

Prime Minister and Council of Ministers

Prime Minister

India has a parliamentary form of government in which the Prime Minister is the real head of the country. The President is the nominal head who acts on the advice of the Prime Minister.

Appointment of the Prime Minister

- According to the Constitution, the President has to invite the leader of the majority party in the Lok Sabha to form the government. The leader of the majority party is elected by the party members.
- When no single party gets absolute majority in the Lok Sabha, the President has to invite a person to form the government who can prove majority on the floor of the House.
- The leader of the majority party in the Lok Sabha is appointed as the Prime Minister by the President.

Council of Ministers

- The Council of Ministers are appointed by the President on the advice of the Prime Minister.
- According to the conventions, only the members of the Parliament are appointed as Ministers. In case a person who is not a member of the Parliament has been appointed as a minister, he must be elected or nominated to the Parliament within six months from the date of his appointment.

There are three circles of ministers. These are

Cabinet Ministers

They are the most important body of ministers in the Council of Ministers. All important portfolios such as defence, finance and external affairs form the Cabinet Ministers. The Cabinet Ministers formulate the policies and programmes of the government.

Ministers of State

The state ministers may or may not have any portfolios. It is up to the Prime Minister if he wants or does not want to consult them. Generally, they do not participate in the meetings of the Cabinet but may be invited to do so.

Deputy Ministers

The Deputy Ministers are the junior ministers who help the Cabinet and the Council of Ministers in their work. They do not participate in the Cabinet discussions.

The Council of Ministers comprises the Prime Minister and other ministers appointed by the President.

The Cabinet

- The Cabinet is a small body of senior members of the party who are included in the Council of Ministers.
- Cabinet Ministers hold important portfolios and decide major policies of the government.
- The Cabinet is the nucleus of the administration as important decisions are taken by it. The policies formulated by the Cabinet Ministers have to be followed by other ministers.
- The Prime Minister selects the senior and the most trustworthy members of his party and advises the President to appoint them.

Term of the Office

- The Cabinet and the Prime Minister are directly responsible to the Lok Sabha and remain in office as long as they enjoy the support of majority members of the Parliament. If the Lok Sabha passes a vote of No-Confidence Motion against them, the Council of Ministers has to resign collectively.
- A Cabinet Minister has to take an oath of Office and of Secrecy—the ministers take an oath of neither revealing nor communicating information to any person.
- The salaries and allowances to the ministers are determined by the Parliament from time to time.

Powers and Functions of the Cabinet

Administrative Powers

- The Cabinet formulates and decides the domestic and international policies of the government. It takes decisions on important matters such as defence, finances and foreign affairs. Individual ministers have to consult the Cabinet on all important matters.
- After a decision is taken by the Cabinet Ministers, it is conveyed to the Ministers of State and the Deputy Ministers who implement the policies with the help of the bureaucracy.
- The Cabinet coordinates the workings of several departments to implement the policies of the government.
- All important appointments made by the President are decided by the Cabinet under the leadership of the Prime Minister. Judges of the Supreme Court, High Courts, Governors (of the states), Chief Election Commissioner, ambassadors and other important dignitaries are appointed on the recommendations of the Cabinet.

Legislative Powers

- Most of the bills are introduced by the Cabinet in the Parliament. The bills introduced by the Cabinet are known as Official bills. The latter is given priority over Private bills.
- The Ministers along with the secretaries of the department answer various questions asked to them by the members of the Lok Sabha.
- The Cabinet Ministers play an important role in making amendments to the Constitution.
- The Ministry of Parliamentary Affairs, a cabinet ministry, decides the summoning of the Parliament. The Parliament is summoned on the name of the President.
- The Cabinet prepares the President's Special Address to the Parliament.
- The Cabinet advises the President to issue Ordinances when the Parliament is not in session.

Financial Powers

- The Finance Minister, the integral part of the Cabinet, prepares the Annual Budget which contains the estimates of the income and expenditure of a financial year.
- The Cabinet regulates the expenditure of the government and can present demands for required grants and for raising necessary income through various legal means.
- A Money Bill can be introduced only in the Lok Sabha.

Emergency Powers

The President can declare a proclamation of national, financial and constitutional emergency only after receiving such an order in writing by the Cabinet.

Prime Minister

The Prime Minister is the real head of the country. Because he is an elected leader, he represents the people of India.

Prime Minister and President

- The President acts on the advice of the Prime Minister. Thus, while the President is the nominal head, the Prime Minister is the real head.
- The President summons and prorogues the Parliament on the advice of the Prime Minister.
- The Cabinet Ministers are chosen by the President on the advice of the Prime Minister.
- He advises the President on various appointments made on the posts of the Judges of the Supreme Court, the Governors and the ambassadors.
- The Prime Minister is a link between the President and the Council of Ministers. All important decisions made by the Cabinet members are communicated to the President by the Prime Minister.

Prime Minister and Cabinet

- The Prime Minister is the head of the Cabinet. He presides over the meetings of the Cabinet.
- He allocates portfolios to his ministers and can also ask for their resignations.
- The Prime Minister coordinates the workings of various departments of the Cabinet.
- When the Prime Minister resigns, his Cabinet members also have to resign.

Prime Minister and Parliament

- As the Prime Minister is the leader of the majority party in the Lok Sabha, he is considered the leader of the House.
- He is the chief spokesperson of the government in the Parliament.
- He defends the government in the Parliament. Whenever his minister is questioned, he defends him.
- Whenever the discussions become ugly on issues such as communal tension, the Centre–State relationship, price rise etc., he can intervene and can put the matter to an end.

Prime Minister as a Leader of the House

- The Prime Minister is the leader of the nation and represents the country in international affairs.
- During national crises like war, the opposition parties extend full support to him.
- The Prime Minister decides on the foreign policy of the country.
- He presides over the meetings of the Planning Commission and the Atomic Energy Commission.

Check on the Powers of the President

- For the formation of a coalition government, the Prime Minister does not enjoy the complete majority of the House and his position may become vulnerable.
- The opposition parties keep a check on the working of the Prime Minister and the government by scrutinising the work of various governmental departments and by asking questions from the ministers in the Parliament.
- The press and public opinion keep a check on the power and authority of the Prime Minister.

Collective Responsibility

Article 75(3) of the Constitution deals with the principle of Collective Responsibility. The principle of Collective responsibility means:

- The decisions taken by the Ministers in cabinet meetings are applicable to all ministers even if their opinion differs from each other.
- All ministers jointly share the responsibility for the policies of the government. They work as a team and have to defend one another.
- If a vote of No-Confidence is passed against any of the ministers, the whole ministry has to resign.

Individual Responsibility

- Every minister is responsible to the Prime Minister and holds office during his pleasure. He has to answer all questions asked by the Members of Parliament related to their department.
- All ministers are individually responsible to the President and hold office during the pleasure of the President.
- Every minister is responsible for any wrong policy formulated by him/her and the breach of secrecy. In the past, several ministers have owned mistakes committed by his/her department and have resigned from their posts.

Thus, though the Prime Minister and his Council of Ministers play an important part in formulating and executing various laws and policies, they are answerable to the people for every decision which is taken by them.