

Prime Minister of India

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Introduction:

- Under our Parliamentary system of government the president is the head of the state while the prime minister is the head of the government.
- The president is only the *de jure (nomina)* executive whereas the prime minister is the *de facto (real) executive*.
- Prime minister is the head of the council of ministry [Art. 74(1)] and is the most powerful office in the country.

Appointment of the PM:

- The constitution does not contain any specific procedure for the selection and appointment of the Prime Minister
- Art. 75 says that the Prime Minister shall be appointed by the president.
- The president has to appoint the leader of the majority party in the Lok Sabha as the Prime Minister.
- However, when no party has a clear majority in the Lok Sabha, then the president may exercise his personal discretion in the selection and appointment of the Prime Minister.

Oath of office:

- The president administers the oath of office to the PM before assuming his office.
- In his oath of office the PM swears –
 1. To bear true faith and allegiance to the constitution of India,
 2. To uphold the sovereignty and integrity of India, to faithfully and conscientiously discharge the duties of his office, &
 3. To do right to all manner of people in accordance with the constitution and the law without fear or favour, affection or ill-will.

Term of office:

- The term of the PM is not fixed and he holds office during the pleasure of the president.
- As long as the PM enjoys the majority support in the Lok Sabha he cannot be dismissed by the president.
- Normally his term of office is 5 years.

Powers and functions of the PM:

- The powers and functions of the PM can be studied under the following heads –
 1. As the head of the Government,
 2. Leader of the cabinet,
 3. Relation to the president,
 4. Leader of the parliament,
 5. His role in India's relation with other countries,
 6. As the leader of the party,
 7. Chairman of the Planning commission, etc.

1. Head of the Government:

- PM is the head of the government.
- Although the president of India is vested with many executive powers, in actual practice he acts only at the advice of the PM and his cabinet.
- All major appointments of the Union government are virtually made by the PM.
- All the major decision-making bodies like the union cabinet, the planning commission (Niti Ayog), cabinet committees function under his supervision and direction.
- In the words of Nehru, the PM is the Linch-pin of the government.

2. Leader of the Cabinet:

- The PM is the leader of the cabinet.
- It is he who selects other ministers.
- It is he who distributes portfolios among them.
- It is he who presides over the meetings of the cabinet.
- As the leader of the cabinet the PM can influence the decisions.
- At any time he may demand the resignation of any minister or advise the president dismiss any minister in cases of differences of opinion.
- He guides, directs, controls and coordinates the activities of all the ministers.
- His resignation involves the resignation of all the ministers.

3. Link between the president and the cabinet:

- He is the link between the president and his cabinet and has to discharge the following duties – (Art. 78)
 - a. To communicate to the president all decisions of the council of ministers,
 - b. To furnish such information relating to the administration of the affairs of the union and proposals of legislation as the president may call for, &
 - c. If president so requires, to submit for the consideration of the council of ministers any matter on which a decision has been taken by a minister but which has not been considered by the council.

4. Leader of the Parliament:

- The PM is the leader of the Parliament.
- He determines the dates of his meetings and also programmes for the session.
- He decides when the House is to be prorogued or dissolved.
- He is the chief spokesman of the government in the House and makes statements relating to the official stand of the government on important issues.
- He can correct the errors made by his ministers on the floor of the House.
- He can carry the House with him on all matters of importance. He represents the cabinet as a whole unlike any other ministers.

5. His role in International Sphere:

- He is the chief exponent of the foreign policy of India.
- In other words, the PM is regarded as the chief spokesman of the foreign relations of the country.
- His statements are, for the outside the world, statement of policies of the nation.
- In international conferences it is he who speaks for the nation.
- In the meetings of the SAARC and NAM countries he takes the lead.
- Our PMs have had special interests in foreign affairs and this has helped them to strengthen their position at home also.

6. Leader of the Party:

- The PMs in India tried to dominate the party by conscious manipulations and manoeuvre .
- Nehru, the first PM tried to combined the post of party President and PM after the death of Patel.
- After the formation of Congress I the party presidents were virtually the nominee of the PM

7. Chairman of the Planning Commission:

- The planning commission(Niti Ayog) is an extra-constitutional advisory body under the chairmanship of the PM.
- It has covered all the spheres of activities of both the centre and the states.
- It has become a super cabinet under the leadership of the PM.
- All important decisions including the main line of economic policies relating to the centre and states are taken by the planning commission under the chairmanship of the PM.

Other power and functions:

- He is also the chairman of the National Development Council, National Integration Council, Inter-state council, National Water Resources Council, etc.
- He is the chief spokesman of the Union government.
- He is the crisis manager –in- chief at the political level during emergencies.
- As a leader of the nation, he meets various sections of the people in different states & receives memoranda from them regarding their problems, and so on.

Position of the Indian PM:

- PM in India today is much more than the traditional conception of “**first among the equals**”.
- What holds good about him today is the idea of “**moon among the lesser stars**”.
- The correct estimate of the PM is even much more than this.
- He is the **key stone of the cabinet arch** and the moment he is shaken the entire cabinet system collapses.
- In India, the PM is not only the keystone of the cabinet arch but also the entire political system.
- The PM of India has acquired such eminence and power that observers now prefer to call the political system as Prime Ministerial government rather than cabinet system of government.