

Exercises**Multiple Choice Questions**

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|---------|---------|---------|---------|---------|
| 1. (d) | 2. (d) | 3. (b) | 4. (c) | 5. (d) |
| 6. (c) | 7. (d) | 8. (c) | 9. (b) | 10. (c) |
| 11. (d) | 12. (c) | 13. (a) | 14. (a) | 15. (c) |
| 16. (d) | 17. (b) | 18. (b) | 19. (b) | |

Short-Answer Questions

1. Who is at present the President of India?

Ans. Ram Nath Kovind.

2. Who is the chief executive authority of the Indian Union?

Ans. The President.

3. What is the term of office of the President of India?

Ans. Five years.

4. Mention the qualifications which a person seeking election to the office of the President must possess.

Ans. Qualifications :

To seek election to the high office of the President of India, a candidate should possess the following qualifications :

- (a) He should be a citizen of India.
 - (b) He should be at least thirty-five years of age at the time of election.
 - (c) He must be qualified for election as a member of the Lok Sabha but shall not be a member.
 - (d) He should not hold any office of profit under the Central or State Government. If he holds, he should vacate such a post before seeking the election.
 - (e) He should not be a proclaimed offender or a sentenced criminal under the law of the land.
5. How many electors should propose and second a Presidential candidate?

Ans. A prospective presidential candidate is required to get his nomination paper proposed by 50 electors and seconded by another 50 electors.

6. Who elects the President of India?

Ans. The President of India is elected indirectly by an Electoral College.

7. What is an Electoral College?

Ans. A group of people who come together to elect President or Vice-President or any other office-bearer constitute an Electoral College.

8. Who constitutes the Electoral College for the election of the President?

Ans. (a) The Elected members of the Legislative Assemblies of all the Federating States.

(b) The Elected members of the Lok Sabha and the Rajya Sabha.

9. How is the voting power of an elected member of the Vidhan Sabha worked out in the election of President?

Ans. Value of the vote of each member of the Vidhan Sabha (Legislative Assembly) is determined by dividing the population of the State concerned by the total number of the elected members of the Assembly. The quotient so obtained is divided by one thousand.

$$\frac{\text{Total Population of the State}}{\text{Total number of elected members of the Legislative Assembly}} \div 1000$$

10. How is the voting power of an elected member of the Parliament worked out in the election of President?

Ans. The voting power of an elected member of the Parliament is worked out as per the formula given below :

$$\frac{\text{Total Voting Power of All the States}}{\text{Elected Members of the Parliament}}$$

This ensures that the voting power of all the elected members of Parliament is made equal to the voting power

of all the elected members of the Legislative Assemblies in the country.

11. What is the procedure when none of the Presidential candidates is able to get the fixed quota of votes as a result of the counting of the first preference votes?

Ans. In case no candidate is able to get the absolute majority, then the candidate who has secured the least votes is eliminated and his second preference votes are added to the other candidates. This process goes on and ultimately the candidate who gets the absolute majority is declared elected.

12. Who settles the dispute arising in connection with the election of the President?

Ans. The Supreme Court of India.

13. Who administers the oath of office to the President?

Ans. The Chief Justice of India.

14. What does the President solemnly undertake to do when he takes the oath of office?

Ans. The President solemnly affirms that he will faithfully execute the office of the President of India and will to the best of his ability, preserve, protect and defend the Constitution and the Law and that he will devote himself to the service and well-being of the people of India.

15. What do you call the official process by which a President who has violated the Constitution is removed from office?

Ans. Impeachment.

16. Mention any two executive powers of the President.

Ans. The President appoints :

(i) The Prime Minister, and the Council of Ministers on his advice. He summons the leader of the majority group in the Parliament and asks him to form the Government.

(ii) The Governors of the States.

17. Mention any two legislative powers of the President.

Ans. (i) The first session of the Parliament after each General election to the Lok Sabha and the first session of each

year is addressed by the President in which he lays emphasis on the internal and external policies of the Government.

(ii) He can summon or prorogue either House of the Parliament.

18. Explain the term Ordinance.

Ans. An Ordinance is a temporary law promulgated at a time when the Parliament is not in session.

19. When can the President issue an Ordinance?

Ans. The President issues Ordinances when the Parliament is not in session.

20. How many members can the President nominate to the Lok Sabha?

Ans. None. Earlier (between 1952 to 2020) the President had the power to appoint 2 members of the Anglo-Indian community to the Lok Sabha.

21. How many members can the President of India nominate to the Rajya Sabha and what qualifications, if any, should they possess for nomination to the Rajya Sabha?

Ans. 12 members. These nominations are made from among those persons who have made their mark in the fields of literature, arts, social service, science, etc.

22. What is meant by the Joint Session of Parliament?

Ans. The meeting of members of both Houses together is termed as the Joint Session of Parliament.

23. When does the President address the Houses of the Parliament assembled together?

Ans. The first session of the Parliament after each General election to the Lok Sabha and the first session of Parliament each year is addressed by the President in which he lays emphasis on the internal and external policies of the Government.

24. Whom does the President call upon to form the government after the election to the Lok Sabha?

Ans. Leader of majority party after the elections to the Lok Sabha.

25. What can the President do if he does not wish to sign a Non-Money Bill passed by the Parliament?

Ans. The President can withhold the Non-Money Bill or send it back to the House for reconsideration with his suggestions or recommendations.

26. Under what circumstances can the President proclaim a State of Emergency in the country?

Ans. At the time of external aggression or armed rebellion the President can proclaim a State of Emergency in the country.

27. How has the power of the President to declare an Emergency been subjected to the control of the Parliament?

Ans. Under Article 352, the President can declare national emergency only on the basis of a written request by the Union Cabinet headed by the Prime Minister. Such a proclamation must be approved by the Parliament within one month. National Emergency can be imposed for 6 months at a time. It can be extended by 6 months by repeated parliamentary approvals.

28. State one limitation imposed on the powers of the President by (i) the Parliament and (ii) the Council of Ministers.

Ans. (i) The President has no choice in case of Money Bill passed by the Parliament. He has to give his assent.

(ii) The President can declare war or conclude peace with any foreign power only on the advice of his Council of Ministers.

29. Who is at present the Vice-President of India?

Ans. Venkaiah Naidu.

30. How is the Vice-President elected?

Ans. The Vice-President of the Indian Union is elected jointly by both the Houses of the Parliament. The procedure for his election consists of a secret ballot, proportional

representation and single transferable vote. The proposal for nomination of Vice-President has to be proposed by 20 members and seconded by 20 members of Parliament. An absolute majority of the votes polled is also required for the election of the Vice-President.

31. Mention any one important function of the Vice-President of India.

Ans. Ex-Officio Chairman of the Rajya Sabha: Like the Vice-President of the U.S.A., the Vice-President of the Indian Union acts as the Ex-Officio Chairman of the Rajya Sabha.

32. How can the Vice-President of India be removed from office?

Ans. The Vice-President may be removed from his office by a resolution of the Rajya Sabha passed by a majority and agreed to by the Lok Sabha.

33. When can any State of the Indian Union be placed under the President's rule?

Ans. If the President is fully satisfied, on the basis of the report of the Governor of the concerned State that the constitutional machinery has broken down or the government cannot be carried out according to the provisions of the Constitution, he can proclaim a state of Emergency in the State, under Article 356. It is also referred to as President's Rule.

Structured Essay-Type Questions

1. People of great integrity and eminence have always held the high post of President of the Indian Republic. In this context, explain the following :

(a) Who is elected as the President of India?

(b) How is the President of India elected?

(c) Explain how the President of India can be removed from office?

Ans. (a) To seek election to the high office of the President of India, a candidate should possess the following

qualifications :

- (i) He should be a citizen of India.
 - (ii) He should be at least thirty-five years of age at the time of election.
 - (iii) He must be qualified for election as a member of the Lok Sabha but shall not be a member.
 - (iv) He should not hold any office of profit under the Central or State Government. If he holds, he should vacate such a post before seeking the election. It must be mentioned here that the Governor of a State or a Minister of a Union or State or Vice-President of the Union will not, however, be considered a person holding an office of profit.
 - (v) He should not be a proclaimed offender or a sentenced criminal under the law of the land.
- (b) The President of India is not directly elected by the people. He is elected indirectly by an Electoral College which consists of :
- (i) The Elected members of the Legislative Assemblies of all the Federating States.
 - (ii) The Elected members of the Lok Sabha and the Rajya Sabha.
 - (iii) Value of the vote of each member of the Vidhan Sabha (Legislative Assembly) is determined by dividing the population of the State concerned by the total number of the elected members of the Assembly. The quotient so obtained is divided by one thousand.
$$\frac{\text{Total Population of the State}}{\text{Total number of elected members of the Legislative Assembly}} \div 1000$$
 - (iv) The voting power of an elected member of the Parliament is worked out as per the formula given below :
$$\frac{\text{Total Voting Power of All the States}}{\text{Elected Members of the Parliament}}$$

(v) In case no candidate is able to get the absolute majority, then the candidate who has secured the least votes is eliminated and his second preference votes are added to the other candidates. This process goes on and ultimately the candidate who gets the absolute majority is declared elected.

(c) **Impeachment / Removal** : If a President begins to act against the provisions of the Constitution or is found guilty of misusing his status and position or found involved in corruption, he may be impeached out of office. Charges can be framed by either of the two Houses of the Parliament by a two-third majority of the total membership of the House. If the charges are also established by the other House by a two-third majority, the President stands impeached and he is at once removed from office.

2. The President of India enjoys vast powers. In this context, explain :

- (a) His executive powers
- (b) His legislative powers
- (c) His judicial powers.

Ans. (a) The President appoints :

- (i) The Prime Minister, and the Council of Ministers on his advice. He summons the leader of the majority group in the Parliament and asks him to form the Government.
- (ii) The Governors of the States.
- (iii) The Lt. Governors and the Chief Commissioners of the Union Territories.
- (iv) The Chief Justices and the Judges of the Supreme Court and the High Courts.
- (v) The Attorney General of India.
- (vi) The Comptroller and Auditor General of India.
- (vii) The chairman and members of the Union Public Service Commission.

- (viii) The chairman and members of the NITI Ayog (earlier Planning Commission)
- (b) (i) The first session of the Parliament after each General election to the Lok Sabha and the first session of each year is addressed by the President in which he lays emphasis on the internal and external policies of the Government.
- (ii) He can summon or prorogue either House of the Parliament.
- (iii) He can dissolve the Lok Sabha and order fresh elections.
- (iv) No bill (except a Money Bill) can become an act or a law without the President's assent, after being passed by the Parliament. The President has no choice, but to sign a Money Bill.
- (c) The President has been given a number of powers in the judicial sphere also :
 - (i) He is not answerable before any Court of Law for the discharge of his duties.
 - (ii) No criminal suit can be initiated against him during his tenure of office.
 - (iii) He has the power to grant pardon, to remit or suspend a sentence of punishment on any appeal for mercy. He can commute even death sentence to imprisonment for life or otherwise in respect of an offender who has been sentenced to death by the Supreme Court.
- 3. Of all the powers vested in the President of India, his emergency powers have the most far-reaching effects. Keeping this theory in view, describe the following :
 - (a) Emergency caused as a result of a threat to the security of India.
 - (b) Emergency caused as a result of the breakdown of the constitutional machinery.
 - (c) Financial Emergency.

Ans. (a) National Emergency : It can be declared in the whole of India or a part of its territory for causes of war or external aggression or armed rebellion. Under Article 352, the President can declare such an Emergency only on the basis of a written request by the Union cabinet headed by the Prime Minister. Such a proclamation must be approved by the Parliament within one month. Such an Emergency can be imposed for 6 months at a time. It can be extended by 6 months by repeated parliamentary approvals. There is no maximum duration for such an Emergency.

(b) Breakdown of the Constitutional Machinery (Art. 356) : If the constitutional machinery in a State is deadlocked or breaks down resulting in constitutional emergency in that State, the following can be the consequences :

(i) Upon the Governor's written report of breakdown in the constitutional machinery of the state. Government of that State is taken over by the President, which he carries on with the help of the Governor of that State.

(ii) The President may dissolve the Vidhan Sabha of the State and dismiss the Council of Ministers or he may keep the Assembly as well as the Council of Ministers in suspended animation. In both the cases, the Union Parliament is entitled to pass laws, even on all the subjects of the State List, for that particular State.

(c) Financial Emergency (Art. 360) : When the President is satisfied that the financial position of the country is in a bad form and there is a threat to India's economic stability, he may declare a state of Financial Emergency in the country. This declaration has the following effects :

(i) The salaries and allowances of the Public servants

under the Union as well as the States can be reduced during its operation.

- (ii) The salaries of even the judges of the Supreme Court and those of the High Courts can be reduced during the operation of the Emergency.
- (iii) The President may order the State to submit Money Bills to him for his assent.
- (iv) The President can issue instructions to the States in regard to the utilisation of funds in the manner he thinks fit.
- (v) He is free to adopt all such measures which he deems necessary for the restoration of the country's financial stability.

4. With reference to the Vice-President of India, explain the following :

- (a) How is the Vice-President of India elected?
- (b) What are his functions?

Ans. (a) The Vice-President of the Indian Union is elected jointly by both the Houses of the Parliament. The procedure for his election consists of a secret ballot, proportional representation and single transferable vote. The proposal for nomination of Vice-President has to be proposed by 20 members and seconded by 20 members of Parliament. An absolute majority of the votes polled is also required for the election of the Vice-President.

- (b) **Ex-Officio Chairman of the Rajya Sabha :** Like the Vice-President of the U.S.A., the Vice-President of the Indian Union acts as the ex-officio Chairman of the Rajya Sabha.

Acting as the President of India : If the office of the President falls vacant due to his resignation, death, impeachment, illness or absence from the country, the Vice-President of India, like his counterpart in the U.S.A., takes over as the President.