Why is Prime Minister powerful than President?

Because, Prime Minister has people’s power where as President doesn’t have people’s power. In democratic countries, people’s power is considered to be highest power.

Qualify to be the member of LokSabha 🡺 Should have government identity cards

Not hold any office of profit under central, state or local government 🡺 Shouldn’t be a government employee.

Executive Power 🡺 Power to make policies.

Parliament will have complete executive powers.

When will the president get executive powers?

President gets executive powers when he/she declares emergency. At this time, parliament completely loses its executive powers.

Legislature Power 🡺 Power to sign normal bills.

Financial Power 🡺 Power to sign financial bills. Even if the bill doesn’t get passed in LokSabha and RajyaSabha, president can sign the financial bills.

Military Power 🡺 President of India is always the commander in chief of Indian Army, Indian AirForce and Indian Navy.

Judiciary Power 🡺 President can lower the death penalty to life imprisonment. President can lower the life imprisonment to 10 years.

Diplomatic Power 🡺 In India, except president no one has right to talk to president or prime minister of other country. If Prime Minister talks to president/prime minister of other country, it is behalf of president he is talking to them.

VETO Powers of President:

1. Absolute VETO Power 🡺 If a minister who is not member of parliament (like Smriti Irani was) comes up with a Bill, President has the powers to approve it or reject it.
2. Suspensive VETO/ Regular VETO Power 🡺 Any bill ultimately lands up in front of president for getting approved. The president can either approve it or send it for refinement. This is the strength for president with Suspensive/Regular VETO. If the same bill comes in front of president (irrespective of whether it is refined or not) he should approve it. This the weakness for president with Suspensive/Regular VETO.
3. Pocket VETO Power 🡺 If president thinks that the bill harms the people, the president can neither approve it nor send it for refinement. It lays on the desk of president for infinite period.

Q. Urban development minister comes up with 10 crore bill for road construction. But president thinks it should be only 6 crores. Which VETO power will the president use?

ANS: The president will use Suspensive/Regular power as it doesn’t affect people diretctly. If the bill again comes with 10 crores as its budget, president approves it. But the minister will have to be answerable to Comptroller and Auditor General (CAG) later if the minister does corruption.

Q. A company developed Covid vaccination but has not got ISI certification. The company’s CEO is a good friend of health minister. Health minister forms bill to distribute the vaccines of his friend’s company. Which VETO power will the president use?

ANS: President will use Pocket VETO power as it will affect the people directly. It affects the people directly because if the vaccine gets approved, people may die as vaccination has not got ISI certification.

There are three types of bills:

1. Ordinary Bill 🡺 A bill which states to build a university (by mentioning the cost) in some state in partnership of state and central government.
2. Money Bill (Article 110 describes it) 🡺 A money bill should be passed for everything that involves drawing amount from government’s treasury (for the purpose of development) and also for everything that involves putting money to government treasury (e.g., Increasing the tax percent from 30 to 35 percent in 10000000 slab)
3. Constitutional Amendment Bill 🡺 (E.g., Triple Talaq)

Ratify should be become rectify in .ppt

|  |  |  |  |
| --- | --- | --- | --- |
| **Ordinary Bill** | Rectify | Reject | Return |
| **Money Bill** | Rectify | Reject |  |
| **Constitutional Amendment Bill** | Rectify |  |  |

President’s election is indirect election and is preference based election.

No majority scenario in president’s election:

while no majority found:

for candiate in election:

if voteForCandidate(candidate) < one sixth of total votes:

disqualify(candidate)

ownDeposit(candidate) #Candidate loses his deposit to EIC

reExecuteVotingProcess()

for candiate in election:

refundDeposit(candidate)

**RBI** secures the deposit of candidate till the completion of election process.

In any election,

Deposit made by SC/ST candidates = 0.5 \* Deposit made by general candidates

The impeachment procedure of president can be initiated either in LokSabha or in RajyaSabha. The scenario in .ppt explains the impeachment procedure of president when the impeachment procedure is initiated in LokSabha.

Impeachment procedure of president is adopted from USA

Article 108 🡺 LokSabha says that it doesn’t speak to RajyaSabha for some reason. RajyaSabha also says that it doesn’t speak to LokSabha for some reason. In this case of deadlock, president can order joint sitting of LokSabha and RajyaSabha according to Article 108.

President could earlier nominate 2 members from Anglo-Indian community to LokSabha. But now, the president nominates 2 members of SC/ST.

President can pass ordinances 🡺 President can pass/approve the bills

President lays the reports from all constitutional bodies before the parliament of India.

E.g., The constitutional body UPSC submits its report of selected candidates to president of India. President then lays the same report before parliament of India. (i.e., He reads it during his address)

Article 53 🡺 Executive powers of union 🡺 President gets executive power of union when he applies emergency.

The term of president is 5 years.

One should be at least 35 years of age to be president of India.

Conditions of president’s office 🡺 What president does?

If the position of president becomes vacant at some point of time (e.g., president got impeached), vice president becomes eligible for the position of president for next 6 months. Within 6 months, its responsibility of EIC to hold elections and elect new president.

🡺President gets 5 lakh per month as salary and president’s house to stay

After retirement, president and his wife gets following perks till their last breath:

1. Transport 🡺 President can freely use any medium of transport.
2. Medical allowances
3. Communication
4. Security
5. Bunglow to stay

Article 72 🡺 Pardon power to president 🡺 Power to mercy the death sentence to life imprisonment

Article 123 🡺 Ordinance making power of the government 🡺 Power to make policies

President isn’t free from taxes. Taxes are deducted from president’s salary also.