

# President of India

- Head of the state
- Appointment- Proportional Representation with means of a single transferable vote and secret ballot system
- Qualification- He should be an Indian Citizen
  1. His age should be a minimum of 35 years
  2. He should qualify the conditions to be elected as a member of the Lok Sabha
  3. He should not hold any office of profit under the central government, state government, or any public authority
- Impeachment- For violation of Constitution

# President of India

## Procedure of Impeachment

(1) When a President is to be impeached for violation of the Constitution, the charge shall be preferred by either House of Parliament.

(2) No such charge shall be preferred unless—

(a) the proposal to prefer such charge is contained in a resolution which has been 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 has been given of their intention to move the resolution, and

(b) such resolution has been passed by a majority of not less than two-thirds of the total membership of the House.

(3) When a charge has been so preferred by either House of Parliament, the other House shall investigate the charge or cause the charge to be investigated and the President shall have the right to appear and to be represented at such investigation.

(4) 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 or caused to be investigated, declaring that the charge preferred against the President has been sustained, such resolution shall have the effect of removing the President from his office as from the date on which the resolution is so passed.

# President of India

## Powers and Duties

- Executive
- Legislative
- Judicial
- Financial
- Military
- Diplomatic
- Emergency

# President of India

## Immunities

Article 361 of the Constitution of India grants the protection or immunity to the Indian President as well as the Indian Governor. The Indian President is the supreme of the state and cannot be arrested.

The Indian President is not answerable to any court of law for the activities of the duties and powers of his office.

During the term of office, the President of India is effectively immune from criminal proceedings and cannot be arrested or not answerable to any court of law.

# Vice-President of India

## Powers and Duties

- The Vice-President is elected by the members of both houses of Parliament assembled in a joint meeting. The voting is held by secret ballot. The mode of election is in accordance with the system of proportional representation by means of single transferable vote.
- Tenure- 5 years
- The Vice- President exercises the executive power of the Union as and when the President is unable to do so due to sickness, resignation, death, impeachment etc.
- He is the ex-officio chairman of the Council of States.

# The Union Executive

## Council of Ministers

- There is a Council of Ministers headed by the Prime Minister to aid and advise the President in exercise of his functions. The Prime Minister is appointed by the President, who also appoints other ministers on the advice of Prime Minister.
- It is the duty of the Prime Minister to communicate to the President all decisions of Council of Ministers relating to administration of affairs of the Union and proposals for legislation and information relating to them.
- Principle of Collective Responsibility
- Principle of Secrecy
- The total number of ministers, including the Prime Minister, in the COM shall not exceed 15% of the total strength of the Lok Sabha.
- The advice tendered by Ministers to the President shall not be inquired into in any court.
- A minister who is not a member of the Parliament (either house) for any period of six consecutive months shall cease to be a minister.



# The Union Executive

## Council of Ministers

- There are three categories of ministers in Council of Ministers.
- **Cabinet Ministers:** These head the important ministries of the Central government like home, defence, finance, external affairs and so forth. Cabinet is the chief policy formulating body of the Central government.
- **Ministers of State:** These can either be given independent charge of ministries/ departments or can be attached to cabinet ministers.
- **Deputy Ministers:** They are attached to the cabinet ministers or ministers of state and assist them in their administrative, political, and parliamentary duties.

# The Union Executive

## Prime Minister

- Article 74(1)- There shall be Counsel of Ministers with the Prime Minister as the head to aid and advise the President.
- The Prime Minister is appointed by the President. The President has to invite the leader of majority party in the Lok Sabha to become the Prime Minister.
- Qualification-
  - A citizen of India
  - Member of either Rajya Sabha or Lok Sabha



# The Union Executive

## Prime Minister- Powers and Functions

- Formation of Council of Ministers
- Portfolio allocation and reshuffling
- Chairman of the Cabinet
- Co-ordination of Administration
- Chief Adviser to the President
- Executive Powers
- Conduct of International Relations
- Head of Nuclear Command Authority, NITI Aayog, Appointments Committee of the Cabinet etc