

1. CRITICALLY EXAMINE THE SCOPE OF CONFLICT BETWEEN THE PRESIDENT AND THE PRIME MINISTER OF INDIA.

The Prime Minister is the sole channel of communication between the President and his council of ministers. It is now amply clear that constitution has nowhere envisaged conflict between President and Prime Minister (or Council of Ministers). In fact, Constitution has envisaged a co-operative and harmonious relationship between the president who is the head of the nation and the Prime Minister who is the head of the government and is directly answerable to the people of the country and legislature. A clash is not in the interest of the country as it can derail the whole mechanism set in by the Constitution. The Prime Minister has to respect not only the office of the President but also the views of the person who holds the post. Similarly, in return President has not only to respect the Prime Minister but also the policies and directions pursued by his government. Though, from initial readings it might sound that President is just a titular head but that is not the case always. He can also exercise his powers if he sees that his inaction might result in violation of Constitutional machinery. It is the Presidential authority that keeps the country and the people constitutionally bound together. He may exercise his executive powers if he desires by asking Prime Minister about the policy decisions under Art 78 or by withholding or returning the bill for reconsideration. Though, in most cases, where there is conflict between Prime Minister and President, the Prime Minister prevails as he is the head of the parliamentary government but it doesn't mean that he may always be the one who gets to decide. The President has full powers to take initiative during any threat presented to internal stability and external danger. It is president's obligation to function without any infringement of the constitution. In doing so, he may reject ministerial advice, if it is violative of the constitution. The constitution is thus the only limitation on the powers of the President. In case of conflict, Constitution has different safeguards which are there to prevent either of them to violate the basic principles of Indian republic and gives both of them some power to keep check on each other. But mostly, in Indian scenario, Prime Minister and President have been known to share cordial relations among themselves and respect each other's posts even when there are differences among them as seen in relationship between Pandit Nehru and Dr. Prasad. Basically, due to the inherent regard which have been given to both President and Prime Minister there always have been amicable ways to find solution to them and thus prevent any kind of confrontation between the Head of the State and the highest Representative of the People of India.