

The President

These notes are your ultimate revision weapon to revise The President. We've distilled years of previous exam questions (PYQs) into one powerful, concise resource. Everything you need to know, nothing you don't.

- **PYQs, Decoded:** All key concepts from past exams, organized and simplified.
- **Revise in Record Time:** Short, precise, and designed for last-minute review.
- **Focus on What Matters:** Master high-probability topics and boost your confidence.

The President of India - A Comprehensive Overview

I. Constitutional Role and Nature of the Office

- **Head of Executive:** The President is the formal, constitutional head of the Union Executive (Article 53).
- **Powers Not Absolute:** The President's power is not unlimited or absolute. Executive power is exercised either directly or through subordinate officers, and primarily on the aid and advice of the Council of Ministers.
- **Nature of Authority:** The President's authority is constitutional, nominal, titular (formal), and *de jure*, but not real or popular in the political sense. The Prime Minister leads the nation.
- **Comparison:**
 - **Different from British Monarch:** The President is elected, not hereditary.
 - **Different from US President:** The President does not hold real executive power.

II. Election Process

A. Method of Election

- **Type:** Indirect election.
- **System:** Proportional representation by means of a single transferable vote.
- **Ballot:** Secret ballot.

B. The Electoral College

The President is elected by an Electoral College consisting of:

- Elected members of both Houses of Parliament (Lok Sabha & Rajya Sabha).
- Elected members of the Legislative Assemblies of all States.
- Elected members of the Legislative Assemblies of the Union Territories of **Delhi and Puducherry** (included after the 70th Amendment Act, 1992).

Exclusions from the Electoral College:

- Nominated Members of Parliament (MPs) and State Legislative Assemblies (MLAs).
- Members of State Legislative Councils (MLCs). (e.g., A Chief Minister who is an MLC is not eligible to vote).
- As of now, elected members from the Union Territory of **Jammu and Kashmir** are not included.

C. Value of Votes

- **MLA Vote Value:** Varies from state to state.
 - Formula: $(\text{State Population} / \text{Total number of elected MLAs in the state}) / 1000$.
- **MP Vote Value:** Same for all elected members of Lok Sabha and Rajya Sabha.
 - Formula: $(\text{Total value of votes of all elected MLAs}) / (\text{Total number of elected MPs})$.

- **Population Data:** The population is based on the **1971 Census** and will remain so until the first census after **2026**.

D. Election Rules

- A candidate must be nominated by **at least 50 electors** as proposers and **another 50 electors** as seconders.
- The election of a successor **must be held** before the expiry of the incumbent's term.
- The election **cannot be postponed** on the grounds that the Electoral College is incomplete (e.g., if a state assembly is dissolved).

E. Resolving Disputes

- Any doubt or dispute from the election is referred to the **Supreme Court** (Article 71), whose decision is final.
- *Historical Note:* President V.V. Giri's election was challenged and upheld by the Supreme Court.

III. Qualifications, Tenure, and Vacancy

A. Essential Qualifications

A candidate must:

- Be a **citizen of India**.
- Have completed **35 years of age**.
- Be **qualified for election as a member of the Lok Sabha**.
- *Note:* There is **no prescribed educational qualification**.

B. Tenure and Re-election

- The term of office is **5 years** from the date of entering office.
- The President continues to hold office until a successor is sworn in.
- A person is **eligible for re-election** to the office (Article 57).

C. Holding Other Offices

- The President cannot be a member of Parliament or a State Legislature.
- If an MP or MLA is elected President, their seat is deemed vacated on the day they enter office.

D. Vacancy

- A vacancy must be filled within **six months**.
- Causes: Death, resignation, or removal.

IV. Removal, Resignation, and Succession

A. Removal (Impeachment)

- The President can be removed for '**violation of the Constitution**' through impeachment.
- The process can be initiated in **either House of Parliament**.
- It requires a **prior notice of 14 days**, signed by at least **one-fourth of the total members** of that House.
- **Only Parliament** is involved; State Legislative Assemblies have no role.

B. Resignation

- The President submits resignation to the **Vice-President of India**.

C. Order of Succession (Acting President)

1. **Vice-President**: Acts as President for a maximum of **six months**.
2. **Chief Justice of India (CJI)**: If both President and VP posts are vacant, the CJI (or senior-most Supreme Court judge) acts as President.
 - Governed by *The President (Discharge of Functions) Act, 1969*.

V. Powers and Functions

A. Executive Powers

- The executive power of the Union is vested in the President.
- All executive business of the Government of India is conducted in the President's name.
- **Appointments:** The President appoints:
 - The **Prime Minister**.
 - The **Attorney General of India** (Article 76).
 - The **Comptroller and Auditor General of India** (CAG) (Article 148).
 - The **Chief Election Commissioner** and other Election Commissioners.
 - The **Chairman of the Finance Commission** (Article 280).
 - **Governors of States** (Article 155).
 - **Chief Ministers of the Union Territories** (Article 239AA).
- **The President does NOT appoint:**
 - The Vice-President (elected).
 - The Chief Minister of a state (appointed by the Governor).

B. Legislative Powers

- The President is **an integral part of Parliament** (Article 79).
- A Bill passed by Parliament **cannot become law without the President's assent** (Article 111).
- **Veto Power (Article 111):**
 - Give assent.
 - Withhold assent (**Absolute Veto**).
 - Return the bill (with objections) for reconsideration (**Suspensive Veto**).
 - **Pocket Veto:** Neither signs nor returns the bill. Exercised only once, by **President Gyani Zail Singh** on the *Indian Post Office (Amendment) Bill* in 1986.
- The President **cannot return a Financial Bill** for reconsideration.

- **Ordinance Making Power (Article 123):** Can promulgate ordinances when Parliament is not in session. They have the same force as an Act but must be placed before Parliament within **6 weeks** of its session starting.
- **Addressing Parliament:** Addresses both Houses at the start of the first session after an election and each year (address prepared by the Union Cabinet).
- Can **summon a joint sitting** of both Houses to resolve a deadlock.
- Can **dissolve the Lok Sabha** on the recommendation of the Union Cabinet.
- **Duty to Place Reports:** Must place before Parliament the reports of the **Finance Commission, CAG, and National Commission for Scheduled Castes**.

C. Judicial Powers

- **Pardoning Power (Article 72):** Power to grant pardon, reprieve, respite, remission, or commutation of a sentence.
- **Consultation Power (Article 143):** Can consult the Supreme Court for its opinion on questions of law or fact.
- The President **cannot remove a Judge of the Supreme Court** (requires Parliamentary process).

D. Discretionary Powers

- Can withhold assent to a bill.
- Can return a bill for reconsideration.
- Can ask the Council of Ministers to reconsider its advice (as per 44th Amendment Act, 1978; must accept advice after reconsideration).
- Can ask the Prime Minister for information.

E. Other Powers

- **Supreme Commander** of the Defence Forces (power exercised on advice of CoM).
- Power to **declare an emergency**.

- Power to declare a geographical area as a "**Scheduled Area**" (Fifth Schedule).
- The '**Doctrine of Pleasure**' (Article 310) states certain government servants hold office during the pleasure of the President.

VI. The Vice-President of India

- **Election:** Elected by MPs, not appointed by the President.
- **Role:** Chairman of the Rajya Sabha.
- **Role during Vacancy:** Acts as President if the post is vacant (max 6 months).

VII. List of Presidents (Selected)

President	Term	Notable Facts
Dr. Rajendra Prasad	1950-1962	First President. Only the President to serve two full terms. From Bihar.
Dr. S. Radhakrishnan	1962-1967	Second President. Philosopher. Bharat Ratna recipient (1954).
Dr. Zakir Hussain	1967-1969	Third President. Former Governor of Bihar and Vice-President.
V.V. Giri	1969-1974	Fourth President. Associated with the Trade Union movement.
Fakhruddin Ali Ahmed	1974-1977	Fifth President.
Neelam Sanjiva Reddy	1977-1982	Elected unanimously. Only the President, not previously the VP. Former Speaker.
Dr. A.P.J. Abdul Kalam	2002-2007	11th President. Known as the "Missile Man".
Pratibha Patil	2007-2012	12th President. First woman to hold the office.

VIII. Miscellaneous Facts

- **Immunity:** No criminal proceedings can be instituted against a sitting President. Civil proceedings require a 2-month notice.
- **Official Residence:** Rashtrapati Bhavan, designed by architect Edwin Lutyens.
- **Acting President:** Chief Justice M. Hidayatullah acted as President (July-August 1969).

Know More About The President:

- [The President – Old Year Questions](#)
- [The President One Liner Questions & Answers](#)

