

A PROJECT REPORT
ON
“POWERS AND FUNCTIONS PRIME MIINISTER OF INDIA”

SUBMITTED BY

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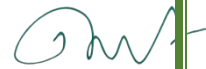
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CERTIFICATE

This is to certify that the Project Report title "**POWERS AND FUNCTIONS PRIME MIINISTER OF INDIA**" the completed by Keloth Shailaja,Guguloth.Roja under the guidance of T.pavani guest DL in Political science. This work or any part thereof has not been submitted to any other degree or University for any other degree or certificate.



LECTURER



PRINCIPAL

POWERS AND FUNCTIONS OF PRIME MINISTER OF INDIA

Prime Minister of India: Power and Position of the Prime Minister

The office of the Prime Minister is the most powerful office in India. If Cabinet is the strongest institution, the Prime Minister is the strongest person in the cabinet under the Constitution of India, the real centre of power is the office of the Prime Minister. He is the Head of the Government of India. He is the real custodian of all executive authority.

1. Appointment of the Prime Minister:

The Constitution simply lays down that the Prime Minister is to be appointed by the President. In doing so the President follows the rules of the parliamentary system. He appoints the leader of the majority in the Lok Sabha as the Prime Minister. Whenever a party gets a clear majority in Lok Sabha elections, the President plays a little role and he appoints the leader of such a party or a coalition group as the Prime Minister. However, in case no party gets a majority and some parties are even unable to elect a common candidate as their leader, the President can play a real role in the appointment of the Prime Minister.

(a) Prime Minister need not be always from Lok Sabha:

Between 1950-96 the Prime Ministers always belonged to the Lok Sabha. But it was a convention and not a law. This convention was broken in June 1996, April 1997, May 2004 and May 2009. Since May 2004 (for the second consecutive time since May 2009) Dr Manmohan Singh has been the Prime Minister and he has been and still he is a member of the Rajya Sabha. Thus the convention that Prime Minister always belongs to Lok Sabha now stands broken. The Prime Minister can be from either House of the Parliament. The only essential condition is that he must be the adopted or elected leader of majority in the Lok Sabha.

(b) Prime Minister need not be a sitting member of the Parliament:

Further, that any person who is not a member of either House of the Parliament can also become a minister or the Prime Minister and he can remain so for six months, within this period he has to essentially get the membership of either House. In case he fails to do so, he loses his office of Minister/Prime Minister.

(c) No Formal Qualifications:

The Constitution lays down no formal qualifications for the office of the Prime Minister. Since no person who is not a member or cannot become a member of the Parliament can be appointed as the Prime Minister, it can be said that the qualifications essential for the membership of the Parliament are also the essential qualifications for the office of the Prime Minister.

(d) Tenure:

Theoretically, the Prime Minister holds office during the pleasure of the President. It really means, so long as he enjoys the confidence of majority in Lok Sabha. Lok Sabha can pass a vote of no-confidence against him and in this case the Prime Minister either submits his resignation to the President or gets dismissed by the President. Whenever it may appear that the Prime Minister's party has lost its majority in the Lok Sabha, the President can ask him to prove his majority in House. A failure to do so compels the Prime Minister to either resign forthwith or face dismissal at the hands of the President.

Powers and Functions of the Prime Minister:

1. Formation of the Council of Ministers:

The task of formation of the ministry begins with the appointment of the Prime Minister by the President. After the appointment of Prime Minister, the President appoints all other ministers on the advice of the Prime Minister. The PM determines the strength of his ministry and selects his team of ministers. However this number cannot be more than 15% of the total membership of the Lok Sabha.

Normally, most of the ministers are drawn from Lok Sabha. Prime Minister decides who among them shall be the Cabinet Minister and who will be Minister of State or a Deputy Minister. He can, if he so desires, even have one or two Deputy Prime Ministers in his Council of Ministers.

2. Allocation of Portfolios:

It is an undisputed privilege of the Prime Minister to allocate portfolios to his ministers. Which particular department is to be given to which minister is determined by him. Any minister objecting to such an allotment invites the wrath of the Prime Minister and can get completely ignored from the ministry.

3. Change of Portfolios:

The Prime Minister has the power to change the departments (portfolios) of the ministers at anytime. It is his privilege to shuffle and re-shuffle his ministry any time and as many times as he may like.

4. Chairman of the Cabinet:

The Prime Minister is the leader of the Cabinet. He presides over its meetings. He decides the agenda of its meetings. In fact all matters in the Cabinet are decided with the approval and consent of the Prime Minister. It is up to him to accept or reject proposals for discussions in the Cabinet. All ministers conform to his views and policies. There is scope for deliberations and discussions but not for opposition.

5. Removal of Ministers:

The Prime Minister can demand resignation from any minister at any time, and the latter has to accept the wishes of the former. However, if any minister may fail to resign, the Prime Minister can get him dismissed from the President. In April 2010 Mr. Shashi Throor had to submit his resignation because PM Manmohan Singh had asked him to do so.

6. Chief Link between the President and the Cabinet:

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.

7. Chief Coordinator:

The Prime Minister acts as the general manager of the state and the chief coordinator. It is his responsibility to co-ordinate the activities of all the departments and to secure co-operation among st all government departments. He resolves all differences, among the ministers.

8. 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 infect decided by him and the President only acts upon his advice.

9. 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.

10. 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.

11. 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.

12. Power of Patronage:

All important appointments are really made by the Prime Minister. These appointments include Governors, Attorney-General, Auditor General, Members and Chairman of Public Service Commission, Ambassadors, Consular etc. All high ranking appointments and promotions are made by the President with the advice of the Prime Minister.

13. Role of Prime Minister during an Emergency:

The emergency powers of the President are in reality the powers of the Prime Minister. The President declares an emergency only under the advice of the Cabinet, which in reality means the advice of the Prime Minister. All decisions taken to meet an emergency are really the decisions of the Prime Minister. The Prime Minister can get the imposition of President's rule in a State. The Presidential decision in favour of imposing an emergency in a state is always governed by the decision of the Prime Minister and his Cabinet.