



DELHI LAW ACADEMY

PRESIDENT, PRIME MINISTER AND COUNCIL OF MINISTERS

All the provisions relating to the President, Prime Minister and Council of Ministers, from Articles 52 to 75, have been simplified and summarized by the Delhi Law Academy in 11 pages.

This sample contains the first 3 pages.....

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PRESIDENT, PRIME MINISTER AND COUNCIL OF MINISTERS **SUMMARY OF PROVISIONS**

Executive power of the Union

Article 53

- **Executive power of Union** shall vest in President
 - to be exercised by him directly or through subordinate officers
 - to be exercised **in accordance with this Constitution**
- Supreme command of defence forces shall vest in President

Election of President

Article 54

- Electoral college for election of President consists of
 - **Elected** members of both Houses of Parliament
 - **Elected** members of State Legislative Assemblies including Delhi and Puducherry

Manner of Election

Article 55

- Number of votes of MLA of a State = Population of State / total number of elected MLAs; further divided by 1000
- Number of votes of every MP = Total number of votes of all MLAs / total number of elected MPs
- 'Population' in this Article means
 - **Population as per 1971 census**
- Population remains frozen at this level
 - till a census beyond 2026

Term of Office

Normal term

- 5 years from the date of entering office



Shorter term

- Removal by impeachment
- Resignation, to be addressed to Vice-President, who shall communicate it to the Speaker of Lok Sabha

Eligibility for re-election

- Re-election is possible any number of times

Qualifications

- Should be a citizen of India
- Should be at least 35 years of age
- Should be qualified to be elected to Lok Sabha
- Should not hold any office of profit under govt or any authority under govt control

- Following offices are **not** considered as '**office of profit**':
 - President, Vice President, Governor
 - Union Minister, Minister of a State

IMPEACHMENT

Article 61

Ground:

- Violation of Constitution

Procedure:

Step 1: Preferring of charge

- By either House of Parliament
- A 14-days prior notice signed by not less than 1/4th members to be given
- Charge is preferred by passing a resolution
 - with a special majority of not less than two-thirds of the **total membership** of the House



Step 2: Investigation of charge

- By the other House, to be called the Investigating House
- If the investigating House passes a resolution
 - by the same special majority sustaining the charge
- the President stands removed

Election disputes

- Disputes relating to the election of President and Vice-President
 - shall be inquired into and decided by the Supreme Court

Pardoning power of President

Article 72

- President has the power
 - to grant pardons or remissions of punishment
 - to suspend, remit or commute sentences
- of any person convicted
 - by a Court Martial
 - of any offence against a law on a matter within executive power of Union or
 - where the sentence is a sentence of death

Executive Power of Union

Article 73

- **Executive power of Union** extends to:
 - all matters enumerated in the Union List
 - those matters in Concurrent List where expressly so provided by Constitution or Parliament
 - rights and authority by virtue of any treaty or agreement with other countries
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