



FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B. 1II Semester

SUBJECT: Political science-III

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Lecture-3



- **Functions of the President of USA**

Executive Functions

1. Appointments
2. Representing the country
3. Preparation of the Budget

Legislative Functions

1. No presence in legislature
2. The President doesn't address the legislature
3. He cannot dissolve the legislature
4. He can send messages to the legislature (the system of sending messages exists in USA because there is Separation of Power. So this is the way that the President can interact. The system of sending messages is found in India also, but the logic of the provision is not clear because the President has no discretionary power and he has to act on the advice of the P.M.)

Veto Power

Under the Constitution, the President may respond to a bill passed by the Congress in one of the three ways. He may sign it, veto the bill by returning it to Congress, or do nothing. If he does nothing, the bill becomes a law after the passage of ten days, excluding Sundays. However, if the Congress adjourns sooner than ten days, the bill dies, under the "pocket veto" provision. If the President vetoes a bill, the Congress can still enact it into a law bypassing the measure again with two-thirds majority in both the houses.

- **Legislative Proposals**

The Constitution also authorizes the President to "recommend to Congress' consideration such measures as he shall judge necessary and expedient." Unlike the veto, which is a limited and somewhat negative instrument for stopping legislation, the duty to recommend legislation has over time become the primary mechanism, by which the nation's political agenda is influenced.

- **Indian President**

1. In India, the President has the power to send back a bill to the Parliament for reconsideration. But, when the Parliament has reconsidered the bill and then passes it with the required majority, the President has no option but to sign the bill.
2. Practically, the Prime Minister and his Cabinet almost always enjoy a simple majority, except in a coalition government. So, it does not pose a major hurdle for the Prime Minister and his cabinet to get the consent of the President for the bill.

However, a significant departure from the US Presidential Scheme of things is that unlike the US, the Indian Constitution does not prescribe any time limit for signing the bill by President.

Therefore, he can keep the bill without signing it for an indefinite period under the disguise of consideration, which can frustrate the Prime Minister and his cabinet. Obviously, this leads us to the question whether the Indian President's pocket veto is more powerful than the US President's pocket veto.

- **Date of Retirement and Oath**

US

1. A unique feature of the US Constitution is that it has prescribed the date and timing of retirement of the outgoing President as well as members of the Congress.
2. The terms of President and Vice President shall end at noon on the 20th day of January.
3. It means that the new President and Vice President shall take oath of the office on 20th January (or 21st January, if 20th is a Sunday) at noon of their first year of office.
4. The election of the President and Vice president are held in the month of November and in the same month results are announced.

Thus, Americans are informed much earlier about their new President. Naturally, the question is how this time schedule is maintained. In case of President's death, resignation, or impeachment, the Vice President shall become the President for the remaining period. In this way, duration of the President is kept intact and the next elected President takes oath on the scheduled date.

MCQ

1. The number of Presidents removed from office through impeachment in US is / are:
A.One
C.Three
B.Two
D.None

2. The number of Presidents serving for more than eight years in US is:
A.One B.Two
C.Three D.None
3. Gerald R. Ford was US President by:
A.Appointment B.Election
C.Succession D.Coup d'etat
4. The US Presidential election to elect the new US President was held on:
A.November 10,2000 B.January 20,2001
C.November 7,2001 D.December 20,2001
5. George W. Bush took an oath before the Chief Justice on Saturday on:
A.January 20,2001 B.February 28,2001
C.June 7,2001 D.July 7,2001