



SNS COLLEGE OF TECHNOLOGY
(AUTONOMOUS), COIMBATORE - 35



COURSE NAME : 19HST103 & INDIAN CONSTITUTION

I YEAR/ II SEMESTER

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**UNIT –II Structure and Functions of Central
Government**

Topic: President-Vice President

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President

Who is President of India?

•The Indian President is the head of the state. He is the first citizen of India and is a symbol of solidarity, unity, and integrity of the nation. He is a part of Union Executive along with the Vice-President, Council of Ministers, and Attorney-General of India.

How is President elected?

•There is no direct election for the Indian President. An electoral college elects him. The electoral college responsible for President's elections comprises elected members of:

- Lok Sabha and Rajya Sabha
- Legislative Assemblies of the states (Legislative Councils have no role)
- Legislative Assemblies of the Union Territories of Delhi and Puducherry



Who does not take part in the President's elections?

- Nominated Members of Rajya Sabha (12)
- Nominated Members of State Legislative Assemblies
- Members of Legislative Councils (Both elected and nominated) in bicameral legislatures
- Nominated Members of union territories of Delhi and Puducherry

What are the qualifications of the President?

- Those qualifications of the President are:
- He should be an Indian Citizen
- His age should be a minimum of 35 years
- He should qualify the conditions to be elected as a member of the Lok Sabha
- He should not hold any office of profit under the central government, state government, or any public authority



What are the powers and functions of the President of India?

Executive Powers of President

- He appoints the attorney general of India
- and determines his remuneration He appoints the following people: 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



Legislative Powers of President

- 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 He can nominate two members to the Lok Sabha from the Anglo-Indian Community

He lays the following reports before the Parliament: Comptroller and Auditor General

- Union Public Service Commission
- Finance Commission, etc



Financial Powers of President

- 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

Judicial Powers of President

- Appointment of Chief Justice and Supreme Court/High Court Judges are on him.
- He takes advice from the Supreme Court, however, the advice is not binding 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



Military Powers of President

- He is the commander of the defence forces of India. He appoints:
- Chief of the Army
- Chief of the Navy
- Chief of the Air Force

Emergency Powers of President

- He deals with three types of emergencies given in the Indian Constitution:
- National Emergency (Article 352)
- President's Rule (Article 356 & 365)
- Financial Emergency (Article 360)



Vice-President

How the Vice President is elected in India?

- There is no direct election for the Vice-President of India however, he/she is indirectly elected by an Electoral College. The election process is quite similar to that of the President of India but the electoral college that elects President is different from the electoral college responsible for the election of Vice-President of India.

Who participates in Vice President election?

- Elected members of both Lok Sabha and Rajya Sabha. To know more about [Lok Sabha](#), visit the given link.
- Nominated members of both Lok Sabha and Rajya Sabha.



Powers and Functions of Vice President

- He acts as the **ex-officio Chairman of Rajya Sabha**. In this capacity, his powers and functions are similar to those of the Speaker of Lok Sabha.
- He acts as President when a vacancy occurs in the office of the President due to his resignation, removal, death or otherwise. He can act as President only for a maximum period of six months, within which a new President has to be elected.
- The election of a person as Vice-President cannot be challenged on the ground that the electoral college was incomplete (i.e., existence of any vacancy among the members of the electoral college).
- If the election of a person as Vice-President is declared void by the Supreme Court, acts done by him before the date of such declaration of the Supreme Court are not invalidated (i.e., they continue to remain in force).