

Prime Minister and Council of Ministers

Prime Minister

India follows a parliamentary system where the Prime Minister is the real head of the country, while the President is the nominal head who acts on the Prime Minister's advice.

Appointment of the Prime Minister

- The President invites the leader of the majority party in the Lok Sabha to form the government.
- If no party has an absolute majority, the President invites a leader who can prove majority support.

Council of Ministers

- Appointed by the President on the Prime Minister's advice.
- Includes only members of Parliament or appointees who must get elected within six months.
- Three categories:
 1. **Cabinet Ministers** – Handle important ministries like Defence, Finance, and External Affairs.
 2. **Ministers of State** – May or may not have independent charge.
 3. **Deputy Ministers** – Assist Cabinet Ministers but do not attend Cabinet meetings.

The Cabinet

- A smaller body of senior ministers makes key policy decisions.
- The Prime Minister selects and advises the President on appointing Cabinet Ministers.
- Cabinet decisions must be followed by all ministers.

Term of Office

- The Cabinet remains in office as long as it enjoys majority support in Lok Sabha.
- If a No-Confidence Motion is passed, the entire Council of Ministers must resign.
- Ministers take an oath of office and secrecy.
- Salaries and allowances are decided by Parliament.

Powers and Functions of the Cabinet

Administrative Powers

- Formulates domestic and foreign policies.

- Takes key decisions on defence, finance, and foreign relations.
- Coordinates government departments.
- Advises the President on appointments like Supreme Court Judges, Governors, and Ambassadors.

Legislative Powers

- Introduces most bills in Parliament.
- Answers questions raised in Lok Sabha.
- Plays a role in constitutional amendments.
- Decides on summoning Parliament sessions.
- Prepares the President's address to Parliament.
- Advises the President to issue ordinances when Parliament is not in session.

Financial Powers

- The Finance Minister prepares the Annual Budget.
- Regulates government expenditure and taxation.
- Only the Lok Sabha can introduce a Money Bill.

Emergency Powers

- The President can declare emergencies only on the written recommendation of the Cabinet.

Prime Minister's Role

With the President

- The President acts on the Prime Minister's advice.
- The Prime Minister advises on key appointments.
- Acts as a communication link between the President and the Council of Ministers.

With the Cabinet

- Heads the Cabinet and presides over its meetings.
- Allocates portfolios and can demand resignations.
- Coordinates the functioning of different ministries.
- If the Prime Minister resigns, the entire Cabinet must resign.

With Parliament

- Leader of the Lok Sabha.
- Chief spokesperson of the government.
- Defends government policies in Parliament.
- Can intervene in important national issues.

As Leader of the Nation

- Represents India in international affairs.
- Makes key decisions on foreign policy.
- Heads the bodies like the Planning Commission and Atomic Energy Commission.

Checks on the Prime Minister's Power

- A coalition government can make the Prime Minister's position vulnerable.
- Opposition parties and media scrutinize government actions.
- Public opinion influences the Prime Minister's decisions.

Collective Responsibility (Article 75(3))

- All ministers must support Cabinet decisions publicly.
- If a No-Confidence Motion is passed, the entire Cabinet resigns.

Individual Responsibility

- Ministers are responsible to the Prime Minister and Parliament.
- Hold office at the pleasure of the President.
- Must resign if found guilty of policy failures or breaches of secrecy.

The Prime Minister and Council of Ministers play a vital role in governance but remain accountable to the people.