## Council of Ministers - CoMs

Central

Art 74 – Status – to aid & advice President

Art 75 - appointment, tenure, responsibility, qualification, oath & Salary...Council of Ministers shall not exceed fifteen per cent of the total number of members of the House of the People, disqualified under Tenth Schedule- no Minister, office during pleasure of the President, collectively responsible to the House of the People, six months to MP

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Art 77 –

Art 78 –

1971 SC – CoMs does NOT cease to hold office after dissolution... to aid & advice Art 163 – Status – to aid & advice Governor Governor has discretion to decide discretion or not

Art 164 - appointment, tenure, responsibility, qualification, oath & Salary...Council of Ministers shall not exceed fifteen per cent of the total number of members of the House of the **People, disqualified under** Tenth Schedule- no Minister, office during pleasure of the **President**, collectively responsible to the Assembly, six months to MLA/MLC; CH, JH, MP &OD – Tribal Minister Art 166 –

Art 167 –



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Source: Laxmikanth

Appointment of Ministers MP : Lok Sabha or Rajya Sabha Non Member – 6 Months Minister can take part in the proceedings of both houses – votes only where she/he member

Oath, Term & Salary Oath of Office (Minister)

Faith & allegiance to Constitution Uphold Sovereignty & Integrity Faithfully & Conscientiously discharge duties

To do right to all people...without fear or favour, affection or ill will

**Oath of Secrecy (Minister)** 

Directly or indirectly will not communicate or reveal any matter...

Description of a minister as Dy. PM or MoS or Dy. Minister of which there is no mention in the constitution does not vitiate the oath Appointment of Ministers MLA/MLC

Non Member – 6 Months

Minister can take part in the proceedings of both houses – votes only where she/he member

Oath, Term & Salary Oath of Office (Minister) Faith & allegiance to Constitution Uphold Sovereignty & Integrity Faithfully & Conscientiously discharge duties To do right to all people...without fear or favour, affection or ill will Oath of Secrecy (Minister) Directly or indirectly will not

communicate or reveal any

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matter....

**Responsibility of Ministers** Collective – Lok Sabha – Minister does not disagree with cabinet Individual – President No legal Responsibility (but in UK) – No need to countersign **Composition of Council of Ministers - Difference in rank,** emoluments & political importance ≻Cabinet ≻MoS (IC) ≻MoS >DY. Minister Parliamentary Secretary – up to 1967 except 1<sup>st</sup> phase of R. Gandhi Gov. Sometimes Dy. PM S. Patel, M. Desai (I. Gandhi), C. Singh (M. Desai), J. Ram (C. Singh), D. Lal (VP. Singh), L.K. Advani (A.B. Vajpayee) CCE-PDPU http://www.pdpu.ac.in/ VenkataKrishnan

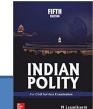
Responsibility of Ministers Collective –Assembly – Minister does not disagree with cabinet Individual – Governor No legal Responsibility (but in UK) – No need to countersign

Composition of Council of Ministers - Difference in rank, emoluments & political importance >Cabinet >MoS (IC) >MoS >DY. Minister

## \*State government is divided into Depts and NOT ministries

Source: Laxmikanth

## Sometimes Dy. CM



CoMs	
<b>□Wider body – 60 to 70</b>	
<b>All categories</b>	
□Does not meet as a	
body	
<b>Theoretically</b>	pra
powerful	
	Со
determined by Cabinet	
Implement decisions	44
of Cabinet	
Constitutional body	res
<b>Collective – Lok</b>	
Sabha	√E
	√P
	./ 🗖

Cabinet Smaller 15 to 20 Cabinet only Meets as a body Exercise power in actice **Directs & Supervises** oMs nserted in Art 352 by <sup>th</sup> A.Act Enforces collective sponsibility **Kitchen Cabinet** Extra-Constitutional PM + 2 to 4 Members ✓Outsiders also FIFTH ✓ Also in UK & US



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**Cabinet Committees** ✓Extra Constitutional ✓ Rules of business provides for their establishment  $\checkmark$ 2 types standing, ad hoc ✓ Set by PM ✓Usually Cabinet **Ministers** ✓ Mostly headed by PM  $\checkmark$  To sort out issues, formulate proposals, take decisions ✓ Based on principle of division of labour ✓In states also

A INDIAN POLITY TO TOTAL

Source: Laxmikanth

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**4 important Cabinet Committees Political (Super Cabinet) – domestic &** foreign policies **Economic Affairs, Appointments, Parliamentary Affairs (chaired by PM)** Group of Ministers – ad hoc bodies - to look into different issues **Empowered to take decisions or** recommendation to Cabinet 2<sup>nd</sup> ARC observation about GoMs Large GoMs created delays Selective use of GoMs will be efficient **Time limit for completing the work** 

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Source: Laxmikanth

