



# Indian Presidential Election

**For Prelims:** Constitutional Provisions related to the election of President, Election commission of India.

**For Mains:** Election of President and Impeachment.

## Why in News?

The tenure of the current President of India is set to end in July 2022, which is also when the 16<sup>th</sup> Indian Presidential election will be held to elect his successor.

## How is the President elected?

### ▪ About:

- The Indian President is elected through **an electoral college system**, wherein the votes are cast by **national and State-level lawmakers**.
- The elections are conducted and overseen by the [Election Commission \(EC\) of India](#).
  - The electoral college is made up of all the **elected members of the [Upper and Lower Houses of Parliament](#)** (Rajya Sabha and Lok Sabha MPs), and the **elected [Members of the Legislative Assemblies](#)** of States and Union Territories (MLAs).
- **Related Constitutional Provisions:**
  - **Article 54:** Election of President
  - **Article 55:** Manner of election of President.
  - **Article 56 :**Term of office of President
  - **Article 57:** Eligibility for re-election.
  - **Article 58:** Qualifications for election as President

### ▪ Procedure:

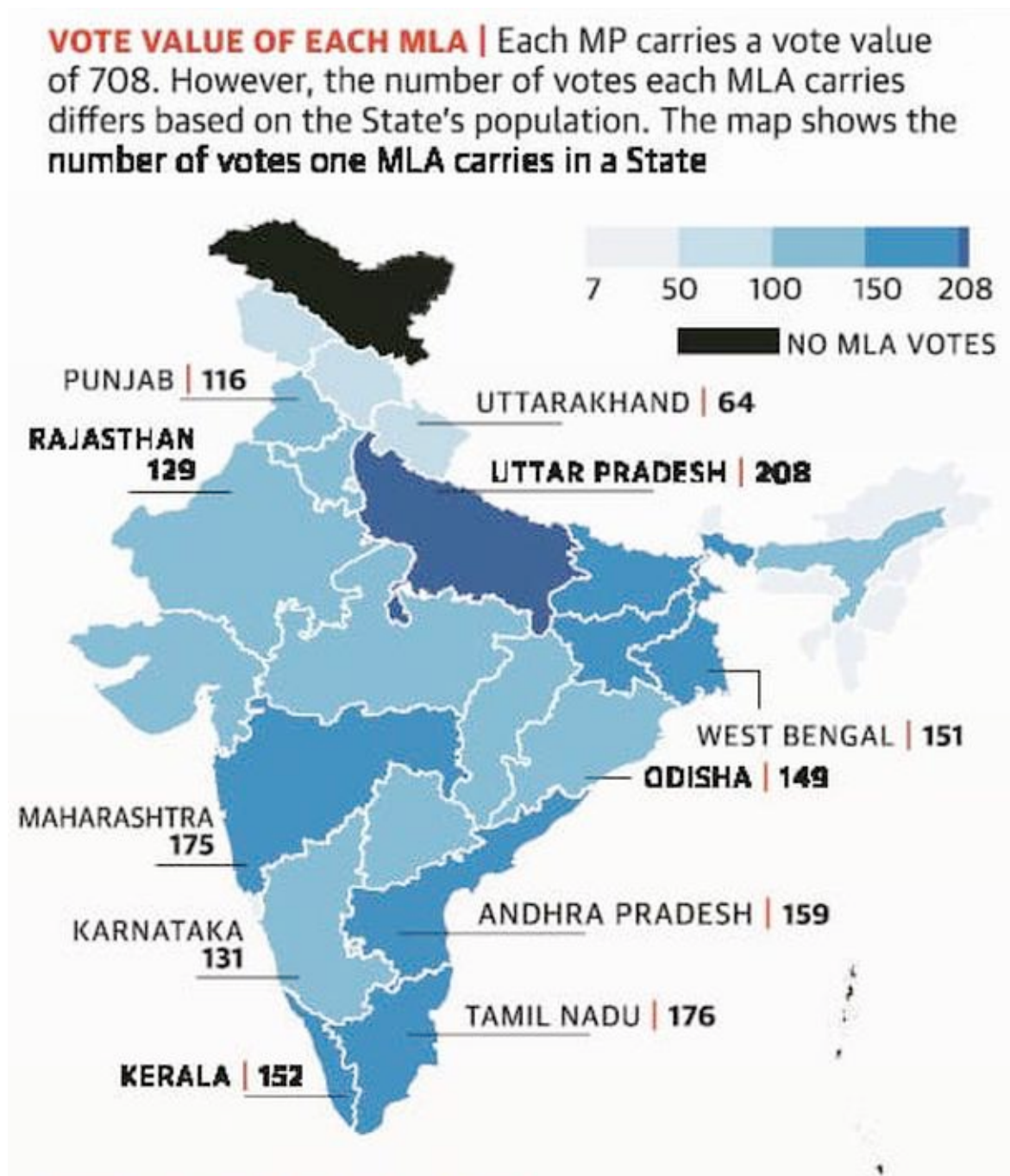
- Before the voting, **comes the nomination stage**, where the candidate intending to stand in the election, files the nomination along with a signed list of 50 proposers and 50 seconders.
- These proposers and seconders can be anyone from the total members of the electoral college from the State and national level.
  - **The rule for securing 50 proposers and seconders was implemented when the EC noticed, in 1974**, that several candidates, many without even a bleak chance of winning, would file their nominations to contest the polls.
- An elector **cannot propose or second the nomination of more than one candidate**.

## What is the value of each vote and how is it calculated?

- A vote cast by each MP or MLA is not calculated as one vote.
- The **fixed value of each vote by an MP of the Rajya Sabha and the Lok Sabha is 700**.
- Meanwhile, the **vote value of each MLA differs from State to State based on a calculation that factors in its population vis-a-vis the number of members** in its legislative Assembly.
  - As per the Constitution (Eighty-fourth Amendment) Act 2001, currently, the population of States is taken from the figures of the 1971 Census. This will change when the figures of

the Census taken after the year 2026 are published.

- The **value of each MLA's vote is determined by dividing the population of the State by the number of MLAs** in its legislative Assembly, and the **quotient achieved is further divided by 1000**.
  - Uttar Pradesh for instance, **has the highest vote value for each of its MLAs, at 208**. **The value of one MLA's vote in Maharashtra is 175**, while that in Arunachal Pradesh is just 8.



### What is required to secure a victory?

- A nominated candidate **does not secure victory based on a simple majority** but through a system of bagging a specific quota of votes. While counting, the EC totals up all the valid votes cast by the electoral college through paper ballots **and to win, the candidate must secure 50% of the total votes cast + 1**.
- Unlike general elections, where electors vote for a single party's candidate, **the voters of the electoral college write the names of candidates on the ballot paper in the order of preference**.

- The President's election **is held in accordance with the system of proportional representation by means of the single transferable vote** and the voting is **by secret ballot**.

## Can the President be Impeached?

- According to **Article 61**, the President can be removed from his office before the expiry of his term only **on the grounds of violation of the constitution**.
- However, the **Constitution does not define the meaning of the phrase 'violation of the constitution'**.
- The impeachment process **can be started from any house of the parliament by levelling charges against him**.
- The notice bearing the charges against the president must be signed by at least a quarter of the members of the house.
- The resolution to impeach the president **must be passed by a special majority (two-thirds) in the originating house**.
- Next, it is sent to the other house for consideration. The other house acts as the investigating horse. **A select committee is formed** to investigate the charges labelled against the president.
- During the process, the **President of India has the right to defend himself through authorised counsel**. He can choose to defend himself or appoint any person/lawyer or [attorney general of India](#) to do so.

## UPSC Civil Services Examination Previous Year Questions

**Q. With reference to the election of the President of India, consider the following statements: (2018)**

1. The value of the vote of each MLA varies from State to State.
2. The value of the vote of MPs of the Lok Sabha is more than the value of the vote of MPs of the Rajya Sabha.

**Which of the statements given above is/are correct?**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Ans: (a)**

**Source: TH**