II. THE UNION EXECUTIVE

CHAPTER 3

The President and The Vice-President

Syllabus

The Union Executive

(a) The President: *Qualifications for election, composition of Electoral college, reason for indirect election, term of office, procedure for impeachment.*

Powers (executive, legislative, financial, judicial, discretionary and emergency)-any two effects of each emergency).

(b) The Vice-President: *Qualifications for election, term of office and powers.*

THE PRESIDENT

The executive power of the Indian Union is vested in the President. He/She exercises this power either directly or through all officers of the Union who are his/her subordinates, in accordance with the Constitution.

The President is the Head of the State and the supreme commander of the Defence Forces of India.

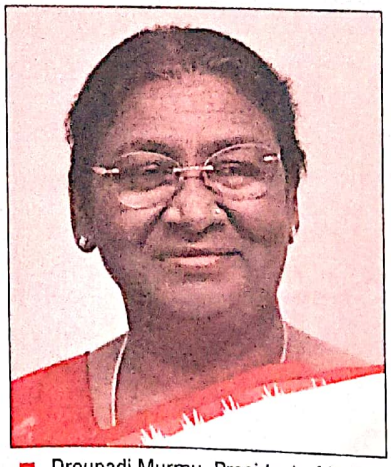
The President exercises his/her powers on the advice of the Prime Minister and the Council of Ministers. The Constitution provides that 'there shall be a Council of Ministers with the Prime Minister at the head, to aid and advise the President, in the exercise of his/her functions'. According to the 42nd Amendment Act, it is necessary for the President to exercise his/her functions in accordance with the advice of the Council of Ministers.

Qualifications for Election

1. A person shall be eligible for election as President, if he/she —
   (a) is a citizen of India;
   (b) has completed the age of thirty-five years; and
   (c) is qualified for election as a member of the Lok Sabha.

2. A person shall not be eligible for election as President if he/she holds any office of profit under the Government of India or Government of any State or under any local or other authority subject to the control of any of the said Governments. However, a person is not deemed to hold an office of profit by reason only that he/she is President or Vice-President or a Minister either for the Union or for any State.

A person who holds, or who has held, office as President shall be eligible for re-election to that office — subject to other provisions of the Constitution.



Droupadi Murmu, President of India

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Composition of the Electoral College

The President is elected indirectly by the members of an Electoral College consisting of:

1. the elected members of both Houses of Parliament;
2. the elected members of the Legislative Assemblies of the States including National Capital Territory of Delhi and the Union Territory of Puducherry.

Nominated members of Rajya Sabha and State Assemblies are not eligible to be included in the Electoral college.

A presidential candidate will have to be proposed by 50 members of the Electoral College (MPs or MLAs) and seconded by another 50 members. Earlier the requirement was 10 proposers and 10 seconders. This was increased by an Ordinance promulgated in June 1997 that became an Act of Parliament on August 29, 1997. The Ordinance also raised the security deposit of a candidate for the Presidential election from ₹2,500 to ₹15,000.

The election of the President is held in accordance with the system of proportional representation by means of *the single transferable vote* and the voting at such election is by *secret ballot.*

*Manner of Election

There is uniformity in the scale of representation of the different States as far as possible.

1. Every elected member of the Legislative Assembly of a State has as many votes as there are multiples of thousand in the quotient obtained by dividing the population of the State by the total number of elected members of the Assembly. The voting power of an elected member of a Vidhan Sabha is calculated according to the following formula:

$$\frac{\text{Total Population of the State}}{\text{No. of Elected Members of Vidhan Sabha}} \times 1000$$

The following illustration will help to make the process clear.

Total Population of a State	10,000,000
Total Number of elected MLAs	250

Total number of votes of each member

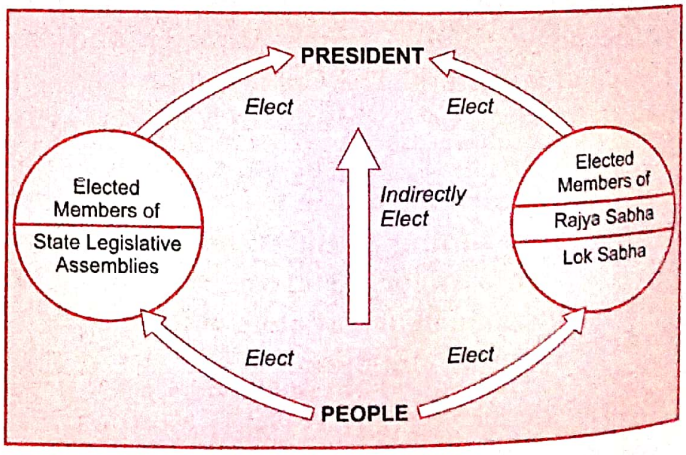
$$= \frac{10,000,000}{250} \div 1000 = 40$$

2. Each elected member of Parliament has such number of votes as obtained by dividing the total number of votes assigned to MLAs of the States by the total number of Elected Members of Parliament. Thus, Value of the Vote of an MP

$$= \frac{\text{Total number of Votes assigned to MLAs of all States}}{\text{Total number of elected MPs}}$$

Single Transferable Vote System: Under the single transferable vote system, "all candidates are listed and the elector gives them numbers according to his preference." In other words, the voter marks as many preferences (1,2,3,4,5,6.....) on the ballot paper as there are candidates. Once the votes are cast, the first preference votes are counted. If any candidate gets an absolute majority or more than 50% of the votes he/she is declared elected. If no candidate is able to get an absolute majority in the first preference votes, then the candidate who has secured the least votes is eliminated and his second preference votes are taken into consideration. This process of elimination continues until a candidate gets an absolute majority and he/she is declared elected.

The 29th Constitution Amendment Act (1975) and the 44th Constitution Amendment Act (1978) lay down that any dispute over the election of the President shall be decided by the Supreme Court of India.



Election of the President

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Reasons for Indirect Election

1. If the President was to be elected directly by the people, he/she could become a rival centre of power to the Council of Ministers. This would be against the parliamentary system with ministerial responsibility. As Pt. Jawaharlal Nehru said in the Constituent Assembly, *"We could not have a directly elected President and not give him real powers."*
2. Since the membership in the two Houses of Parliament was likely to be dominated by one party, election of the President merely by a majority of members of the Union Parliament could make him/her a nominee of the ruling party like the Prime Minister. Such a President could not represent the constituent States of the Union.
3. The President is elected by an Electoral College. In India, the Electoral College consists of the elected members of the two Houses of Parliament and Legislative Assemblies of the States (Article 54). Such an Electoral College makes the President the elected representative of the whole nation with a clear voice given to the States as well.

Oath of Office: Before entering upon his/her office, the President takes an oath in the presence of the Chief Justice of India (or in his/her absence, the senior most Judge of the Supreme Court) to:

1. discharge the functions of the President of India,
2. preserve, protect and defend the Constitution and the law, and
3. devote himself/herself to the service and well-being of the people of India.

Term of Office

The President shall hold office for a term of five years from the date on which he/she enters upon his/her office. He/She shall continue to hold office, notwithstanding the expiry of his/her term, until his/her successor takes charge.

Vacation of Office: 1. The President may, submit his/her resignation letter to the Vice-President, in order to resign his/her office. Such resignation will be communicated by the Vice-President to the Speaker of the Lok Sabha.

2. The President may, for the violation of the Constitution, be removed from the office by the process of impeachment.

Procedure for Impeachment of the President

1. When a President is to be impeached for violation of the Constitution, either House of Parliament can level the charge as follows:
   (a) Resolution which is moved after at least fourteen days' notice in writing signed by not less than one-fourth of the total number of members of the House; and
   (b) The resolution is passed by a majority of not less than two-thirds of the total membership of the House.
2. When a charge has been so preferred by either House of Parliament, the other House will investigate the charge and the President has the right to appear and to be represented at such an investigation.
3. If, as a result of the investigation, a resolution is passed by a majority of not less than two-thirds of the total membership of the House (by which the charge was investigated), declaring that the charge has been sustained, such a resolution will have the effect of removing the President from his/her office.

POWERS OF THE PRESIDENT OF INDIA

Executive Powers

The executive powers of the President include:

1. *Head of the Union Administration:* All executive orders are issued in the name of the President. All the Union officials are his subordinates.
2. *Appointment of officials of the State*: The President makes appointments to key posts to run the government's administration. He/She appoints:
   (a) The Prime Minister, and the Council of Ministers on the Prime Minister's advice. He/She summons the leader of the majority group in the Parliament

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and asks him/her to form the Government.

(b) The Chief Justice and the Judges of the Supreme Court and the High Courts.

(c) The Governors of the States.

(d) The Lt-Governors and the Chief Commissioners of the Union Territories.

(e) The Attorney General of India.

(f) The Comptroller and Auditor General of India.

(g) The Chairman and members of the Union Public Service Commission.

(h) The Chairman and members of the Planning Commission.

(i) The Chairman and members of the Economic Commission whenever appointed.

3. *Control over State Governments:* The Union Government may give necessary directions to a State. During President's rule the control of the Union Government over States is complete.

4. *Union Territories and Border Areas:* The administration of the Union Territories and the Border Areas is the responsibility of the President.

Diplomatic Powers

1. The President has the power of appointing Indian Ambassadors to other countries.
2. He/She receives ambassadors, High Commissioners and diplomatic envoys from foreign nations.
3. All treaties and international agreements are concluded in the name of the President.
4. The President represents India in International Conferences.

Legislative Powers

1. Address Sessions of Parliament: The President addresses both Houses of Parliament assembled together for the first session after each General Election to the Lok Sabha and at the commencement of the first session of each year. In this address he/she lays emphasis on the internal and external policies of the Government. The President has the power to address either House of Parliament or their joint sitting at any time.

2. Messages to Parliament: He/She has the power to send messages to either House of Parliament either in the regard to any pending Bill or to any other matter.

3. Summon and Prorogue the Houses: The President has the power to summon and prorogue the Houses of Parliament. The power to summon Parliament is subject to the condition that there should not be a gap of more than six months between two session of each House. Normally, there are three sessions of Parliament each year, *i.e.*, the *Budget Session* (February-May), the *Monsoon Session* (July-September) and the *Winter Session* (November-December).

4. Dissolve the Lok Sabha: He/She can dissolve the Lok Sabha and order fresh elections. Rajya Sabha is a permanent body, not subject to dissolution.

5. Nomination of Members: The President nominates 12 members to the Rajya Sabha from among persons having special knowledge or practical experience in these matters—literature, science, art and social service.

6. Assent to Bills: No Bill can become a law without the assent and the signature of the President. Once a Bill is passed by both the Houses, it is sent to the President for his/her approval. The President may give his/her assent, or withhold the Bill or send it back to the House concerned with recommendations. However, if the Bill is passed again in the same form he/she has to give his/her assent to the Bill. Usually, the Houses examine the recommendations of the President.

7. Promulgate Ordinances: Under Article 123, the President can promulgate an Ordinance, which has the same status as an Act of Parliament. The President may withdraw the Ordinance at any time. The power to promulgate an Ordinance is subject to the following conditions:

(a) The President must be satisfied that circumstances make it necessary for him/her to take immediate action.

(b) An Ordinance can be promulgated at a time when both Houses of Parliament are not in session.

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Rashtrapati Bhawan

(c) The Ordinance so promulgated should be laid before both Houses of Parliament when they reassemble. If the Parliament does not approve the Ordinance, it lapses. If an ordinance is not disapproved, it will automatically cease to operate at the end of six weeks from the date the Parliament re-assembles.

(d) The Ordinance lapses if it is replaced by an Act of Parliament.

8. Assent to Some State Bills: The Governor may reserve some Bills passed by the State Legislature for the consideration of the President. The President can refuse his/her assent to such a Bill or he/she can also send it back for reconsideration. Bills affecting matters such as the powers of the High Court are reserved for the consideration of the President.

9. Formation of New States: A Bill for the formation of new States or alteration of areas of the existing States cannot be introduced except on the President's recommendation.

Financial Powers

1. Money Bills can be introduced only on the recommendation of the President.
2. The Annual Budget contains the estimates of income and expenditure of the Union Government for the coming year. The Finance Minister on behalf of the President places the Annual Budget before Parliament.
3. The Annual Financial Statement is also laid before the Parliament in the beginning of every Financial Year on behalf of the President.
4. The President can authorise withdrawal of advances from the Contingency Fund of India to meet unforeseen expenditure. Such expenditure should be subsequently approved by Parliament.
5. After every five years the President appoints a Finance Commission comprising a Chairman and four other members. The Commission makes recommendations to the President on financial matters.

Military Powers

1. The President is the Supreme Commander of the Armed Forces of India.
2. He/She appoints the Chiefs of the three wings of the Armed Forces, subject to certain rules and regulations.
3. The President has the power as to make Declarations of War and Peace on the advice of the Council of Ministers.

Judicial Powers

1. The President is not answerable before any Court of law for the exercise of the powers and duties of his/her office.
2. No criminal suit can be initiated against him/her during his/her tenure of office.
3. The President has the power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of any person convicted for an offence:
   (a) in all cases where the punishment or sentence is by a Court Martial;
   (b) in all cases where the punishment or sentence is for an offence against any law relating to Union and Concurrent Lists;
   (c) in all cases where there is a death sentence.

Discretionary Powers

The President of India enjoys certain discretionary powers. There are certain grey areas where

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President may have to use his/her wisdom and judgement. These are:

1. Appointment of the Prime Minister in a situation where no single party commands the clear support of the majority of the Lok Sabha members and there is a hung Parliament. This is because the President cannot appoint the new Prime Minister on the advice of the outgoing Prime Minister who may have lost the election or the support of the House.
2. Appointment of a Prime Minister in case of sudden death of the incumbent, (for example, by assassination as in the case of Mrs. Indira Gandhi) where the ruling legislature party is unable to meet immediately to elect a leader.
3. When the ruling party who has lost majority support in the Lok Sabha or when a vote of no-confidence may have been passed against it, recommends to the President to dissolve the Lok Sabha, then it is at the discretion of the President to either dissolve the House or ask another party to prove its majority on the floor of the House.
4. The President can dismiss Ministers in case the Council of Ministers loses the confidence of the House but refuses to resign.

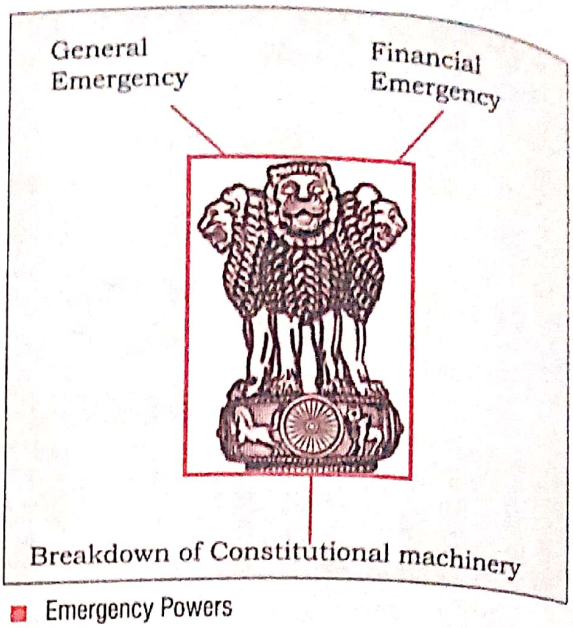
Emergency Powers

An Emergency is "a sudden or unforeseen situation demanding immediate action." It is a situation in which the Head of State assumes extraordinary powers. The President can proclaim a state of Emergency in the following cases:

(a) National or General Emergency: There is a danger of foreign aggression or danger to the peace and security of the country because of a civil war, insurgency or any other such cause (Article 352).

(b) Breakdown of Constitutional Machinery: The Constitutional machinery in a State has broken down or there is a deadlock because of political uncertainties or otherwise (Article 356).

(c) Financial Emergency: A set-back to the financial stability or credit feasibility of the country is likely to occur or has occurred (Article 360).



Emergency Powers

I. National or General Emergency

Circumstances: If the President is satisfied that a grave emergency exists whereby the security of India or any part of its territory is threatened, either by war or by external aggression or armed rebellion, he/she may proclaim an Emergency. The President cannot issue such a Proclamation unless he/she has the approval in writing of the Union Cabinet.

Duration: Every proclamation of Emergency must be approved by both the Houses of Parliament within one month by a special majority (*i.e.*, by a majority of the total membership of the House and a majority of not less than two-thirds of the members present and voting). It cannot remain in operation for more than six months at a time. At the end of six months it has to be renewed by Parliament by a special majority else it lapses. If the Lok Sabha passes a resolution disapproving the Emergency, the President has to revoke the Proclamation.

Effects of General Emergency

1. Fundamental Rights: The most important effect of a General Emergency is that the exercise of the Fundamental Rights is partially or wholly suspended. Even the right to move Supreme Court or a State High Court for the enforcement of the rights, except Articles 20 and 21 remains suspended. Article 20 states that "no person shall be punished for the same offence more than once". Article 21, declares that "no person shall be deprived of

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his/her life or personal liberty except according to procedure established by law."

2. **Centre-State Relationship:** The country has to forego its federal spirit, as the States are obliged to carry out the instructions of the Centre. The Union Parliament acquires the powers to give directions to a State on any matter, so that the State Government will be under the complete control of the Union Executive and will function as under a unitary system with local sub-divisions.

3. **Finances:** The Centre is empowered to suspend the financial provisions of the Constitution. Matters such as the distribution of revenues between the Centre and the States and the salaries of MPs may be altered.

4. **Union and State Legislatures:** During emergency the term of the Lok Sabha may be extended for a period of one year at a time. The same rule may be applied to the Legislative Assembly or any State.

Examples: National emergency was declared for the first time on October 26, 1962, due to the threat caused by the Chinese aggression on our North-East border. The President revoked the proclamation on January 10, 1968. The second national emergency was proclaimed on December 3, 1971, when Pakistan launched an attack on India.

II. Breakdown of Constitutional Machinery

Circumstances: If the President, on receipt of a report from the Governor or otherwise, is satisfied that the governance of a State cannot be carried on in accordance with the provisions of the Constitution, he/she may declare an emergency in the State. This is called *President's rule* because the President may assume to himself all or any of the functions of the Government of the State.

Duration: The duration of such an emergency is two months. If it were to continue beyond two months, it should be ratified by the Parliament. The Proclamation will cease to be valid for six months after the date of its issue even if the Parliament ratifies it. It can, however, be extended for another six months. Thus, President's Rule can normally continue only for a year. It may be extended beyond one year, under two conditions:

(a) when a Proclamation of Emergency is in operation in the whole of India or in any part of the State, and

(b) the Election Commission certifies that holding elections to the Legislative Assembly of the State is difficult.

However, no such proclamation shall remain in force for more than three years.

Effects of Emergency in a State

1. The State administration is directly placed under the President (*i.e.* the Union Government). The Governor of the concerned State acts in accordance with the instructions that are issued by the Union Government from time to time.

2. The President may:

(i) dissolve the Vidhan Sabha of the State and dismiss the Council of Ministers; or

(ii) keep the Assembly and the Council of Ministers in suspended animation.

In both cases, the Union Parliament can pass laws, even on all the Subjects of the State List, for that particular State. Even the Annual Budget of that State is presented to and passed by the Parliament.

3. When the Lok Sabha is not in session the President may authorise expenditure out of the Consolidated Fund of the State.

4. The President may suspend the provision of the Constitution relating to any authority of the State except those relating to High Courts.

Examples: This form of emergency is quite common in India and President's Rule has been imposed in a State at one time or the other.

The first instance of the President's Rule was in 1951 in Punjab. In 1977, nine States were brought under the President's Rule on the pretext that the State Assemblies no longer reflected the views of the people.

In December 1992, President's Rule was imposed on Uttar Pradesh, Madhya Pradesh, Rajasthan and Himachal Pradesh.

On October 21, 1997, the Union Cabinet recommended the imposition of President's Rule in Uttar Pradesh following acts of violence in the Vidhan Sabha. The President felt that

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acts of violence did not imply breakdown of constitutional machinery so he returned the recommendation for Proclamation of President's Rule for reconsideration.

In February 2014, President's rule was imposed in Delhi, on the advice of Union Cabinet, after the resignation of Arvind Kejriwal, Chief Minister of Delhi, along with his Council of Ministers was accepted by the President. Arvind Kejriwal had resigned along with his Council of Ministers, after his move to introduce the Jan Lokpal Bill fell through in the Delhi Assembly.

III. Financial Emergency

Circumstances: If the President is satisfied that a situation has arisen whereby the financial stability or credit of the nation is threatened, he/she can declare a Financial Emergency.

Duration: Such a proclamation has to be laid before both Houses of Parliament and is valid for two months unless it is approved by resolutions of both Houses of Parliament. If the Lok Sabha is dissolved when such a proclamation is made and a resolution supporting it is passed by the Rajya Sabha, the proclamation will cease to exist at the expiry of thirty days from the date on which the Lok Sabha first sits after its reconstitution.

Effect of Financial Emergency

1. The President may appoint a Finance Commission to suggest methods to get out of the financial crisis. He/she may adopt suitable measures to restore financial stability in the light of recommendations of the Finance Commission.
2. The President can reduce the salaries and allowances of all or any class of persons, including the Judges of the Supreme Court and the High Courts.
3. All Money Bills passed by the Lok Sabha are to be submitted to the President for his/her consideration.
4. The President can issue instructions to the States in regard to the utilisation of funds in the manner he/she thinks fit.
5. The President may order the State to submit Money Bills to him for his assent.

Financial Emergency has never been declared since the promulgation of the Constitution.

VICE-PRESIDENT

Article 63 stipulates that there shall be a Vice-President of India.

Qualifications for Election

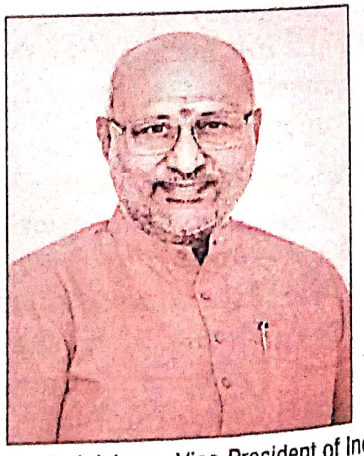
1. A person shall be eligible for election as Vice-President, if he/she:
   (a) is a citizen of India;
   (b) has completed the age of thirty-five years; and
   (c) is qualified for election as a member of the Council of States.
2. A person *shall not be* eligible for election as Vice-President if he/she holds any office of profit under the Government of India or Government of any State or under any local or other authority subject to the control of any of the said Governments.

Election

An Electoral College consisting of the members of both Houses of Parliament elects the Vice-President. The election is held in accordance with the *system of proportional representation* by means of the single transferable vote. The voting at such an election is by *secret ballot*. Each nomination paper should be proposed by at least twenty electors (MPs) and another twenty electors should second the same. Earlier, the requirement was five proposers and five seconders.

Oath of Office: Before entering upon his/her office, the Vice-President takes an oath before the President (or some person appointed on his/her behalf by him/her) to:

(a) bear true faith and allegiance to Constitution of India; and
(b) faithfully discharge his duties.



C. P. Radhakrishnan, Vice-President of India

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Term of Office

1. The Vice-President shall hold office for a term of five years from the date on which he/she enters upon his office.
2. He/She may, by writing, addressed to the President, resign his/her office. Such resignation will be communicated by the President to the Speaker of the Lok Sabha.
3. He/She may, for the violation of the Constitution, be removed from the office by the process of impeachment.
4. He/She shall continue to hold office, notwithstanding the expiry of his/her term, until his/her successor enters upon his/her office.

Powers and Functions

1. Chairman of the Rajya Sabha: The Vice-President of the Indian Union acts as the *ex-officio* Chairman of the Rajya Sabha. In this capacity he/she regulates debates and proceedings of the House and decides the order of speeches. He/She decides the admissibility of a resolution or of questions. He/She may suspend or adjourn the business of the House in case of grave disorder. He/She issues directions to the chairmen of various committees in all matters relating to their working.

The Vice-President gets no salary as the Vice-President; whatever is paid to him/her is only in the capacity of the Chairman of the Rajya Sabha. In his/her absence the Deputy Chairman, who is elected by the members of the Rajya Sabha, heads the Rajya Sabha.

2. Taking over as the President: The Vice-President takes over the office of the President under the following situations:

(a) death of the President,
(b) resignation of the President,
(c) removal of the President, or
(d) when the President is unable to discharge his/her functions owing to absence, illness or any other cause.

In the event of the President's death, resignation or removal, the Vice-President acts as President and enters upon his/her office until a new President is elected. This is unlike the Vice-President of the USA, who becomes the President for the remaining term of the office.

The Vice President is the second head of the Union Executive. He/She is also the ex-officio Chairman of the Rajya Sabha (Union Legislature). Thus, he/she has two distinct and separate offices. This dual capacity is one of the unique features of the Indian Constitution.

CHAPTER AT A GLANCE

President

- Is the executive head of the State and the Supreme Commander of Defence forces who is indirectly elected for a period of 5 years.

  Qualifications for Election: (i) a citizen of India; (ii) not less than 35years of age; (iii) qualified for election as a member of Lok Sabha; (iv) not holding any office of profitunder the government; and (v) not a member of either House of Parliament or State Legislature.

Powers of the President

- **Executive Powers:** (i) Executive head of the State; (ii) Makes all important appointments; (iii) Administers Union Territories and the Border Areas; (iv) Assumes all or any of the functions of the State Governance when the State is put under President's Rule.
- **Legislative Powers:** (i) Addresses first session of Parliament; (ii) Can issue Ordinances; (iii) Can summon, prorogue or dissolve the Lok Sabha and order fresh elections; (iv) Give assent to Bills; (v) Can nominate 12 members to the Rajya Sabha.
- **Financial Powers:** (i) No Money Bill can be introduced in Parliament without his/her prior assent; (ii) Causes the Annual Budget to be laid before the Parliament; (iii) Can authorise withdrawal of advances from the Contingency Fund of India; (iv) Can appoint a Finance Commission after every five years.
- **Judicial Powers:** (i) Appoints Judges of Supreme Court and High Courts; (ii) Can grant pardon, reprieve or remission of punishment or commute death sentence.

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- **Discretionary Powers.**
- **Emergency Powers.**
- **Diplomatic Powers:** (i) Appoints Indian Ambassadors to other countries; (ii) Receives diplomatic envoys from foreign nations; (iii) All treaties and international agreements are concluded in the name of the President; and (iv) represents India in International Conferences.
- **Military Powers:** (i) is the Supreme Commander of the Armed Forces; (ii) Appoints the Chiefs of the three wings of the Armed Forces; and (iii) The power to make Declarations of War and Peace on the advice of the Council of Ministers.

The Vice-President

- is elected by the members of both the Houses of Parliament in accordance with the system of proportional representation by means of single transferable vote for a period of five years and can be impeached.
- **Qualifications for Election:** (i) a citizen of India; (ii) not less than 35 years of age; (iii) qualified for election as a member of the Rajya Sabha; (iv) does not hold any office of profit either under Union Government or under State Government.
- **Term of Office:** five years.

Powers and Functions of the Vice-President

- The ex-officio Chairman of the Rajya Sabha.
- Officiates as President in the absence of the latter.

EXERCISES

I. Multiple-Choice Questions

1. Which of the following statements about the President of India are correct?

P: The President is the supreme commander of the Defence Forces.

Q: The President exercises all powers according to his/her own discretion.

R: The President exercises his/her powers on the advice of the Prime Minister.

S: The executive power of the Indian Union is vested in the Parliament.

(a) P and Q (b) P and R
(c) P and S (d) S and R

2. Identify the qualifications necessary for a person to be eligible for election as President of India.

P: Has completed the age of twenty-five years.

Q: Is qualified to be a member of the Lok Sabha.

R: Is a citizen of India.

S: Is a member of a Political Party.

(a) Q and R (b) P and R
(c) S and R (d) P and Q

3. Identify the officials who form the electoral college for the election of President of India.

P: The elected members of both Houses of Parliament.

Q: The elected members of the Legislative Assemblies of the States.

R: Nominated members of Parliament.

S: Nominated members of Legislative Assemblies

(a) P and Q (b) R and S (c) P and R (d) Q and S

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4. Which of the following statements about the President of India are correct?

P: The President of India holds office for a term of six years.

Q: The President of India may submit his resignation to the Vice-President of India.

R: The President of India can be removed from office for the violation of the Constitution.

S: The President of India has the power of selecting the Council of Ministers.

(a) P and S (b) Q and S (c) Q and R (d) Q and P

5. Identify the Legislative Powers of the President of India.

P: The President summons and prorogues the Houses of Parliament.

Q: The President can dissolve the Lok Sabha and order fresh elections.

R: The President can nominate two members from the Anglo-Indian Community to the Lok Sabha.

S: The President appoints the Governors of the States.

(a) R and S (b) P and R (c) Q and S (d) P and Q

6. Identify the Emergency Powers of the President of India.

P: The President can proclaim National Emergency if there is a natural calamity.

Q: The President can proclaim National Emergency if an epidemic breaks out

R: The President can proclaim National Emergency if there is a danger of foreign aggression, civil war, insurgency or any other cause.

S: The President can proclaim Financial Emergency if there is a setback to the financial stability of the country.

(a) P and S (b) R and S (c) R and Q (d) P and R

7. The power to summon Parliament is subject to the condition that there should not be a gap of more than _____ months between two session of each house.

(a) Four (b) Six (c) Three (d) Nine

8. For how long can President's rule be imposed in a state?

(a) 1 month (b) 2 months (c) 6 months (d) 3 months

9. Who administers the oath of office to the President of India?

(a) Comptroller and Auditor General of India
(b) Prime Minister of India
(c) Chief Justice of India
(d) Judge of the Supreme Court

10. Select an Executive Function of the President of India.

(a) Issuing ordinances
(b) Appointing the Prime Minister
(c) Granting assent to bills passed by Parliament
(d) Addressing the nation on Independence Day

11. Read the excerpt given below:

> *The 14th Vice-President of India leaves office with two years left in his term; decision comes on the first day of Monsoon Session of Parliament; stepping down to abide by medical advice, he says.* — *The Hindu, July 22, 2025*

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What is the normal duration of 'his term' in years?

(a) Four (b) Five (c) Six (d) Three

12. The Election Commission had announced the schedule for the seventeenth Vice Presidential Election vide its Press Note dated 1st August, 2025, fixing inter-alia September 9, 2025 as the date of poll and date of counting. Identify the officials who form the electoral college for the election.

P: Members of Lok Sabha.

Q: Members of State Legislative Assemblies

R: Members of State Legislative Council

S: Members of Rajya Sabha.

(a) P and S (b) P and Q (c) R and S (d) Q and S

13. Read the excerpt given below:

CP Radhakrishnan elected as Vice President of India.— DD News, September 9, 2025

Which of the following statements about the Vice-President of India are correct?

P: Is the ex-officio Chairman of the Lok Sabha.

Q: Holds office for a term of five years.

R: Can be removed as the Vice-President by the process of impeachment.

S: Gets a salary as the Vice-President of India.

(a) P and Q (b) Q and S (c) R and S (d) Q and R

14. Ms Anita Singh's nomination for the election as the Vice-President of India was rejected even though she had the qualifications of being a citizen of India and not being a member of the Parliament and State Legislature. On what ground was she disqualified?

(a) For being below the age of thirty-five.

(b) For being qualified to be a Member of Parliament.

(c) For not holding a office of profit.

(d) For her mother not being a citizen of India.

15. Select the option that shows the correct relationship between Statements I and II.

(I) No Bill can become a law without the assent and the signature of the Prime Minister.

(II) Money Bills can be introduced only on the recommendation of the President.

(a) (I) is true, but (II) is false

(b) (I) is false, but (II) is true

(c) Both (I) and (II) are true, but (II) is not the correct explanation of (I)

(d) Both (I) and (II) are false.

16. Select the option that shows the correct relationship between Statements I and II.

(I) The President of India can dissolve the Lok Sabha and the Rajya Sabha and order fresh elections.

(II) The President of India has the power to summon both the Houses of Parliament after a gap of more than six months.

(a) (I) is true, but (II) is false

(b) (I) is false, but (II) is true

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(c) Both (I) and (II) are true, but (II) is not the correct explanation of (I)

(d) Both (I) and (II) are false.

17. Select the option that shows the correct relationship between Statements I and II.

(I) The President uses discretionary judgement to appoint the Prime Minister when no party has a clear majority in the Parliament.

(II) The President cannot appoint a new Prime Minister on the advice of the outgoing Prime Minister, who may have lost the election or the support of the House.

(a) (I) is true, but (II) is false

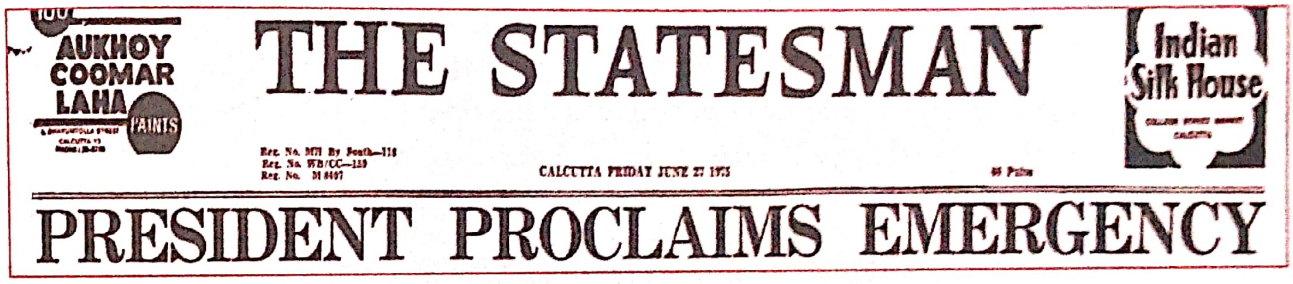
(b) (I) is false, but (II) is true.

(c) Both (I) and (II) are true, but (II) is not the correct explanation of (I).

(d) Both (I) and (II) are false.

II. Short Answer Questions

1. Name the body as well as the process involved in the election of the President.
2. Why is the President elected by indirect elections?
3. How can the President vacate his/her office? On what grounds can the President of India be removed from office?
4. Mention the occasion when the President addresses both the Houses of Parliament assembled together.
5. The newspaper clipping announces declaration of national emergency. What happens when such an emergency is declared?


AUKHOY COOMAR LAHA PAINTS

THE STATESMAN

Indian Silk House

CALCUTTA FRIDAY JUNE 27 1975

PRESIDENT PROCLAIMS EMERGENCY

6. Read the following headline that appeared in The Economic Times, April 23, 2020 and answer the question that follow:

> *"COVID-19: Prez Ram Nath Kovind gives nod for promulgating ordinance to punish those attacking healthcare workers."*

Under which conditions can the President promulgate an Ordinance?

7.

> *The President of India, Smt Droupadi Murmu accepted credentials from the Ambassadors/ High Commissioners of Dominican Republic, Timor-Leste, Sri Lanka and Gabonese Republic at a ceremony held at Rashtrapati Bhavan today (July 29, 2025).*
>
> *— Press Information Bureau*

Identify the power of the President of India referred in this press note. Give another example of this power.

8. How is the Vice-President elected?
9. How long can the Vice-President continue to hold office even after the expiry of his/her term? How can the Vice-President be removed from office?

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10. State the power of Vice-President as the ex-officio Chairman of the Rajya Sabha.

11. Mention the ways in which the Vice-President's office is a unique feature of the Indian Constitution.

12. The excerpt given below shows which feature of the Indian Constitution: Unitary or Federal? Give a reason to support your answer.

> *The Raj Bhavan (Kerala), in an official communication, said, "Hon'ble President of India has withheld assent to the following Bills which Hon'ble Governor Shri Arif Mohammed Khan had referred to Rashtrapati Bhavan for consideration. ....Of the seven bills which Governor Arif Mohammed Khan referred to the Rashtrapati Bhavan in November last year, assent has been accorded to only one Bill, namely, Kerala Lokayukta Amendment Bill 2022. Decision on other three Bills is awaited."*
>
> *— Indian Express February 29, 2024*

III. Structured Questions

1. The President of India enjoys vast powers. In this context, briefly explain:
   (a) Any three of his/her Executive Powers.
   (b) Any three of his/her Legislative Powers.
   (c) Any two of his/her Judicial Powers.

2. According to Dr. Ambedkar, "The President represents the nation but does not rule the nation." In this context answer the following questions:
   (a) The President of India is referred to as a nominal head of the State. State two examples of legislative powers that suggest his/her nominal status.
   (b) Mention the circumstances when the President can declare a national emergency.
   (c) Explain two discretionary Powers of the President.

3. > *Parliament has adopted a Statutory Resolution confirming the imposition of the President's Rule in Manipur, with the Rajya Sabha giving its nod early this morning. The Statutory Resolution is related to the Proclamation issued by the President on the 13th of February this year (2025) under Article 356(1) of the Constitution in relation to Manipur. The Lok Sabha has already approved it.*

   In this context answer the following questions:
   (a) What is referred to as President's Rule? When can it be proclaimed?
   (b) What is the duration of such an emergency? State two conditions under which such an emergency can be extended beyond one year.
   (c) State the effect of the emergency on the administration of the State.

4. > *President Droupadi Murmu has given her assent to the Promotion and Regulation of Online Gaming Bill.*
   >
   > *— News on Air, August 22, 2025*

   (a) What happens after this 'assent'? What procedure has the bill followed till this stage?
   (b) Briefly describe two legislative functions of the President.
   (c) Briefly describe three executive functions of the Head of State.

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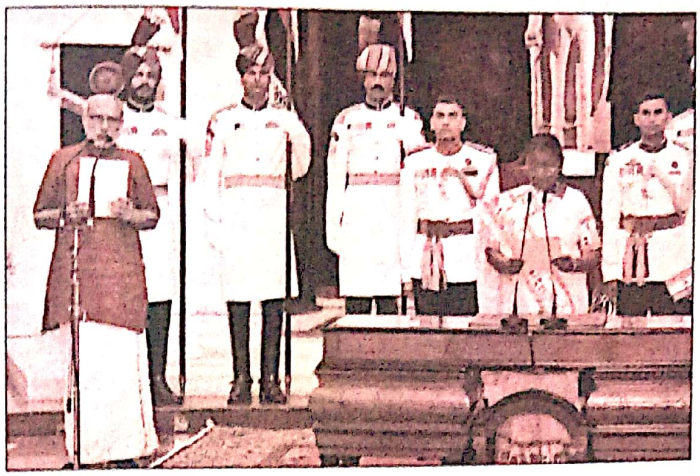
5. Study the picture given below and answer the questions that follow:

(a) Who is administering the oath of office and to whom?

(b) State the qualifications necessary to become the Vice-President of India.

(c) How does the Vice-President act as the ex-office Chairman of the Rajya Sabha?



IV. Higher Order Thinking Skills (HOTS)

1. Suppose you have a penfriend who lives in Los Angeles in the USA. He/She wants to know the difference in powers of the Presidents of India and the USA. Tell him/her the differences and also who has more powers.
2. Suppose riots break out in your State and there is a complete breakdown of law and order in the state. What will the Governor of your State do and what will be its consequences?
3. There are a few areas where the President of India can act at his/her discretion. Thus proving that the President of India is not a rubber stamp at all. Give your views on this statement by giving examples from the past.

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