

Quadrant II – Transcript and Related Materials

Programme: Bachelor of Arts (S.Y.B.A)

Subject: Political Science

Paper Code: POC 103

Paper Title: 'Indian Constitution'

Unit: Unit 3

Module Name: 'President of India'

Module No: 13

Name of the Presenter: Mr. Mohit Sukhtankar

Notes:

- **The President is the head of the Indian State.**
- **He is the head of the Indian Executive. (Article 52-78)**
- **He is part of the Executive along with the Vice President, Prime Minister, Council of Ministers & Attorney-General of India.**
- **He is the first citizen of India.**
- **He acts as the symbol of Unity, Integrity & solidarity of the Nation.**

Election of the President of India

- **President is voted for the term of 5 years.**
- **The President is elected by the Electoral college consisting of:**
 - 1. Elected members of both houses of Parliament.**
 - 2. Elected members of legislative assemblies of all the states.**
 - 3. Elected members of legislative assemblies of union territories of Delhi & Puducherry.**
 - 4. Nominated members of Parliament, State legislative councils do not participate in the election.**

- Proportional representation with a single transferable vote.
- Each member of the Electoral College is given only one ballot paper.
- The voter is required to indicate his preferences by marking 1, 2, 3, 4 etc. against the names of candidates.
- This means that the voter can indicate as many preferences as there are candidates in the competition.
- In the first phase, the first preference votes are counted.
- Say if a candidate secures the required quota in this phase, he is declared elected.
- Else, the process of transfer of votes is started.
- The ballots of the candidate securing the least number of first preference votes are cancelled.
- His second preference votes are transferred to the first preference votes of other candidates.
- This process continues till a candidate secures the required quota.

Qualifications

- Should be a citizen of India.
- Should have completed 35 years of age.
- Should be qualified for election as a member of the Lok Sabha..
- Should not hold any office of profit under Union, State or local govt.
- Nomination of a candidate for President must be subscribed by at least 50 electors and seconded by 50 electors.

Powers (Executive)

- As the head of the Union Executive:
- For every executive action that the Indian government takes, is to be taken in his name.
- He appoints the following people: PM & Council of Ministers, Comptroller and Auditor General of India (CAG), Chief Election Commissioner and other Election Commissioners, Chairman and

members of the Union Public Service Commission, State Governors, Finance Commission of India chairman and members, Members.

Powers (Legislative)

- **He summons or prorogues Parliament and dissolve the Lok Sabha.**
- **He summons a joint sitting of Lok Sabha and Rajya Sabha in case of deadlock.**
- **He addresses the Indian Parliament at the commencement of the first session after every general election.**
- **He appoints speaker, deputy speaker of Lok Sabha, and chairman/deputy chairman of Rajya Sabha when the seats fall vacant (to know the difference between Lok Sabha and Rajya Sabha check the linked article.)**
- **He nominates 12 members of the Rajya Sabha.**

Powers (Financial)

- **To introduce the money bill, his prior recommendation is a must.**
- **He causes Union Budget to be laid before the Parliament**
- **To make a demand for grants, his recommendation is a pre-requisite.**
- **Contingency Fund of India is under his control.**
- **He constitutes the Finance Commission every five years.**

Powers (Judicial)

- **Appointment of Chief Justice and Supreme Court/High Court Judges are on him.**
- **He has pardoning power: Under article 72, he has been conferred with power to grant pardon against punishment for an offence against union law, punishment by a martial court, or death sentence.**

Powers (Diplomatic)

- **International Treaties and agreements that are approved by the Parliament are negotiated and concluded in his name.**
- **He is the representative of India in international forums and affairs.**

Powers (Military)

- He is the commander of the defence forces of India.
- He has the power to declare war and conclude peace.
- He makes all the military appointments.

Powers (Emergency)

- The President has the power to declare the following emergencies under extraordinary circumstances:
 1. National Emergency (Article 352)
 2. President's Rule (Article 356 & 365)
 3. Financial Emergency (Article 360)