



Prime Minister & PMO

For Prelims: [Indian Constitution](#), [Prime Minister](#), [Parliamentary form of Government](#), [Election Commission](#), [Comptroller and Auditor-General of India](#), [Union Public Service Commission](#), [Lok Sabha](#), [High Court](#)

For Mains: The Prime Minister's Office (PMO) and its Role in Ensuring the Effective Functioning of the [Prime Minister](#)

What are the Key Facts About the Prime Minister?

- **About:**
 - In the [parliamentary system](#) of government outlined by the constitution, the [President](#) serves as the **symbolic executive authority** (de jure executive), while the [Prime Minister](#) holds the **actual executive power** (de facto executive).
- **Appointment:**
 - The [Constitution](#) does not specify a procedure for selecting and appointing the Prime Minister, only stating that the Prime Minister shall be **appointed by the President (Article 75)**.
 - The President cannot appoint just anyone as the Prime Minister. According to the conventions of the parliamentary system, the President must appoint the **leader of the majority party** in the [Lok Sabha](#) as the Prime Minister.
 - If no party has a clear majority in the Lok Sabha, the President may **use personal discretion** in selecting the Prime Minister, usually appointing the leader of the **largest party or coalition**.
 - In cases where the Prime Minister's position becomes vacant unexpectedly, the President may need to **exercise personal discretion** in appointing a new Prime Minister.
 - However, if the Prime Minister dies and the ruling party elects a new leader, the President must **appoint the new leader** as Prime Minister without exercising discretion.
- **Judgements:**
 - In 1980, the [Delhi High Court](#) held that the Constitution **does not require that a person must prove his majority** in the Lok Sabha before he is appointed as the Prime Minister. The President may first appoint him the Prime Minister and then ask him to prove his majority in the Lok Sabha **within a reasonable period**.
 - In 1997, the Supreme Court held that a person who is **not a member of either House of Parliament** can be appointed as Prime Minister for **six months**, within which, he should become a member of either House of Parliament; otherwise, he ceases to be the Prime Minister.
 - Constitutionally, the Prime Minister may be a **member of any of the two Houses** of Parliament. In Britain, on the other hand, the Prime Minister should definitely be a member of the Lower House (House of Commons).
- **Oath of Office:** Before the Prime Minister enters upon his office, the president administers to him the [oaths of office](#) and [secrecy](#). In his oath of office, the Prime Minister swears:
 - To **bear true faith** and allegiance to the Constitution of India.
 - To **uphold the sovereignty** and integrity of India.

- To faithfully and conscientiously discharge the duties of his office.
- To do right to all manner of people in accordance with the Constitution and the law, **without fear or favour**, affection or ill will.
- **Oath of Secrecy:** In his oath of secrecy, the Prime Minister swears that he will not **directly or indirectly communicate** or reveal to any person(s) any matter that is brought under his consideration or becomes known to him as a Union Minister except as may be required for the due discharge of his duties as such minister.
- **Term:**
 - The Prime Minister holds office **during the pleasure of the President**, but this does not mean the President can dismiss the Prime Minister at any time. As long as the Prime Minister **enjoys the majority support** in the Lok Sabha, they cannot be dismissed.
 - If the Prime Minister **loses the confidence** of the Lok Sabha, they must **resign**, or the President has the authority to dismiss them.
- **Salary:**
 - The salary and allowances of the Prime Minister are **determined by the Parliament** from time to time.
 - He gets the salary and allowances that are payable to a member of Parliament.
 - Additionally, he gets a **sumptuary allowance**, free accommodation, a travelling allowance, medical facilities, etc.
- **Related Articles:**

Subject Matter		President-PM Relationship
74	Aid and Advice	President bound by council of Minister's advice, with reconsideration option; final advice prevails.
75(a)	Appointments	President appoints PM; ministers appointed by President on PM's advice.
75(b)	Tenure	Ministers hold office during President's pleasure (effectively reflecting PM's support).
75(c)	Collective Responsibility	Council of Ministers (COM) accountable to House
78	Information Duties	PM informs President of decisions, furnishes requested information, and submits matters for Council review as required by the President.

What are the Powers and Functions of the Prime Minister?

- **As Head of the Union Council of Ministers:**
 - The Prime Minister **recommends** persons to be appointed as ministers by the President, who can only appoint those recommended by the Prime Minister. The Prime Minister can also **ask a minister to resign** or advise the President to dismiss them in case of a difference of opinion.
 - The Prime Minister **allocates and reshuffles** various portfolios among the ministers as needed.
 - The Prime Minister **presides over the meetings** of the [council of ministers](#), guiding, directing, controlling, and coordinating the activities of all ministers, and influencing their decisions.
 - The resignation or death of the Prime Minister results in the **collapse of the entire council of ministers**, as no other ministers can function without the Prime Minister. In contrast, the resignation or death of any other minister **creates only a vacancy**, which the Prime Minister may choose to fill or leave vacant.
- **Powers in Relation to the President:**
 - He is the **principal channel of communication** between the President and the Council of Ministers. It is the duty of the prime minister:

- 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.
- To **furnish such information relating to the administration** of the affairs of the Union and proposals for legislation as the President may call for.
- 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.
- He advises the president about the appointment of important officials like the [Attorney General of India](#), the [Comptroller and Auditor General of India](#), [Election Commissioners](#), chairman and members of the [Finance Commission](#), etc.
- **In Relation to Parliament:**
 - The Prime Minister is the [leader of the Lower House](#).
 - He advises the President about [summoning and proroguing](#) of the sessions of the Parliament.
 - He can **recommend the dissolution of the Lok Sabha** to the President at any time.
 - He announces government policies on the floor of the House.
- **Other Powers & Functions:**
 - He is the chairman of the [NITI Ayog](#), [National Integration Council](#), [Inter-State Council](#), and some other bodies.
 - He plays a significant role in shaping the [foreign policy](#) of the country.
 - He is the **chief spokesman** of the Union government.
 - He is the **crisis manager-in-chief** at the political level during emergencies.
 - He is the **chief of the executive branch** of the Union Government. Thus, the Prime Minister plays a very significant and highly crucial role in the politico-administrative system of the country.
 - He is the **authoritative voice of the nation** within the country and outside. On the important and major issues concerning the defence, finance, and foreign affairs, the pronouncements by the PM are taken **as the final word of the government**.

What are the Key Facts about the Prime Minister's Office (PMO)?

- **About:**
 - **Institutional arrangements** have evolved over the years in the form of secretarial agencies or thinking cells to give direct assistance to the Prime Minister in his official functions.
 - The main institutions involved in helping the Prime Minister in decision-making in the realm of politics and administration have, since Independence, been the [Cabinet Committees](#), the [Cabinet Secretariates](#), and the **Prime Minister's office (PMO)**.
 - PMO is a **staffing agency** assisting the Prime Minister in the **efficient discharge** of his role, functions, and responsibilities.
- **Organisation:**
 - The PMO is **led politically by the Prime Minister** and administratively by the **Principal Secretary**.
 - The work in the PMO is **divided among the Secretary**, Additional Secretary, Joint Secretaries, Deputy Secretary, and other staff members, with tasks allocated based on convenience and staff experience.
 - The **background** and experience of these individuals are not formally stated. The Secretary **may or may not come from the civil service**, while other personnel are typically drawn from civil services and serve for varying periods.
- **Functions:**
 - The Prime Minister's Office **performs several functions**, including assisting the Prime Minister in his **overall responsibilities, maintaining liaison** with central ministries/departments, and coordinating with state governments.
 - It helps the Prime Minister with his responsibilities as the chairman of various bodies. The office also **manages public relations**, including interactions with the press and the general public.
 - The PMO manages all matters that must be handled by the Prime Minister according to the [Rules of Business](#). It helps review cases brought to him, stays in contact with the President, [Governors](#), and foreign diplomats, and serves as the Prime Minister's advisory

group.

- However, it **does not handle functions** related to the Prime Minister's role as head of the cabinet, except in personal correspondence with ministers or matters related to party policies or domestic issues.

▪ **Evolution:**

- The journey of the PMO has evolved under different Prime Ministers, ranging from a **strong one-party government** to weak coalition governments, with its power and influence reflecting the position, powers, and perception of the incumbent PM.
- The internal system of the PMO is **characterized by efficiency and time-bound delivery of services**, forming the basis of its service to the PMs, despite the PMO having no independent power of its own.
- Initially, the PMO started as a **simple support system** providing secretarial assistance, handling correspondence, and helping with files. Over time, it has **evolved into a powerful office** that plays a multi-tasking role for the PM.
- Today, the PMO serves as an **information provider, media manager, policy advisor, coordinator of ministries**, monitor of ongoing projects, and a facilitator for scheduling the PM's appointments, both domestically and internationally.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. Consider the following statements: (2022)

1. The Constitution of India classifies the ministers into four ranks viz. Cabinet Minister, Minister of State with Independent Charge, Minister of State and Deputy Minister.
2. The total number of ministers in the Union Government, including the Prime Minister, shall not exceed 15 percent of the total number of members in the Lok Sabha.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: B

Q. Consider the following statements: (2019)

1. The 44th Amendment to the Constitution of India introduced an Article placing the election of the Prime Minister beyond judicial review.
2. The Supreme Court of India struck down the 99th Amendment to the Constitution of India as being violative of the independence of judiciary.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: B

Mains:

Q. To what extent, in your view, the Parliament is able to ensure accountability of the executive in India? **(2021)**

PDF Refernece URL: <https://www.drishtiias.com/printpdf/prime-minister-pmo>

