

### **Prime Minister of India**

The **Prime Minister of India** is the leader of the executive of the Government of India. The prime minister is also the chief adviser to the president of India and head of the Council of Ministers. They can be a member of any of the two houses of the Parliament of India—the Lok Sabha (House of the People) and the Rajya Sabha (Council of the States)—but has to be a member of the political party or coalition, having a majority in the Lok Sabha.

The prime minister is the senior-most member of cabinet in the executive of government in a parliamentary system. The prime minister selects and can dismiss members of the cabinet; allocates posts to members within the government; and is the presiding member and chairperson of the cabinet.

The Union Cabinet headed by the prime minister is appointed by the president of India to assist the latter in the administration of the affairs of the executive. Union cabinet is collectively responsible to the Lok Sabha as per article 75(3) of the Constitution of India. The prime minister has to enjoy the confidence of a majority in the Lok Sabha and shall resign if they are unable to prove majority when instructed by the president.

### **Powers and Functions of Prime Minister of India**

There is no direct election to the post of the Prime Minister. The President appoints the Prime Minister. But the President cannot appoint anyone he likes. He appoints the leader of the majority party or the coalition of parties that commands a majority in the Lok Sabha, as Prime Minister. In case no single party or alliance gets a majority, the President appoints the person most likely to secure a majority support. The Prime Minister does not have a fixed tenure. He continues in power so long as he remains the leader of the majority party or coalition.

Article 74(1) of the Constitution states that there shall be a council of ministers with Prime Minister as its head to aid and advice the President who shall exercise his function in accordance with advice tendered. Thus the real power is vested in council of ministers with Prime Minister as its head. Since the Prime Minister is the head of the government, he enjoys wide-ranging powers :

#### **Formation of the Ministry:**

The Prime Minister forms the Ministry. With the appointment of the Prime Minister, the essential task of the President is over, for it is left to the Prime Minister to select his Ministers

and present a list to the President. The President has no other alternative but to appoint the Ministers as recommended by the Prime Minister.

It is correctly said that the Prime Minister "is central to its (Ministry's) formation, central to its life and central to its death". The Prime Minister has the privilege to select his Cabinet colleagues. If the Prime Minister resigns, it means the resignation of the whole Ministry. When the Prime Minister dies, the Council of Ministers will automatically cease to exist. The Prime Minister may remove the members of Council of Ministers at any time by demanding the Ministers' resignation or getting them dismissed, by the President.

### **Distribution of Portfolios:**

Distribution of portfolios is another important task of the Prime Minister. He has a free hand in assigning various departments to his colleagues. It is for him to determine the size of the Cabinet and the Ministers to be included in it. He may even select ministers outside the rank if he feels that a person is fit for a job. While distributing portfolios he is to look that important members of the party do get important portfolios. In a federal State like India he is to see that Ministers are selected from all parts of the country.

Further, there might be some aspirants for a few important portfolios like Home, Defence or Finance. He has to bring amity and satisfy all in distributing the portfolios. His work is indeed a difficult one. As Lowell points out. "His work is like that of constructing a figure out of blocks which are too numerous for the purpose and which are not of shapes fit perfectly together".

### **Chairman of the Cabinet Committee:**

The Prime Minister is the Chairman of the Cabinet Committee. He convenes and presides over all the meetings of the Cabinet. He is to fix the agenda of such meetings. The Ministers are individually responsible to him for the good administration of their respective departments. The Prime Minister may warn advice or encourage them in discharge of their functions. He is the head of the Council of Ministers. He acts as the Chairman of various standing and ad-hoc Committees of the Cabinet.

### **Chief Co-ordinator of Policies:**

The Prime Minister is the chief co-ordinator of the policies of several Departments. In case of conflicts between two departments, he acts as the mediator. He irons out quarrels among various Ministers and departments. He keeps an eye on the working of all Departments of the Government of India. He can ask for any file from any Ministry for his perusal.

In case of appointment of Governors and other high federal officers, the voice of the Prime Minister counts and not that of the other Ministers. He is always vigilant regarding the working

of the important departments like the Finance, the Foreign Affairs and Home. He also keeps close touch with foreign ambassadors and represents the Union Government at the Conferences of Heads of Foreign Governments.

### **Sole Adviser to the President:**

The Prime Minister is the sole adviser to the President. The right to advice for dissolution of the Lok Sabha rests with Prime Minister. The President is expected to accept the advice of the Prime Minister and not that of other Ministers.

The Prime Minister is the only channel of communication between the President and the Cabinet. He informs the President all the decisions taken in the Cabinet. If the President does not accept the advice of the Prime Minister, the Prime Minister may resign. The resignation of the Prime Minister will create difficulty for the President to find out an alternative Ministry. As long as the Prime Minister enjoys the confidence of the majority members of the Lok Sabha it is difficult for the President to dismiss him.

The Prime Minister is the main channel of communication between the President and the Cabinet. He communicates to the President all decisions of the Cabinet, and puts before the Cabinet the views of the President. This is the sole privilege of the Prime Minister and no other minister can, of his own convey the decisions or reveal to the President the nature or summary of the issues discussed in the Cabinet.

### **Leader of the Nation:**

The Prime Minister is the leader of the nation. He is the chief spokesman of the Governmental policies in the Parliament. All important policy announcements are made by him in the Parliament. He is the leader of the majority party and as such he usually becomes the leader of the House.

The British convention is that the Prime Minister should belong to the House of Commons. Such a convention is expected to develop in India whereby the Prime Minister will belong to the Lok Sabha which is the popular House in India. Personality and prestige of the Prime Minister helps the party to get more votes during the time of election. The General Election is in reality the election of the Prime Minister. In India, the choice of the First Prime Minister fell on Jawaharlal Nehru who brought absolute majority to his party in the Centre and the States in the First General Elections of India.

### **Leader of the Parliament:**

As the leader of the majority in the Lok Sabha, the Prime Minister is also the leader of the Parliament. In this capacity, it is the PM who, in consultation with the Speaker of this Lok

Sabha, decides the agenda of the House. The summoning and the proroguing of Parliament is in fact decided by him and the President only acts upon his advice.

### **Power to get the Parliament Dissolved:**

The Prime Minister has the power to advise the President in favour of a dissolution of the Lok Sabha. This power of dissolution really means that the members hold their seats in the House at the mercy of the Prime Minister.

No member likes to contest frequent elections as these involve huge expenditures and uncertainties. It has been rightly remarked that this is such an important weapon in the hands of the Prime Minister that it binds his party men, and even the members of opposition.

### **Director of Foreign Affairs:**

As the powerful and real head of the government, the Prime Minister always plays a key role in determining Indian foreign policy and relations with other countries. He may or may not hold the portfolio of foreign affairs but he always influences all foreign policy decisions.

### **Role as the Leader of the Nation:**

Besides being the leader of his party and the Lok Sabha, Prime Minister is also the leader of the nation. General elections are fought in his name. We know that it was the charismatic and charming personality of Pt. Nehru that used to sweep popular votes in favour of the Congress party. The personality of the Prime Minister and the respect and love, that he commands act as a source of strength for his party as well as the nation. He leads the nation both in times of peace and war.

### **Position of the Prime Minister**

The Constitution of India, as already pointed out, does not describe the office of the Prime Minister in detail. It is, therefore, difficult to State what is the exact position of the Prime Minister. The general accepted theory is that the Prime Minister is just like "*primus inter pares*" or "first among equals". This is the phrase, which is used to describe the office of the Prime Minister ship in a parliamentary system.

A study of the powers and functions of the Prime Minister clearly brings out the fact that he holds the most powerful office in the Indian. He exercises real and formidable powers in all spheres of governmental activity—executive, legislative and financial. The Prime Minister is the captain of the ship of state, the key stone of cabinet arch, the steering wheel of government, and the moon amongst lesser stars.

The whole organisation and working of the Council of Ministers depend upon the Prime Minister. The President always acts in accordance with the advice of the Prime Minister. The ministry-making is the sole right of the Prime Minister. The resignation or removal of the Prime Minister always means the resignation of the Council of Ministers. Hence, Prime Minister is the centre of gravity and the foundation stone of the Council of Minister

The President always acts upon the advice of the Prime Minister. The constitution assigns to the latter the role of being the chief advisor to the President. All the powers of the President, both the normal powers and the emergency powers, are really the powers of the Prime Minister.

As the head of the government, leader of the Cabinet, leader of the majority, leader of the Parliament and the leader of the nation, the Prime Minister plays an important an powerful role in the Indian Political System. Indeed the Prime Minister occupies a very powerful rather the most powerful position in India.

Undoubtedly, the Prime Minister of India enjoys a very strong position, yet he can neither be a dictator nor even behave like a dictator. His office is a democratic office to which he rises only through an effective participation in the democratic process.

The party to which the Prime Minister belongs, his own ministerial colleagues who are also his competitors, the leaders of the opposition parties, the President of India, the Parliament, the Press, the Constitution, and the public in general, all act as limitations upon him. These prevent him from becoming a dictator and from acting in an arbitrary way. His personality and skills are continuously on test. Any failure or lapse can cause his exit.

The office of the Prime Minister of India is a powerful democratic office. Its actual working depends upon the personal qualities and political status of the person who holds this office. However no one can convert his office into an authoritarian or dictatorial office. A person can remain Prime Minister only so long as he follows democratic norms and values.

## **Conclusion**

Article 74(1) of our Constitution expressly states that the Prime Minister shall be “at the head” of the Council of Ministers and should aid and advise the President in the exercise of his functions.

The Prime Minister is at the heart of the Cabinet. Under the Westminster model of government, policy formulation and decisions on important matters are the responsibilities of the ministers. Despite the constitutional provisions of the Westminster model of cabinet government in India, the Prime Minister is the undisputed chief of the executive.

The office of the Prime Minister first originated in England. William Harcourt calls him “luna inter stellas minores” or “A moon among lesser stars.” Dr. Ambedkar had once said that if any

functionary under the Indian Constitution was to be compared with the U.S. President, he is the Prime Minister and not the President. The twin objectives of the Prime Minister appears to be to grant greater autonomy to the States and have a centralised structure for governing the Union.

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