.</li> <li>● After this he became Chief Minister for the second time in 1957, for the third time in 1962 and for the fourth time in 1967.</li> <li>● For the fourth time, an attempt was made to remove him from office by a motion of no confidence but he resigned from office on 8 July, 1971 after proving his majority on 26 April, 1967.</li> </ul>
<b>Barkatullah Khan</b>	<ul style="list-style-type: none"> <li>● Barkatullah Khan took over the command of the state after Sukhadia on July 9, 1971.</li> <li>● On March 16, 1972, he became the Chief Minister of the state for the second time.</li> <li>● He died of a heart attack on October 11, 1973.</li> </ul>
<b>Haridev Joshi</b>	<ul style="list-style-type: none"> <li>● After the death of Barkatullah Khan, the reins of the state were handed over to Haridev Joshi.</li> <li>● On 10 March, 1985, he became the Chief Minister of the state for the second time.</li> <li>● On December 4, 1989, he became the Chief Minister of Rajasthan for the third time.</li> </ul>
<b>Jagannath Paharia</b>	<ul style="list-style-type: none"> <li>● Jagannath Pahadia got the opportunity to become the Chief Minister of Rajasthan after the elections of the Seventh Legislative Assembly in June, 1980.</li> <li>● He took oath on June 6, 1980 and remained in office till July 13, 1981.</li> </ul>
<b>Shiv Charan Mathur</b>	<ul style="list-style-type: none"> <li>● Jagannath Pahadia was succeeded by Shivcharan Mathur as the Chief Minister of Rajasthan on 14 July, 1981 and remained in office till 23 February, 1985.</li> </ul>

	<ul style="list-style-type: none"> <li>• He took oath as Chief Minister for the second time on January 20, 1988 and served the state as Chief Minister till December, 1989.</li> </ul>
<b>Hiralal Devpura</b>	<ul style="list-style-type: none"> <li>• Became the Chief Minister of Rajasthan for only 16 days from 23 February, 1985 to 10 March, 1985.</li> </ul>
<b>Bhairon Singh shekhawat</b>	<ul style="list-style-type: none"> <li>• In June 1977, Bhairon Singh Shekhawat became the Chief Minister of Rajasthan.</li> <li>• On March, 4, 1990, he got the opportunity to become the Chief Minister of Rajasthan for the second time.</li> <li>• His government was dismissed on 15 December, 1992 because of the Ayodhya case.</li> <li>• Once again in 1993, he took oath as the Chief Minister of the state and served in this post till December, 1, 1998.</li> </ul>
<b>Ashok Gehlot</b>	<ul style="list-style-type: none"> <li>• After the eleventh assembly elections held in November 1998, Ashok Gehlot got a chance to become the Chief Minister of Rajasthan with a &gt;3/4<sup>th</sup> majority.</li> <li>• On December 1, 1998, he took oath as the Chief Minister of the state.</li> <li>• On 12 December, 2008, he got the opportunity to become the Chief Minister of Rajasthan for the second time.</li> </ul>
<b>Vasundhara Raje Scindia</b>	<ul style="list-style-type: none"> <li>• Vasundhara Raje Scindia became the first woman Chief Minister of Rajasthan on 8 December, 2003.</li> <li>• After this, on December 13, 2013, he got a chance to become the Chief Minister of the state for the second time.</li> </ul>

### List of Chief Ministers of Rajasthan

Chief Minister	Duration	Description
Hira Lal Shastri	7 April , 1949 - 5 January , 1951	<ul style="list-style-type: none"> <li>• Founder of Vanasthali Vidyapeeth, active in pre-independence Jaipur Prajamandal.</li> <li>• Autobiography – Pratyksh Jeevan Shastra.</li> </ul>
CS Venkatachari	January 6 , 1951 - April 26 , 1951	
Jai Narayan Vyas (First Democratic Government of Rajasthan) (Elected)	26 April, 1951 - 3 March, 1952	<ul style="list-style-type: none"> <li>• Poet, writer, journalist dedicated to the national movement.</li> </ul>
Tika Ram Paliwal	March 3 , 1952 - October 31 , 1952	<ul style="list-style-type: none"> <li>• Chief Minister who was later made Deputy Chief Ministers.</li> </ul>
Jai Narayan Vyas	1 November, 1952 - 12 November, 1954	
Mohan Lal Sukhadia	<ul style="list-style-type: none"> <li>• 11 November , 1954 -11 April , 1957</li> <li>• April 13 , 1957 - March 11 , 1962</li> <li>• March 12 , 1962 - July 13 , 1971</li> <li>• 26 April, 1967 - 9 July, 1971</li> </ul>	<ul style="list-style-type: none"> <li>• Nickname - The creator of modern Rajasthan.</li> <li>• He had longest tenure (6380 days) as a Chief Minister.</li> <li>• He was also the Governor of Karnataka, Andhra Pradesh and Tamil Nadu.</li> </ul>
<b>( President rule )</b>	March 13 , 1967 - April 26 , 1967	

Mohan Lal Sukhadia	26 April, 1967 - 9 July, 1971	
Barkatullah Khan	9 July, 1971 - 11 October, 1973	
Haridev Joshi	October 11, 1973 - April 29, 1977	<ul style="list-style-type: none"> <li>• He also served as the Governor of Assam, Meghalaya and West Bengal.</li> </ul>
<b>( President rule )</b>	30 April, 1977 - 21 June, 1977	
Bhairon Singh shekhawat	June 22, 1977-16 February, 1980	<ul style="list-style-type: none"> <li>• Was the Vice President of India</li> </ul>
<b>( President rule )</b>	February 17, 1980 - June 5, 1980	
Jagannath Paharia	June 6, 1980 - July 13, 1981	<ul style="list-style-type: none"> <li>• He was the Governor of Bihar and Haryana.</li> </ul>
Shiv Charan Mathur	14 July, 1981 - 23 February, 1985	<ul style="list-style-type: none"> <li>• He was the Governor of Assam.</li> </ul>
Hira Lal Devpura	23 February, 1985 - 10 March, 1985	<ul style="list-style-type: none"> <li>• Became Chief Minister for the shortest tenure (only 16 days).</li> <li>• A chief minister who was later made a minister</li> </ul>
Haridev Joshi	March 10, 1985 - January 20, 1988	
Shiv Charan Mathur	January 20, 1988 - December 4, 1989	
Haridev Joshi	December 4, 1989 - March 4, 1990	
Bhairon Singh shekhawat	March 4, 1990 - December 15, 1992	
<b>( President rule )</b>	December 15, 1992 - December 3, 1993	
Bhairon Singh shekhawat	4 December, 1993 - 1 December, 1998	
Ashok Gehlot	December 1, 1998 - December 8, 2003	
Vasundhara Raje Scindia	8 December, 2003 - 13 December, 2008	<ul style="list-style-type: none"> <li>• First woman Chief Minister of Rajasthan.</li> <li>• In the 12th Assembly.</li> </ul>
Ashoka Gehlot	December 13, 2008 - December 13, 2013	
Vasundhara Raje Scindia	December 13, 2013 - December 16, 2018	
Ashok Gehlot	December 17, 2018 – Current	

- Article 75-1(a) of the Constitution by the 91st Constitutional Amendment Act, 2003 provided that the total number of ministers in the Council of Ministers, including the Prime Minister, shall not exceed 15 percent of the total strength of the members of the Lok Sabha.
  - That is, the total number of ministers including the Chief Minister in the Rajasthan Council of Ministers is maximum 30 (29 + 1) and minimum 12 (11 + 1).
- Ashok Gehlot is the third person to become the Chief Minister of the state for the third time.
  - Earlier, Haridev Joshi and Bhairon Singh Shekhawat have also become chief ministers thrice each.
- After Mohan Lal Sukhadia, Ashok Gehlot has become the chief minister with the maximum tenure in the state.
  - Sukhadia was elected chief minister four times in 14 years.
- Shri Hiralal Devpura (23-02-1985 to 10-03-1985) had the shortest tenure (16 days) as Chief Minister.

### Deputy Chief Minister of Rajasthan

Although the post of Deputy Chief Minister is not mentioned anywhere in the Constitution of India, the Deputy Chief Minister is an integral part of the state government and is the most powerful after the Chief Minister. There have been 5 Deputy Chief Ministers in Rajasthan since the first assembly general election 1952.

#### Facts about Deputy Chief Minister

- Tikaram Paliwal became the Deputy Chief Minister after becoming the Chief Minister.
  - He was also the first Deputy Chief Minister.
- Hari Shankar Bhabhra was the Deputy Chief Minister of Rajasthan for the longest period (4 years 11 months 28 days).
- Kamla Beniwal was the first woman Deputy Chief Minister of Rajasthan.

Deputy chief minister	Tenure
Tikaram Paliwal	1 November, 1952 - 13 November, 1954
Hari Shankar Bhabhra	December 4 , 1993 - November 30 , 1998
Banwari Lal Bairwa	19 May, 2002 - 4 December, 2003
Kamla beniwal	January 12 , 2003 - December 4 , 2003
Sachin Pilot	December 24 , 2018 - July 11 , 2020

# 3

## CHAPTER

# State Council of Ministers

### Constitutional Provisions

- **Articles:** 163,164, 166, 167 and 177 of the Constitution of India
- **Part:** VI of the constitution of India
- **Rights of Ministers as respects the Houses**

Article	Provisions
163	CoM to aid and advise the Governor.
164	Other provisions as to Ministers
167	Duties of the CM as respects the furnishing of information to the Governor, etc.
177	Rights of Ministers and Advocate-General as respects the Houses.

### Composition of ministers

- **Constitutional Status:** not specify the size of the state Com or the ranking of ministers.
- **determined by CM** as per the needs of the moment and the circumstances.
- **made up of three types of ministers:**
  - **Cabinet Ministers:** In-charge of key state government departments such as home, education, finance, agriculture, and so on.
    - attend **cabinet meetings** and have a **key role in policymaking** spanning the whole state government.
  - **Ministers of State:** Can be assigned to departments independently or be connected to cabinet ministers.
    - **Not members of the cabinet** and do not attend cabinet sessions unless they are specifically invited when issues relating to their departments are discussed.
  - **Deputy Ministers: not in command** of departments on their own; work closely with cabinet ministers, assisting them with administrative, political, and parliamentary responsibilities.
    - **Not cabinet members** and do not participate in cabinet sessions.



### Appointment

- **Art. 164:** Appointed by **Governor** on advice of the CM of the state



#### 91st Constitutional Amendment Act, 2003

- **Number of ministers in a state's CoM**, including the CM, **should not >15% of the entire strength** of that state's legislative assembly.
- must not be <12.
- A member of either House who is **disqualified for defection becomes ineligible to be appointed as a minister.**

- Serve at the **pleasure of the Governor**
- **ceases to be a minister** if he or she is not a member of the state legislature for **six months** in a row.
- **Ministers are usually appointed Among members of the Legislature**, either the Legislative Assembly or the Legislative Council.
  - A **minister can be appointed even if he or she is not a member of either House of Legislature.**
  - However, he **must become a member of either House of Legislature** (either by election or nomination) **within six months**, or he will lose his position as a minister.
- A **minister** who is a **member of one House** of Legislature has the **right to speak and participate in the proceedings of the other House as well**, but he can only vote in that House.

### Oath

- **Art. 164: Administered by: The governor** (The oaths of office and secrecy)
  - To bear true faith and allegiance to the Constitution of India,
  - To uphold the sovereignty and integrity of India,
  - To faithfully and conscientiously discharge the duties of his office,
  - To do right to all manner of people in accordance with the Constitution and the law, without fear or favour, affection or ill-will
- will not communicate or divulge to any person(s) any thing that is brought to his attention or becomes known to him as a state minister, save as may be needed for the proper fulfilment of his responsibilities as such minister.

