Prime Minister and Council of Ministers in India

The Prime Minister is the country's most essential and official representative of India who acts the head of the government of the Republic of India.

Council of Ministers is the supreme executive organ in the Indian government with the Prime Minister as the head of the council. They are responsible for exercising administrative authority in India and advising the Indian President.

Who appoints the Prime Minister of India?

After every 5 years, elections are held in India for the appointment of the Prime Minister. The Prime Minister is appointed from the party that has the majority of seats in the Lok Sabha by the Indian President. The President can also appoint an individual candidate as the Prime Minister if he/she is able to gain the support of the other political parties sitting in the Lok Sabha. The Council of Ministers is appointed on the advice of the elected Prime Minister by the Indian President.

However, if elections do not result in a clear majority in Lok Sabha, then the President has the right to appoint the Prime Minister of India of his choice.

Role of Prime Minister in India- Power and Functions

In India, the Prime Minister is considered one of the highest authorities that serve the country by performing specific responsibilities. The primary role of the Prime Minister of India is as follows-

- Head of India- The Prime Minister is the leader of the country
- He is the Council of Ministers chairman and heads the cabinet meetings. Along with this, he has the right to impose a decision on the Cabinet if there is a difference of thoughts on a crucial decision among the members.
- He/she can assign portfolios to the Ministers.
- He/she is the country's most essential and official representative (for high-level international meetings).
- The Prime Minister interlinks the President and Cabinet. Article 78 of the Indian Constitution states that the Prime Minister must communicate the Council of Ministers' decisions to the President.
- He/she is the head of Public Grievances, Pensions, Department of Space and Ministry of Personnel, Department of Atomic Energy, Appointments Committee of the Cabinet, NITI Aayog, and Nuclear Command Authority.
- The Prime Minister of India is the chief advisor to the President.

Eligibility for Prime Minister of India

Every Indian Citizen has the right to become the Prime Minister of India. An individual aiming to become the Prime Minister must fulfill the following criteria-

- He/she must be a citizen of India.
- He/she must be a member of either of the Parliament houses, i.e., Lok Sabha or Rajya Sabha.
- He/she must be 25 years old if he/she is a Lok Sabha Member or 30 years old if he/she is a member of the Rajya Sabha.

Relationship between the Prime Minister and the President of India

The relationship between the Prime Minister and the President can be understood by Articles 74, 75, and 78 of the Indian Constitution.

- Article 74 of the Constitution of India states the relationship of the Prime Minister and President with the Council of Ministers. The Prime Minister is the head of the Council and advices the President on their appointment.
- Article 75 of the Indian Constitution mentions that the Council of Ministers is collectively responsible to the lower house of the Parliament. During the pleasure of the Indian President, the Council of Ministers hold its offices. It also mentions that the Indian Prime Minister is appointed by the President, while the Council of Ministers is appointed on the advice of the Prime Minister by the President.
- According to Article 78 of the Indian Constitution, it is the duty of the Prime Minister to communicate the Council of Ministers' decisions to the President.

Important Facts about Prime Minister of India

The Prime Ministers hold considerable significance in Indian Polity, here are specific facts about Prime Minister of India that you must know-

- **Jawaharlal Nehru (1947 – 1964)** - Longest-Serving Indian Prime Minister.
- **Indira Gandhi** - First Prime Minister of India who was a member of the Rajya Sabha, Second Longest-Serving Indian Prime Minister, and first woman Prime Minister to receive the Bharat Ratna.
- **Gulzari Lal Nanda**- Acting Prime Minister Twice.
- **Morarji Desai**- First Non-Congress Prime Minister of India and Indian Prime Minister received Pakistan's highest civilian award.
- **Rajiv Gandhi**- Youngest Indian Prime Minister.
- **P.V. Narasimha Rao**- First Prime Minister from South India.

Council of Ministers

Article 74 and 75 of the Constitution of India deals with the Council of Ministers. Article 74 of the Indian Constitution states that the Prime Minister will head the Council of Ministers. Also, the Prime Minister of India is responsible for aiding and advising the President of India. At However, Article 75 of the Indian Constitution has the following provisions-

- It states that the Council of ministers is appointed on the advice of the Indian Prime Minister by the Indian President.
- The Prime Minister and the Council of Ministers must not exceed 15% of the total strength of the Lok Sabha (lower house).
- The 91st Amendment Act provides the disqualification of the Ministers among the Council of Ministers. As per the act, if the minister stands disqualified as a Parliament member, he is also considered disqualified from the Council of Ministers.
- If a minister did not serve as a member of Lok Sabha or Rajya Sabha for 6 consecutive months, he ceased to exist as a council member.
- Also, the salary and all of the ministers are decided by the Parliament.

Collective Responsibility of Council of Ministers

The Indian Constitution has adopted certain features from the constitutions of foreign countries. The makers of the Indian Constitution found England's cabinet system to be a good fit and incorporated their cabinet system into the Constitution of India.

Article 75 (3) of the Constitution deals with the principle of collective responsibility of the Council of Ministers. According to Article 75 (3), all ministers are collectively responsible to the Lower

House, i.e., Lok Sabha. This means that a minister has to resign if he loses confidence in the lower house. This loss of faith can be expressed as-

- Rejection of a Finance bill, a Money bill, or other necessary policy measures.
- Rejecting a motion that expresses the Ministry's confidence or passing a no-confidence motion.

Furthermore, suppose a minister is guilty of losing confidence in the Parliament. In that case, all the Council, including the ministers of the Rajya Sabha, have to resign, which means the Council of Ministers. However, there are certain cases wherein the Ministry may call for fresh elections by advising the President to dissolve Lok Sabha.

Types of Ministers in India

According to the Indian Constitution, ministers are not categorized in terms of ranks. In practice, there are the following four types of Ministers in India-

- **Cabinet Ministers**- The Cabinet Ministers participate in every Cabinet Meeting. The Cabinet Ministers of India constitutes 30 ministers, 45 state ministers and 2 independent ministers.
- **Ministers of State**- They work under the Cabinet Ministers and do not own an independent charge of a department. The Cabinet Ministers allot work to the Ministers of State.
- **Minister of State with independent charge**- Certain Ministers, do not work under the guidance of Cabinet Ministers. However, if Cabinet is discussing matters regarding their department, these Ministers are invited to the Cabinet's meeting.

Deputy Ministers**- They work under the Minister of State or Cabinet Ministers.**