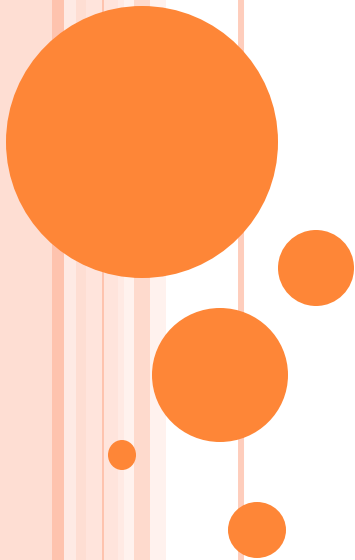


UNION GOVERNMENT OF INDIA



THE PRESIDENT

- Under the provisions of Article of the Union Executive powers will be voted in the President and shall be exercised by him either directly or through the Union Council of Ministers.
- Election of the President

The President is elected by the members of an electoral college consisting of the following

- (i) the elected members of both Houses of the Parliament
- (ii) the elected members of the Legislative Assemblies of the state.



THE PRESIDENT

- Term of Office : 5 years as per Article 56. Maybe elected for a second term (as per Article 57).
- Removal from Office : The President can be removed from office by an impeachment for violation of the Constitution moved by either House of the Parliament and passed by a majority of not less than $\frac{2}{3}$ rd of the total membership of the House by which the charge was investigated.
- Qualifications (Article 58):
 - (i) Must be a citizen of India
 - (ii) Minimum 35 years of age
 - (iii) He is qualified for election as a member of Lok Sabha
 - (iv) He does not hold any office of profit under the Government.
 - (v) He should not be a member of either House of the Parliament



POWERS AND FUNCTIONS OF THE PRESIDENT

- **Executive Powers :** Under Article 74 the executive power of the Union has been vested with the President and shall be exercised as advised by the Council of Ministers. He is the Head of State and also the Supreme Commander of the defense forces. He can declare war and make peace. He appoints the Prime Minister who is the leader of the Lok Sabha, the Chief Justice of India, the Governors and other Ministers on advice of the Prime Ministers.
- **Legislative Powers :** Any bill passed by the Parliament must receive his assent before it becomes a law except in case of money bills on which **prior assent is necessary**. President can issue **ordinances**, when the Parliament is not in session. He nominates 12 members to the Rajya Sabha and 2 Anglo-Indian members to the Lok Sabha and orders fresh election.



POWERS AND FUNCTIONS OF THE PRESIDENT

- **Judicial Powers :** The President can grant pardon, reprieve or remit or commute sentence of any person consisted by a law court including by a Court Martial.
- **Emergency Powers :** Under part XVIII of Article 352, 356 and 360, the President has the power to declare three types of emergencies
 - (i) emergency arising out of external threat or internal disturbances to the security of the country.
 - (ii) emergency in a state as a result of the failure of the Constitutional machinery.
 - (iii) financial emergency.



VICE PRESIDENT

- Article 63 says that there shall be a Vice President and Article 64 states that he shall be the ex-officio Chairman of the Rajya Sabha.
- **Mode of Election :** Elected by the members of both Houses of the Parliament by a Joint Session.
- **Qualifications :**
 - (i) must be a citizen of India
 - (ii) completed 35 years of age
 - (iii) be qualified for the election as a member of the Rajya Sabha
 - (iv) should not hold any office of profit



VICE PRESIDENT

- **Term of Office :** As per Article 67 the Vice-President holds office for a terms of 5 years. He may be elected for a second term of five years.
- **Powers and functions :**
 - (i) He is the ex-officio Chairman of Rajya Sabha
 - (ii) in case of vacancy of the Office of the President due to death, resignation or removal, the Vice – President acts as the President till the new President is elected subjected a maximum period of 6 months
- **Removal (Article 67-b) :** Can be removed from his Office by a resolution passed by the majority members of the Rajya Sabha and agreed to it by the Lok Sabha



COUNCIL OF MINISTERS

- Under the provisions of Article 74 of the Constitution of India, there shall be a Council of Ministers with the Prime Minister at the Head to aid and advice the President.
- The leader of the Lok Sabha becomes the Prime Minister when appointed so the President.
- Other ministers are appointed by the President on advice of the Prime Minister.
- The Council of Ministers is collectively responsible to the Lok Sabha by the peremptory provisions to Article 74.

