

# **FACULTY OF JURIDICAL SCIENCES**

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

**SUBJECT: Political science-III**

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**NAME OF FACULTY: Dr. Shiv Kumar Tripathi**

# Lecture-4



## India

1. In India, if the President dies or is impeached, or submits resignation, the Vice President becomes the President till fresh elections are held. The newly elected President holds the office for a full term of five years.
2. Hence, unlike the American system the time schedule cannot be maintained, in the case of India.

### • **Primaries**

1. Primaries are elections to select the candidate
2. They are conducted by Political Parties

### • **Impeachment of the President of USA**

1. **Reasons:** Treason, Bribery, High Crimes or Misdemeanor. No system of impeachment for violation of the Constitution, unlike the Indian Constitution
2. **Process:**
  - Charges will be leveled against the President in the House of Representatives
  - It has to be passed by 2/3rd majority
  - Senate will be the investigating house
  - In this process, the Chief Justice of the Supreme Court of USA will be the presiding officer
  - If convicted, he can be removed only when 2/3rd members of the Senate pass a resolution in this context

## **Some terms of the US Constitution**

1. **Filibustering:**It's a privilege of Senators that they can exercise his right to speak for an unlimited period. It's an ultimate device to stop the passage of a bill. However, now a rule has emerged, by which 2/3rd of the members can bring a motion, which will deny this privilege to the Senators.
2. **Senatorial Courtesy:**A convention has developed by which the President, before formally sending the names for appointments in higher posts, informs the Senate about the probable candidates to be appointed. The idea in such situations should not arrive, where the Senate does not ratify the President's proposal.
3. **Gerrymandering:**It is the process of demarcating the electoral districts that give advantage to the party in power in the state. They create electoral districts in a manner that the supporters of the party get concentrated and the supporters of the opposition party get dispersed, with the objective of electoral gains.
4. **Log Rolling:**The members of a party may support a bill or viewpoint of the other party. Strict party discipline is not only existing, but also not required.

5. **Pork Barrel:** It represents the politics in the House of Representatives where local interest dominates and the representatives want to take maximum benefits for their constituencies.

## **Vice President**

### **Election of Vice President**

The qualification for the President and the Vice President is the same. Since the elections take place simultaneously, the process of elections is also the same.

**Earlier Method:** The candidate coming first used to be declared as the President and second as the Vice President.

**Present Method:** Separate elections, but at the same time and in the same manner.

### **Tenure of a Vice President as a President**

A Vice President may become a President because of vacancy in the office of the President. There are two situations:

1. If the Vice President has come to the office when the President has already served the office for more than two years. Then the Vice President can be President for the remaining term and in addition for two more terms he can serve as a President
2. If the Vice President came to the office when the remaining term of the outgoing President was more than two years, then he will be eligible for only one more term

### **Functions of the Vice President of USA**

- Ex-officio chairperson of Senate and has casting vote
- The office of the Indian Vice President is modeled on the US office, with some differences
- The office of Vice President is called as His Superfluous Highness

