

Constitutional Position of the President & Relation with the Council of Ministers

A theme-wise mapping of UPSC Law Optional Mains questions (2000-2025), organised by concept rather than by year

Most compilations of previous-year questions simply list them chronologically. That format is useful for spotting how often a topic reappears, but it hides something more valuable for a mains-writing strategy: the recurring conceptual clusters an examiner keeps returning to. The table below re-sorts every question asked on this topic between 2000 and 2025 into six such clusters. Read across a cluster and you effectively get a ready checklist of sub-themes to cover while preparing notes on this segment of Constitutional and Administrative Law.

Cluster 1 | Is the President a Real Executive or a Figurehead?

Questions probing the true weight of Article 53(1)'s vesting clause once a parliamentary system is superimposed on it - whether the President exercises independent will or acts purely on aid and advice.

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2023	"The office of the President under the Indian Constitution has been designed to be largely that of a 'figurehead'." Explain, with reference to the cases decided on the subject.	10 / Q1(b)	Landmark case law on the President's real vs nominal status
2018	With the adoption of the Parliamentary form of government, the vesting clause under Article 53(1) remains to a great extent meaningless, as real executive power lies in the Ministry. Critically examine this statement in the context of the status and position of the President. Also answer what consequences follow if the President does not accept the Prime Minister's advice.	10 / Q1(e)	Articles 52-62; Shamsher Singh & Anr. v. State of Punjab (1974)
2008	Write short notes: the distinction between the 'Executive Power' of the President and his 'Constitutional Power'.	30 / Q4(a)	Executive power vs constitutional/formal power
2005	Is the President of India a mere constitutional head? Is he bound to accept the advice of the Council of Ministers? Discuss fully, stating constitutional provisions.	30 / Q3(b)	Articles 52-62

Cluster 2 | President and the Council of Ministers / Prime Minister

The working relationship between Rashtrapati Bhavan and the Council of Ministers - how advice flows, who is answerable for it, and what happens when that relationship comes under strain.

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2024	Discuss the relationship between the President and the Council of Ministers under the parliamentary form of government in India. Explain with the help of relevant constitutional provisions.	15 / Q2(c)	Articles 74 & 75

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2015	"The Prime Minister is the keystone of the Cabinet arch because he is responsible for its formation, life and death." Critically examine this statement in light of constitutional provisions and determine the position of the Prime Minister in the Cabinet.	15 / Q2(a)	Articles 74 & 75
2012	What is meant by 'individual responsibility' and 'collective responsibility' of the Council of Ministers? What would be the consequence of 'individual responsibility' if a Minister is found guilty of the tort of misfeasance by the Supreme Court? Comment.	10 / Q1(c)	Article 75
2011	Write critical notes on: Duties of the Prime Minister regarding furnishing information to the President.	20 / Q4(b)	Article 78
2006	"Collective responsibility is the very basis of the Parliamentary system of government." Do you agree? What has been the impact of coalition politics on the doctrine of collective responsibility?	30 / Q2(b)	Article 75

Cluster 3 | The Pardoning Power (Articles 72 & 161)

By volume, this is the single most tested sub-topic in the entire segment - almost every attempt has been made to test whether the clemency power is absolute or subject to judicial review, and on what grounds.

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2015	What would be your opinion on the view that the exercise of power by the President and Governors under Articles 72 and 161 to grant mercy should also be open to constitutional challenge? Discuss with reference to recent Apex Court decisions.	10 / Q1(b)	Kehar Singh v. Union of India; Kuljit Singh v. Lt. Governor of Delhi
2012	What is the justification behind the pardoning power of the President under Article 72? Discuss, with reference to Supreme Court decisions, the extent to which exercise of this power can be subjected to judicial review.	10 / Q1(d)	Maru Ram v. Union of India (1980); Dhananjay Chatterjee v. State of West Bengal (1994)
2007	Write short notes: Power of the President of India to grant pardons, reprieves, etc. under Article 72 of the Constitution.	20 / Q4(a)	Article 72

Cluster 4 | Ordinance-Making and Other Legislative/Judicial-Facing Powers

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2025	Critically examine, with the help of decided cases, the power of the President to consult the Supreme Court.	10 / Q1(c)	Advisory jurisdiction under Article 143
2019	Discuss the Ordinance-making power of the President. Can the validity of an Ordinance be challenged in a court of law? Cite relevant case law.	15 / Q4(b)	Article 123; R.C. Cooper v. Union of India (1970)

Cluster 5 | Executive Powers of the President in Inter-State/Union Matters

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2016	Briefly enumerate the executive powers of the President, especially when two or more States are involved in non-observance of an inter-State agreement.	15 / Q3(a)	Articles 131, 262 & 263

Cluster 6 | Election Procedure & Miscellaneous Provisions

Year	Question	Marks / Q.No.	Anchor Provisions / Cases
2002	Elucidate the constitutional procedure for electing the President of India.	20 / Q1(c)	Article 55
2002	Schedule III provides for an oath of secrecy by a Minister. Can a Chief Minister administer such an oath to a non-minister in order to facilitate his access to all government documents? Give reasons.	30 / Q3(b)	Article 164(3)

Reading the Pattern

Across the 2000-2025 window, this segment of Constitutional and Administrative Law surfaced in roughly half the years, translating into well over a dozen individual sub-questions once (a)/(b)/(c) parts are counted separately. That frequency alone marks it out as a segment that cannot be left to chance while building a revision plan.

Grouping the questions by concept rather than by year makes three things visible that a plain chronological list tends to obscure:

- The pardoning power under Articles 72 and 161 is the most repeated sub-theme in this segment, and every attempt at it has demanded the same three anchor cases - Kehar Singh, Maru Ram, and Dhananjay Chatterjee - so these are worth committing to memory rather than looking up each time.
- A second recurring axis is the President's real versus nominal authority - whether Article 53(1) still carries independent weight after Shamsher Singh. Any answer on this axis should routinely bring in Articles 74 and 75 on aid and advice, since examiners consistently pair the 'figurehead' framing with the advice-and-consent machinery.
- A third, comparatively newer axis concerns the President's interface with the judiciary and with ordinance-making - the 2025 and 2019 questions suggest the examiner is now testing powers that sit at the intersection of the executive and judicial wings, rather than confining questions to the classical Council-of-Ministers relationship.

A workable preparation sequence, therefore, is to first lock down Articles 52-78 provision by provision, layer on the case law tied to each cluster above, and then practise writing answers that move between the constitutional text and the relevant judgment within the same paragraph - which is exactly the pattern rewarded across these eighteen-plus attempts.

Note: Question text is reproduced from official UPSC Law Optional Mains papers for study reference; the clustering, commentary, and analysis above are original.