Indian Political System

PRIME MINISTER

The President is the nominal executive authority (de jure executive) and Prime Minister is the real executive authority (de facto executive), in the scheme of the parliamentary system of government provided by the constitution. In other words, the president is the head of the State while the Prime Minister is the head of the government. Prime Minister is the leader of the Cabinet Ministers.

ELIGIBILITY CRITERIA TO BECOME PRIME MINISTER OF INDIA

To be eligible for the position of the Prime Minister of India, a person should:

- Be a citizen of India.
- Be a member of either the Lok Sabha or the Rajya Sabha.
- Complete 25 years of age if he is a member of the Lok Sabha or 30 years if he is a member of the Rajya Sabha.

A person cannot be the Prime Minister of India if he holds any office of profit under the Government of India, the government of any state, or any local or other authority subject to the control of any of the said governments

APPOINTMENT OF THE PRIME MINISTER

The Constitution does not contain any specific procedure for the selection and appointment of the Prime Minister. Article 75 says only that the Prime Minister shall be appointed by the president. However, this does not imply that the president is free to appoint anyone as the Prime Minister. Following the conventions of the parliamentary system of government, the President has to appoint the leader of the majority party in the Lok Sabha as the Prime Minister. But, when no party has a clear majority in the Lok Sabha, then the President may exercise his discretion in the selection and appointment of the Prime Minister. In such a situation, the President usually appoints the leader of the largest party or coalition in the Lok Sabha as the Prime Minister and asks him to seek a vote of confidence in the House within a month.
A member of either the Lok Sabha or the Rajya Sabha can be appointed as the Prime Minister. If he is not a member of either House of the Parliament then he has to be elected to either House within six months of his appointment. As the Prime Minister, he is the Leader of the House of which he is a member.

**POWERS AND FUNCTIONS OF THE PRIME MINISTER**

*Concerning the Council of Ministers*

The Prime Minister enjoys the following powers as head of the Union council of ministers:

1. He recommends persons who can be appointed as ministers by the president. The President can appoint only those persons as ministers who are recommended by the Prime Minister.

2. He allocates and reshuffles various portfolios among the ministers.

3. He can ask a minister to resign or advise the President to dismiss him in case of a difference of opinion.

4. He presides over the meeting of the council of ministers and influences its decisions.

5. He guides, directs, controls, and coordinates the activities of all the ministers.

6. He can bring about the collapse of the council of ministers by resigning from office.

Since the Prime Minister stands at the head of the council of ministers, the other ministers cannot function when the Prime Minister resigns or dies. In other words, the resignation or death of an incumbent Prime Minister automatically dissolves the council of ministers and thereby generates a vacuum. The resignation or death of any other minister, on the other hand, merely creates a vacancy which the Prime Minister may or may not like to fill.

*Concerning the President*

The Prime Minister enjoys the following powers concerning the President:

1. He is the principal channel of communication between the President and the council of ministers. It is the duty of the prime minister: (a) to communicate to the President all decisions of the council of ministers relating to the administration of the affairs of the Union and proposals for legislation; (b) to furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for; and (c) if the 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.

2. He advises the president concerning the appointment of important officials like attorney general of India, Comptroller and Auditor General of India, chairman and members of the UPSC, election commissioners, chairman and members of the finance commission, and so on.
Concerning Parliament

The Prime Minister is the leader of the Lower House. In this capacity, he enjoys the following powers:

1. He advises the President about summoning and proroguing of the sessions of the Parliament.
2. He can recommend the dissolution of the Lok Sabha to President at any time.
3. He announces government policies on the floor of the House.

OTHER POWERS & FUNCTIONS

In addition to the above-mentioned three major roles, the Prime Minister has various other roles. These are:

2. He plays a significant role in shaping the foreign policy of the country.
3. He is the chief spokesman of the Union government.
4. He is the crisis manager-in-chief at the political level during emergencies.
5. As a leader of the nation, he meets various sections of people in different states and receives memoranda from them regarding their problems, and so on.
6. He is the leader of the party in power.
7. He is the political head of the services. Thus, the Prime Minister plays a very significant and highly crucial role in the politico-administrative system of the country. Dr. B R Ambedkar stated, ‘If any functionary under our constitution is to be compared with the US president, he is the Prime Minister and not the president of the Union’.

RELATIONSHIP WITH THE PRESIDENT

The following provisions of the Constitution deal with the relationship between the President and the Prime Minister:

1. Article 74 There shall be a council of ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice. However, the President may require the council of ministers to reconsider such advice and the President shall act per the advice tendered after such reconsideration.

2. Article 75 (a) The Prime Minister shall be appointed by the President and the other ministers shall be appointed by the president on the advice of the Prime Minister; (b) The
ministers shall hold office during the pleasure of the president; (c) The council of ministers shall be collectively responsible to the House of the People.

3. **Article 78** It shall be the duty of the Prime Minister: (a) to communicate to the President all decisions of the council of ministers relating to the administration of the affairs of the Union and proposals for legislation; (b) to furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for; and (c) if the 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.

**TERM AND RETIREMENT AGE OF PRIME MINISTER**

The Prime Minister does not have a fixed tenure. Five years is the full term of the Prime Minister, which coincides with the normal life of the Lok Sabha. However, the term can end sooner if he loses the vote of confidence in the Lower House. Therefore it can be said that he remains in power as long as he enjoys the confidence of the Lok Sabha. He can also resign by writing to the President. There are no term limits on the office of the Prime Minister. There is also no official retirement age.