

1. DISCUSS THE POWERS OF THE PRESIDENT OF INDIA.

To work for the country's welfare, the President is given a wide array of powers to execute. These powers are given to the President to protect, defend and preserve the Constitution of India which is the primary part of his worth. Under the parliamentary arrangement, India's President is the de jure head of the state and enjoys certain powers and performs a variety of ceremonial functions.

Executive Powers

The executive powers of the Indian Union, under Article 53 of the Constitution, vest in the President. The President has a right to be informed of all of the nation's affairs, enjoys powers to appoint and remove high Constitutional authorities, including the prime minister and the council of ministers.

The President is responsible for making a wide variety of appointments. These include:

- Governors of States
- The Chief Justice, other judges of the Supreme Court and High Courts of India
- The Chief Minister of the National capital territory of Delhi
- The Attorney General
- The Comptroller and Auditor General
- The Chief Election Commissioner and other Election Commissioners
- The Chairman and other Members of the Union Public Service Commission
- Vice Chancellor of the central university and academic staff of the central university through his nominee
- Ambassadors and High Commissioners to other countries

The President must be satisfied that the Council of Ministers enjoys the confidence of the majority of the Lok Sabha. In case of any doubt he can ask the Council of Ministers to prove its majority in the Lok Sabha, as the Prime Ministers Sri H.D. Deve Gowda was asked by the President after the official withdrawal of support by the Congress Party from Ministry.

Legislative Powers

He is the integral part of the Union Legislature. He summons, prorogues both the Houses and can dissolve the Lok Sabha. He can send messages to either House or to both Houses.

The President nominates a number of members in both Houses in order to ensure adequate representation in Parliament of all sections of population which may not always be achieved through election.

A bill passed by two Houses requires his assent in order to become an Act. He may give his assent to a bill, may withhold it and may refuse to assent to. However, if parliament, acting on President's refusal to assent to a bill, passes it again with or without amendment, for the second time and presents it to the President for his approval, the President shall not

withhold his assent there from under Article 111. It becomes obligatory upon the President to give his assent.

Certain bills like bills for formation of new State or altering the boundaries of the existing State or State, money bill etc. require prior recommendation of the President before their introduction in the Parliament.

A bill passed by State Legislature may also be reserved for President for the consideration of the President by the Governor of that State.

Ordinance Making Power

The President also promulgates ordinances or emergent legislation during Parliament's recess. The President also nominates members to both the Houses.

The President is the Supreme Commander of the Indian Armed Forces and all officers' appointments are made by him or her, including that of the chiefs. The country declares war in the name of the President and also concludes peace, all from the control and authority over Parliament that the President enjoys.

Diplomatic roles

India's President has wide-ranging roles to play when it comes to diplomacy for maintaining relations with other countries. The country's ambassadors and high commissioners are his representatives in foreign land. He also receives the credentials of diplomatic representatives of foreign countries. The President also negotiates treaties and agreements with other nations prior to ratification by Parliament.

Judicial powers

The President enjoys judicial powers, primarily to rectify judicial errors, grant pardons and reprieves from punishment. The President can also seek the opinion of the Supreme Court on legal and Constitutional matters and on matters of national and people's interest.

Financial roles

The President causes the presentation of audit reports before Parliament and is to receive the report of the Finance Commission and to act on its recommendations. The Contingency Fund of India is also at the President's disposal.

Emergency powers

Three kinds of emergencies are envisaged by the Constitution. Under national emergency powers, the President can declare a state of emergency after satisfying that the country's security is at peril, either from external aggression or armed rebellion within. The national emergency is declared only after the Prime Minister and the cabinet recommend it in writing. He can declare President's rule on the recommendation of the Governor concerned if the administration of the state is not carried on in accordance with the Constitution of India and if the State fails to comply with Union Government directive. He can declare

financial emergency when the financial stability of the country or any part of the country is seriously affected.

Pardoning Power

The President of India grants, pardons, reprieves or remissions of punishment to any person who has been convicted by a Court of Law. As mentioned in Article 72 of the Indian Constitution, the President is empowered with the powers to grant pardons in the following situations:

- Punishment is for an offence against Union Law
- Punishment is by a Military Court
- Sentence is that of a death

The decisions involving pardoning and other rights by the President are independent of the opinion of the Prime Minister or the Lok Sabha majority. In most cases, however, the President exercises his executive powers on the advice of the Prime Minister and the cabinet.



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