


# Class 3 (pt 2)

↗ course	 <u>Constitution of India, Cyber Law and Professional Ethics</u>
⚙ mastery	none
⚙ progress	not started

## Union Executive - President

**Article 52: There shall be a president of India**

**Article 53: Executive Power of union vested in the President**

The supreme command of Defense forces of the Union will be vested in the President

**Article 54: Election of President**

- The President shall be elected by the members of an electoral college consisting of-
  - (a) the elected members of both Houses of Parliament; and
  - (b) the elected members of the Legislative Assemblies of the States.

**Article 55: Term of office of President**

- Term: 5 years
- By writing to Vice President can resign his office
- Can be removed by impeachment in case of violation of Constitution
- Any resignation to Vice President should be communicated to Speaker of Lok Sabha (House of People)

**Article 58: Qualifications**

- Citizen of India

- Completed age of 35
- Should be a member of the Lok Sabha

### **Article 60: Oath or Affirmation by President**

- In the presence of CJ of India, or in his absence the senior-most judge of SC available

### **Article 61: Procedure for impeachment of the President**

- Charge can be introduced in either house of Parliament for violation of Constitution
- No such charge will be considered till:
  - Fourteen days notice in writing signed by at least 1/4th total no. of members of the house
  - Passed by a majority of at least 2/3rd of the members in the house
  - Other House will also investigate the charge and vote on it

### **Special Privileges of the President**

- **No criminal proceedings** whatsoever shall be instituted or continued against the President in any court **during his term of office.**
- **No process for the arrest** or imprisonment of the President shall issue from any court **during his term of office.**
- **No civil proceedings** in which relief is claimed against the President shall be instituted during his term of office in any court in respect of any act done or purporting to be done by him in his personal capacity.

### **Powers of President (fill in)**

- Executive powers of President
- Power to grant Pardon: To lessen the punishment levied upon a person
- Emergency Power of President
- Legislative Power
  - Rule making power
  - Ordinance making power

## **Article 75: Council of Ministers Appointment**

- Prime Minister appointed by President. Other Ministers appointed by President on the advice of the Prime Minister
- Ministers hold office during the pleasure of the President; no fixed term
- The Council of Ministers is collectively responsible to the House of the People (Lok Sabha)

## **Union Executive - Parliament (79-122)**

- Consists of President and two Houses - Council of States (Rajya Sabha) and the House of People (Lok Sabha)

### **Article 80: Composition of Council of States**

- Twelve nominations from President
- Two hundred and thirty eight representatives of the States and Union territories

### **Article 81: Composition of the House of the People**

- 530 members directly elected by voters
- 20 members from Union Territories
- 2 members from the Anglo-Indian community appointed by President

### **Article 83: Duration of Houses of Parliament**

- Rajya Sabha:
  - Not subject to dissolution
  - 1/3rd of the members shall retire at the end of every second year

- Lok Sabha
  - Subject to dissolution
  - 5 years exact term

### **Article 84: Qualifications for membership in Parliament'**

- Citizen of India
- Age:
  - Lok Sabha: Not less than 25 years
  - Rajya Sabha: Not less than 30 years
- Possessing any other qualifications as may be laid down by the Parliament

### **Article**