
Unit–11: Executive

Structure

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11.0 OBJECTIVES

As in all parliamentary systems, India has both a nominal and real executive. This unit examines the office of the President of India and the Council of Ministers headed by the Prime Minister. After going through this unit you should be able to:

- Describe the powers the President of India.
- Explain the procedure for the election of the President of India.
- Describe the composition and functions of the Council of Ministers
- Identify the sources of power and influence of the Prime Minister
- Discuss the position of the President and Prime Minister in the Indian political system.

11.1 INTRODUCTION

The executive power of the government of India is vested in the President of India, who is both the formal head of the state and the symbol of the nation. The Constitution of India, however, bestows authority and dignity to the office of the President without providing adequate powers to rule. Instead, the President performs essentially a ceremonial role. The Prime Minister exercises real executive power. While the President is the head of the state, the Prime Minister is the head of the government. The President carries out the actual functions of the government only with the aid and advice of the Prime Minister. As one political scientist observed, for a President to use the executive powers formally vested in the office would be to misuse and abuse the trust reposed in the highest dignitary in the land. How are the incumbents of these two important offices of the executive elected or selected? What is the position of the President and the Prime Minister in the Indian political system?

What is the relationship between the executive and legislature in a parliamentary system such as one prevailing in India? These are some of the questions that we seek to address in this unit.

11.2 PRESIDENT OF INDIA

The constitution has made detailed provisions to see that the President, the head of the state, is a ceremonial head and that he did not arrogate to himself any real power. The President is indirectly elected for term of five years and can be removed on the basis of impeachment proceedings brought against him by the Parliament. The Constitution also provides for the post of a Vice President, also indirectly elected, who would serve as head of the state in the event of the President's incapacity or death.

11.2.1 Qualifications

Articles 58 and 59 of the Constitution of India lay down the qualifications for the office of the President of India. A candidate for the office of the President should be a citizen of India, must have completed 35 years of age and possess other qualifications which are necessary to become a member of the Lok Sabha. He/she should not hold any office of profit under the Union, State or local governments at the time of his election, nor should he be a member of either house of Parliament or state legislature. Besides, the candidate should possess such other qualifications as may be prescribed by the Parliament from time to time.

11.2.2 Method of Election

The Constitution prescribes an indirect election through an electoral college (composed of the elected members of Parliament and the elected members of the state legislative assemblies) on the basis of proportional representation and by means of single transferable vote. Based on the system of principles of uniformity among states and parity between the centre and the states, the election procedure is designed to ensure the election of a truly national candidate.

To ensure uniformity among states, the value of the votes of elected members of the state assemblies is calculated on the basis of the total population of the state. The value of a state elector's vote is worked out by dividing the total population of the state, by the total number of elected members in the assembly. The quotient obtained is divided by 1000 to obtain the value of the vote of each member of the assembly in the presidential election. The value of the vote of a member of Parliament is obtained by dividing the total number of votes given to all the elected members of the

states assemblies by the total number of elected members of both the houses of the Parliament.

Voting is by single transferable vote, with electors casting first and second preferences. A candidate who receives an absolute majority of votes cast by the Electoral College is declared the winner. In case no candidate secures absolute majority in the first counting, the second preference votes of the lowest polling candidate are transferred to the other remaining candidates until such time as one candidate crosses the threshold of 50 percent of the votes cast.

This method of election was intended to make the Presidential election broad based to achieve political balance between the Centre and the states. Consequently, the President represents not only the Union but also the States. This is in keeping with the federal character of the Indian polity.

11.2. 3 Term of Office and Removal of the President

The term of the office of the President of India is five years. His tenure commences from the date on which he assumes office after taking an oath administered by the Chief Justice of India. Though the constitution is silent, the President can seek a second term. For instance, Rajendra Prasad was elected as the President twice, though Jawaharlal Nehru, the Prime Minister was not in favour of Rajendra Prasad's second term. But the latter was supported by a large number of Congress leaders

The President remains in office until his successor enters office. However, if the President wishes to resign, he could send his resignation letter to the Vice President. If the post of the President falls vacant, the Vice-President takes over the charge. But the election for the post of President must be conducted within six months from the date of occurrence of vacancy.

Articles 56 and 61 deal with the procedure for impeaching the President of India. In this regard, the constitution lays down 'violation of the Constitution' as the ground for removal. The process of impeachment can be initiated in either house of parliament and must be passed by not less than two-thirds of the total membership of the house in which it has been moved. If the other house investigates the charge and two-thirds majority of that house find him guilty, then the President stands impeached from the office from the date of passing of the resolution. Thus, the procedure of removal of the President is difficult and has been made so to prevent misuse of this power by the Parliament. Till date, no President has been impeached.

11. 3 POWERS OF THE PRESIDENT

Article 53 deals with the executive powers of the President of India. The powers of the President are broadly divided into two types, namely, ordinary and emergency powers. The ordinary powers of the President can be grouped as executive, legislative, financial and judicial powers.

The executive powers of the Union are vested in the President. Article 53 vests all executive powers in him and empowers him to exercise these powers directly by himself or through officers subordinate to him. Article 75 requires the Prime Minister to communicate to the President all decisions of the Union Council of Ministers. Article 77 holds that all executive powers of the Union government shall be exercised in the name of the President.

The President has both administrative and military powers. The President has the power of appointment and removal of high dignitaries of the State. The President appoints the Prime Minister and, on the latter's advice, the council of ministers, the Attorney-General, the justices of the Supreme Court and High Courts, members of special commissions (such as the Union Public Service Commission and the Election Commission); and the governors of states. The choice of the Prime Minister is not a discretionary prerogative of the President but is usually dictated by the party commanding a majority following in the Lok Sabha.

The President of India is also the Commander-in-Chief of the Defence Forces. He appoints the Chiefs of the Army, the Navy and the Air Force. He has the power to declare war and conclude peace. But all these powers have to be exercised by him subject to the ratification of the Parliament. As pointed out, he exercises he exercises all the executive powers only with the aid and advice of the Council of Ministers headed by the Prime Ministers.

Even though the President is not a member of either house of Parliament, Article 79 states that the President is an integral part of the Union Parliament. As we saw in Unit 11, the President has the power to summon both the houses of Parliament, nominate twelve members to the Rajya Sabha, has the right to address either house or their joint session at any time and the power to dissolve the Lok Sabha. All money bills to be introduced in the Parliament have to obtain the recommendation of the President. Such a prior recommendation is also necessary for introducing bills regarding the formation of new states, alteration of areas, boundaries, names of the existing states, etc. Finally, when any bill is passed by the Parliament, it can become an Act only when it has the assent of the President. The President can withhold or return a non-money bill for the reconsideration of the Parliament. However, if

the same is passed by both the houses with or without modifications and returned to the President, the latter is bound to give his assent.

When the Parliament is not in session, the President can promulgate ordinances in public interest. These ordinances have the same force and effect as the laws passed by the Parliament. However, they have to be placed before the Parliament within a period of six weeks from the day of the reassembling of Parliament. Without the Parliament's approval, the ordinance will become invalid.

Article 254 empower the President to remove inconsistencies between laws passed by the Parliament and state Legislatures and the subjects included in the Concurrent list. Another legislative function President having a bearing on states is that the Governor of a state can reserve certain bills passed by the state Legislatures for the consideration of the President.

The judicial powers of the President of India include the appointment of the justices of the Supreme Court and High Courts, and the power to grant pardon, reprieve, suspension, remission or commutation of punishment or sentence of court. These powers of granting pardon are given to the President for removing the extreme rigidity in the criminal laws and for protecting the persons on humanitarian considerations. The President also has the right to seek the advice of the Supreme Court on some important constitutional, legal and diplomatic matters. In 1977, the President sought the advice of the Supreme Court for creating Special Courts to try the emergency excesses.

11.3 1 Emergency Power

With the intention of safeguarding the sovereignty, independence and integrity of Union of India, the constitution bestows the President of India with emergency powers. The President is empowered to declare three types of emergencies, namely, a) national emergency arising out of war, external aggression or armed rebellion, b) emergency arising due to the break down of the constitutional machinery in the States and c) financial emergency.

The President can make a proclamation of national emergency at any time if he is satisfied that the security of Indian any part of the country is threatened by war, external aggression or armed rebellion. This proclamation must be submitted to the Parliament for its consideration and approval. It must be accepted within one month by both the houses of Parliament by two-third of the members present and voting. If the Parliament fails to approve the proclamation bill, it ceases to operate. If approved, it can continue for a period of six months. However, it can continue for any length of time if the President

approves the proclamation for every six months. The Parliament however, has the power to revoke the emergency at any time by a resolution proposed by at least one tenth of the total members of the Lok Sabha and accepted by a simple majority of the members present and voting. National emergency under Article 352 was proclaimed for the first time in 1962 when the Chinese aggression took place. The second proclamation was made in 1971 during the Bangladesh war. On 26th June 1975, for the first time, the President proclaimed, on the advice of the Prime Minister, emergency in the name of grave danger to internal security.

When there is a breakdown of the constitutional machinery in the state, the President can impose emergency in that state. Article 356 provides that if the President, on receipt of a report from the Governor of a state or otherwise, is satisfied that a situation has arisen in which the government of the state can not be carried on in accordance with the constitutional provisions, he may proclaim constitutional emergency in the state. He can also declare state emergency if the state government refuses or fails to carry out certain directives given by the central government.

The proclamation of this type of emergency, popularly called as President Rule, can remain in force for a period of six months. By the 44th Amendment, the Parliament can extend the duration of the state emergency for a period of six months at one instance. Ordinarily, the total period of such emergency cannot exceed one year unless there is a national emergency in force. However, the total period of state emergency cannot go beyond three years.

The President can impose financial emergency. Article 360 states that if the President is satisfied that a situation has arisen where the financial stability or credit of India or any part of the country is threatened, he may declare financial emergency. Like the National emergency, such a proclamation has to be laid before the Parliament for its approval.

On its face value one can say that the President enjoys formidable powers. In reality however, he can exercise his powers only on the aid and advice of the Council of Ministers, headed by the Prime Minister. In this respect, the President's position is more like that of the British Monarch rather than that of the President of the United States of America. While the President of India may be the head of the state, the head of the government is the Prime Minister.

Check Your Progress Exercise-1

Note: Use the space below for your answer.

Check your answer with the model answer given at the end of this unit.

1) Explain within three sentences how the President of Indian Republic is elected.

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2) What are the legislative powers of the President of India?

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3) What are the effects of the emergency powers of the President?

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11.4 THE PRIME MINISTER

The real executive power under the constitution vests with the Union Council of Ministers with the Prime Minister at its head. The President is obliged to act according to the advice of the Council of Ministers which is responsible in the real sense of the term, not to the President but to the Lok Sabha.

As in Britain, the Prime Minister is usually a member of the lower house of Parliament. When Mrs Indira Gandhi was selected as a Prime Minister in 1966, she was a member of the Rajya Sabha. By getting elected to the Lok Sabha, she strengthened the convention of the Prime Minister being a member of the lower house.

The Prime Minister is appointed by the President. However, the President has hardly any choice in selecting the Prime Minister. He can only invite the leader of the party in majority in the Lok Sabha, or a person who is in a position to own the confidence of the majority in the house. The Prime Minister holds office during the pleasure of the President. The 'pleasure' of

the President in this regard is related to the unwavering majority support which a Prime Minister receives in the Lok Sabha.

The President appoints the other members of the Council of Ministers on the advice of the Prime Minister. A minister may be chosen from either house and has a right to speak and take part in the proceedings of the other house, though he can vote only in the house to which he belongs. Even a person who is not a member of either house of Parliament can be appointed as minister but he has to qualify for it by being elected or nominated to either house within a period of six months.

11. 4.1 The Council of Ministers and the Cabinet

The term 'cabinet' is used interchangeably with that of Council of Ministers. But they are different. The Council of Ministers, or the Ministry, consists of different categories of ministers. At the time of independence, there was no such institution as a cabinet in India. What existed then was the Executive Council. On 15 August 1947, the Executive Council was transformed in to a Ministry or Council of Ministers that is responsible to the Parliament.

The term 'cabinet' was used thereafter as an alternative to the Council of Ministers. At this stage, all the members of the ministry or the cabinet except the Prime Minister had the same status. But the situation changed once junior ministers were appointed to the Council of Ministers. In 1950, based on the recommendations of the Gopalswamy Ayyangar's report, a three-tier system of the ministry was established: with the cabinet ministers at the top; ministers of the state at the middle and deputy ministers in the lowest rung.

The **Cabinet**, composed of the 'senior most ministers' whose responsibilities transcended departmental boundaries into the entire field of administration, is a smaller body and the most powerful body in the government. The Cabinet serves three major functions: i) It is the body which determines government policy for presentation to the Parliament; ii) It is responsible for implementing government policy; iii) It carries out inter-departmental coordination and cooperation.

The cabinet meets regularly, as it is a decision-making body. It is assisted by the cabinet secretariat that is headed by a senior member of the civil services, the cabinet secretary. To manage the volumes and complexities of work that comes before it the cabinet members have developed standing and ad hoc committees. There are four Standing Committees which are permanent in nature. These are the defence committee, economic committee,

administrative organisation committee and parliamentary and legal affairs committee. Ad-hoc Committees are constituted from time to time.

Next in rank are the **ministers of state** who hold independent charge of individual ministries and perform the same functions and exercise the same powers as a cabinet minister. The only difference between such a minister of state and a cabinet minister is that he/she is not a member of the cabinet, but attends cabinet meetings only when specially invited to do so in connection with the subject that he/she is given charge of. There are other ministers of state who work directly under cabinet ministers.

At the bottom of the hierarchy are the **deputy-ministers** who do not have specific administrative responsibilities. But their duties include: i) Answering of questions in parliament on behalf of the ministers concerned and helping to pilot bills, ii) Explaining policies and programmes to the general public and maintaining liaison with members of parliament, political parties and the press, and iii) Undertaking special study or investigation of particular problems, which may be assigned to them by particular minister.

From the above it is clear that the Cabinet is the nucleus of the Council of Ministers. Precisely because of this reason Walter Bagehot calls the Cabinet 'the greatest committee of the legislature'. It is the 'connecting link between the executive and legislative power'.

11.4.2 Collective Responsibility

The Council of Ministers function on the principle of collective responsibility. Under this principle, all ministers are equally responsible for each and every act of government. That is, under collective leadership each minister accepts and agrees to share responsibility for all decisions of the cabinet. Doubts and disagreements are confined to the privacy of the cabinet room. Once a decision has been taken, it has to be loyally supported and considered as the decisions of the whole government. If any member of the Council of Ministers is unable to support government policy in the Parliament or in the country at large, then that member is morally bound to resign from the Council of Ministers.

Even if the Council of Ministers is formed as a result of a coalition of various political parties, a minimum common programme becomes essential for maintaining the solidarity of the ministry, and the various political parties forming the coalition government have to stand behind that programme. Unless they do so the Cabinet cannot survive. Unity within Council of Ministers is not only essential for its very survival, but is also necessary for its

efficiency and efficacy, on the basis of which alone can it continue to enjoy the confidence of the people. Minister of State Mohan Dharia was dismissed from the Council of Ministers in 1975 because of public dissent from the government policy on how to handle the people's movement launched by Jayaprakash Narayan. Open bickering between members of the Janata government on matters of public policy was the prelude to the collapse of the government in 1979.

11.5 THE CABINET AND THE PARLIAMENT

The core of the parliamentary government is the accountability of the Prime Minister and the Cabinet to the Parliament. The Parliament does not govern but critically examines the policies and acts of the government, and approves or disapproves of them as the representative of the people. The very existence and survival of the Prime Minister and the Council of Ministers depends upon the support they receive in the Parliament. As we observed, the Council of Ministers is collectively responsible to the Parliament. Thus, the general feeling is that the Parliament controls the Executive. But in reality, the Prime Minister with his majority support controls the very working of the Parliament.

11.5 1 Sources of Prime Minister's Power and influence

Though the constitution does not enumerate the powers and functions of the Prime Minister, the Prime Minister in practice enjoys a wide range of powers as a leader of the Council of Ministers and the Lok Sabha.

The Prime Minister's prerogative of constituting, reconstituting and reshuffling the ministry as well as chairing the meetings bestows the office with considerable influence over the members of Parliament. It must however be noted that the Prime Minister's freedom to select his colleagues is subjected to his/her own position within the party. For example, India's first Prime Minister, Nehru, could not ignore Sardar Patel who was very powerful in the Congress party. He was therefore appointed as the Deputy Prime Minister and Home Minister. Some of Patel's followers were also made members of the ministry. Similarly, Mrs Indira Gandhi in the early years of office has to accommodate powerful leaders in the party in her ministry. Emerging as an all-powerful leader after the 1971 mid-term elections, she had complete freedom in choosing and reshuffling ministers. In coalition governments, the Prime Ministers were did not have much choice in choosing ministerial colleagues. In the Janata government, Morarji Desai had many ministers whom he never knew before. In case of H.D.Deve Gowda and later

I.K. Gujral governments, the ministers were selected not by the Prime Minister but by the leaders of the 14 regional parties who formed the United Front.

The Prime Minister also derives power and influence from the fact that he/she is the leader of the majority party and sometimes even the leader of the parliamentary wing of the party. As a leader of the Lok Sabha, the Prime Minister has enormous control over parliamentary activities. The Prime Minister advises the President on summoning and prorogation of the sessions of Parliament. The Speaker consults the Prime Minister in finalising the agenda of the Lok Sabha. With the Council of Ministers sponsoring majority of the bills presented to the Parliament and with the Prime Ministers deciding on the strategies for presenting the bills before the Parliament, the Prime Minister's influence over the legislature gets reinforced. Moreover, the Prime Minister enjoys enormous legislative power in the form of recommending Ordinances to the President for promulgation when the Parliament is not in session. But the most important power of the Prime Minister with regard to Parliament is to recommend dissolution of Lok Sabha. The President has to accept the advice of the Prime Minister who is backed by the majority of the Lok Sabha. This is the power by which the Prime Minister controls even the opposition.

As the head of the government, the Prime Minister enjoys the power of patronage. All the major appointments of the Central government are made by the Prime Minister in the name of the President, which includes justices and judges of the Supreme Court and High Court, the Attorney-General, the Chiefs of the army, navy and air force, Governors, ambassadors and High Commissioners, the Chief and members of the Election Commission, etc. Further, the Prime Minister's control over the administration, including the intelligence agencies and other administrative wings of the government enhances his/her influence over other members of parliament and administration.

Apart from these structural factors, there are other factors that increase the power and authority of the Prime Minister. To begin with, in the post-Second World War period, the rise of executive has been a universal phenomenon, irrespective of the political system. Moreover, the general elections in most democratic systems have virtually become an election of the leader, and it is being interpreted as a popular mandate. Sometimes a leader derives strength from his/her charisma. Leaders like Jawaharlal Nehru and

Indira Gandhi had undisputed control over the party on account of their charisma. This enabled them to exercise enormous power and influence over national affairs, which were not clearly envisaged by the Constitution.. The cumulative effect of all these factors has undoubtedly contributed to the enhancement of the power and prestige of the office of the Prime Minister.

Check Your Progress Exercise-2

Note: Use the space below for your answer.

Check your answer with the model answer given at the end of this unit.

1) The three most important functions of a Cabinet are

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2) What is collective responsibility?

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3)Parliamentary system contains structural factors which contribute to the Prime Ministers power and influence. Identify these factors.

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11.6 THE PRESIDENT AND THE PRIME MINISTER

Article 78 enumerates the duties of the Prime Minister. The Prime Minister is to: a) 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) 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. These duties of the Prime Minister seem to suggest that the President is the real executive with vast powers. But as we saw, the President can exercise his powers only with the aid and advice of the Council of Ministers. The Prime Minister, heading the Council of Ministers, is therefore the real executive. The

President is a constitutional head performing a ceremonial role. However, there have been occasions when the President had differences of opinion with the Prime Minister on the policies of the government.

The first President of India, Rajendra Prasad, tried to break from the British convention that the head of the state is always bound by the advice of the Prime Minister and the Cabinet. For instance, he was unhappy with the Nehru government's attempt to reform Hindu personal law. Again in 1959, he declined to give his assent to the state emergency in Kerala. In these cases, he was prevailed upon in the end to accept the convention even in Indian conditions. On one occasion (28 November 1960, address to the India Law Institute, New Delhi) he remarked "there is no provision in the Constitution which in so many words lays down that the President shall be bound to act in accordance with the advice of the Council of Ministers". A few days later Prime Minister Nehru replied at a Press Conference "the President has always acted as a constitutional head. We have modelled our constitution on the parliamentary system and not a presidential system, although we have copied or rather adopted many provisions of the US Constitution, because ours is federal one. Essentially, our constitution is based on the UK parliamentary model. That is the basic thing. In fact, it is stated that whenever it does not expressly say anything, we should follow the practice of the House of Commons in UK".

In the 1960s, the theory of Independent Presidency gained some ground. KM Munshi who developed the theory argued that there is no provision in the constitution of India which expressly lays down that the President is bound by the advice of the Council of Ministers. Further, the President is elected by the Parliament as well as state legislatures. As such he is expected to protect the interests of the states. He also takes the oath to defend, protect and preserve the constitution. In other words, he safeguards the provisions of the constitution from violation and encroachment from any quarters including the government. As if to prevent such ideas from gaining ground, the 42nd Amendment act was passed which stipulated that the President shall be bound by the advice of the Council of Ministers. Thus, ended all misgivings about Independent Presidency. However, the 44th Amendment act, passed during the Janata government, restored the earlier position. Further, it also stated that the President is empowered to ask the Council of Ministers to reconsider its advice on any matter.

In 1987, a political stir was created when President Zail Singh withheld his assent to the Indian Postal (Amendment) Bill, despite its having been passed by both the Houses of Parliament. The President won public support for himself and for the office by open expression of displeasure over a bill which would expand enormously the government's power to tamper with private correspondence. The bill never came back for the reconsideration of the President.

One of the reasons for this tension was partially a reflection of bad personal relations. While all Prime Ministers have taken great care to observe protocol in being formally deferential to the President, for example, by keeping him informed of government matters regularly, Rajiv Gandhi failed to maintain such communication and caused offence to the President. While the Prime Minister maintained in the Rajya Sabha that he had kept the President informed of all important matters of the state, President Singh claimed that he had been ignored and slighted by Rajiv Gandhi and kept in the dark about many important state issues in violation of established constitutional conventions. When the Speaker refused to permit a discussion of the controversy in the Lok Sabha, opposition parties staged a walkout in March 1987. Though Rajiv Gandhi repaired his relations with Zail Singh and ended the controversy, such public constitutional crisis was quite a departure from the discrete attempts by President Rajendra Prasad and Prime Minister Nehru to define the roles and jurisdiction of their respective offices.

Though there have been differences between the President and the Prime Minister, these did not assume serious proportions culminating in any constitutional crisis. Whenever such differences arose they were attempted to be resolved informally or through the party functionaries. On the whole, the President has always worked only as constitutional head. As in Britain, some of the constitutional conventions and practices in India have been defined only as a result of tussles between different parts of the government.

Check Your Progress Exercise-3

Note: Use the space below for your answer.

Check your answer with the model answer given at the end of this unit.

1) Explain the doctrine of Independent President.

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11.7 LET US SUM UP

Following the pattern of British Westminster model, India evolved its own system of parliamentary form of government in which the executive is responsible to the legislature. The executive power of the government of India is vested in the President of India, who is both the formal head of the state and the symbol of the nation. The President is endowed with authority and dignity without adequate powers. The President can exercise his authority only with the aid and advice of the Council of Ministers headed by the Prime Minister. It is the Prime Minister who exercises real executive power in the Indian political system. As the head of the Council of Ministers, the leader of the majority party in the Lok Sabha and often the leader of the Parliament, the Prime Minister enjoys considerable power and authority. Though the Prime Minister is appointed by the President and holds office with the pleasure of the President, the Prime Minister is in reality responsible to the Parliament. The Council of Ministers and the informal cabinet headed by the Prime Minister work on the principle of collective responsibility. As we saw, there have been differences between the President and the Prime Minister, these did not assume serious proportions culminating in any constitutional crisis. The President on the whole, worked only as a constitutional head.

11.8 SOME USEFUL BOOKS

Das, BC, 1977, *The President of India*, RR Printers, New Delhi

Jennings, Sir, Ivor, 1969, *Cabinet Government*, Cambridge University Press, Cambridge.

Patnaik, Raghunath, 1996, *Powers of the President and Governors of India*, Deep and Deep, New Delhi.

Kashyap, Subhas, 1995, *History of the Parliament of India*, Vol. 2, Shipra Publications, New Delhi.

11.9 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise-1

1) The President is elected by the members of the Electoral College on the basis of proportional representation and by means of single transferable vote. The Electoral College comprises the elected members of the Union Parliament and State Assemblies.

2) To summon and prorogue the Parliament- To dissolve the Lok Sabha-power to promulgate Ordinances-summon and address the joint sitting of the two houses of Parliament-veto of non-money bills-powers to nominate members to the Parliament etc

3) The Parliament will have the power to make laws on all subjects including those in the state list- The Central government can issue directions to the state government- Fundamental rights can be suspended –Normal term of the Lok Sabha can be extend by one year, etc

Check Your Progress Exercise-2

1) To determine government policy for presentation to the Parliament; ii) Implement government policy; iii) Carry out inter-departmental co-ordination and co-operation.

2) The Council of Ministers functions on this principle. Each member accepts and agrees to share responsibility for all decisions of the cabinet. It's necessary for efficiency and efficacy but also for the very survival of the cabinet system of government.

3) In a parliamentary system, the Prime Minister is the head of the Council of Ministers, leader of the majority party in the Lower House and head of the government.

Check Your Progress-3

1) This doctrine was enunciated by KM Munshi. He argued that there is no provision in the Constitution that lays down that the President is bound by the advice of the Council of Ministers. Moreover, since the Parliaments as well as state legislatures elect the President, he is expected to protect the interests of the states. Also, the President takes oath to defend, protect and preserve the constitution.