**President of Pakistan, its election, powers and removal**

**1. Introduction**

Governor-General of Pakistan has been the representative of British Monarch in Pakistan since independence in 1947. However, office of Governor General was abolished when Pakistan was proclaimed a republic through Constitution of Pakistan 1956. After this, Pakistan becomes a Presidential republic through Constitution of Pakistan 1962. It was finally through Constitution of Pakistan 1973 that a parliamentary system of government was introduced in Pakistan. This parliamentary system of government has been modified several times since its inception. In the existing parliamentary system of government, President of Pakistan is considered ceremonial head of the state.

**2. Relevant Provisions**

Articles 41, 43, 44, 47, and 49 of 1973 Constitution of Pakistan 1973 deal with the Qualification, election office and impeachment of the president.

**3. Office of President; Article 41(1)**

According to the 1973 constitution of Pakistan President is the constitutional Head of the state and represent the unity of the Republic. He is merely constitutional head because responsibility for administration rests with the Prime Minister.

**4. Qualification for the election as President**

According to the article 41(2) following are the qualifications of the president of Pakistan.

(i) He must be a citizen of Pakistan

(ii) The candidate for presidency must be a Muslim by faith.

(iii) He must not be less than 45 years of age.

(iv) He should not hold any office of profit in service of Pakistan.

(v) He must be a person who is a qualified to be elected as a member of National Assembly.

(vi) He should be fit mentally and physically.

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**5. Mode of Election of President of Pakistan**

Under article 41 follow method of election of the president of Pakistan.

**(a) Electoral College; A-41(3)**

Under the article 41(3) the President shall be elected by the members of the Electoral College.

**(b) Composition of Electoral College**

The members of the Electoral College are following

(i) Members of both houses of Parliament

(ii) Members of all the provincial assembly.

Vote from the provincial assembly/ total votes from the concern assembly X votes of the smallest province.

200/383 X67 = 34

**6. Procedure for the election of President of Pakistan**

Under article 41(3) 2nd Schedule the present of Pakistan is elected in joint session of parliament. He is elected indirectly now the provincial assemblies have also included. In the election process of the President.

**7. Oath for the office of President**

Under article 42, before entering into the office the successful candidate shall take oath for the office of president before Chief Justice of Pakistan.

**8. Term of Office**

The tenure of the President of Pakistan is Five years from the day he enters upon his office.

**9. Ground/Conditions for Removal President of Pakistan/ Impeachment**

Under the following ground or conditions the president may be removed from his office.

(i) Physical incapacity

(ii) Mental incapacity

(iii) Guilty of violation of the constitution

(iv) on account of gross misconduct

Parliament = N.A + senate

**10. Powers of President of Pakistan**

Following are the Powers of the Pakistan

**(i) Powers regarding Military**

Following are the powers of President related Military

**(a) Appointment**

On the advice of Prime Minister, President appoints Chairman Joint Chiefs of Staff committee, Chief of Army Staff, Chief of Naval Staff and Chief of Air Staff. Even President of Pakistan determines their allowances and salaries.

**(b) War and Peace settlement**

President possesses power to declare war and make peace settlement. However, such power can only be used after making consultation with Prime Minister.

**(c) Sending of Pakistan Army to other states and United Nations organization**

President has power to send Pakistan army for help to other states and United Nations organization.

**(ii) Judicial Power**

President of Pakistan possesses following judicial powers

(a) Appointment of Chief Justice of Pakistan

(b) Appointment of Chief Justices of High Courts and Judges of Supreme Court and High Court

(c)Appointment of acting Chief Justice of Pakistan and chief Justice of High Courts

(d) Appointment of acting and ad hoc judges of Supreme Court

(e) Appointment of additional judges of High Courts

(f) Power to grant pardon, etc

**(iii) Legislative Powers**

President of Pakistan possesses following legislative powers.

(a) Right to speak

(b) Right of address

(c)Summoning of Parliament

(d) President’s assent for legislation

(e) Ordinance

**(iv)Executive Powers**

(a) Appointment of Auditor General

(b) Appointment of Attorney General

(c)Appointment of Governors

(d) Appointment of members of National Finance Commission

(e) Appointment of members and chairman of Council of Islamic Ideology

(f) Appointment of Council of Common Interest

(g) Constitution of National Economic Council

**(v) Powers regarding Foreign Affairs**

President of Pakistan has power to appoint ambassadors in foreign states and representative in United Nations Organization. And power to settle foreign affairs.