

IndiaCode

The President (Discharge of Functions) Act, 1969

(ACT NO 16 OF 1969)

(*As on* 13*th May* , 2025)

LIST OF ABBREVIATIONS USED

S.O	*for*	Statutory Order.
G.S.R	”	General Statuary Rules.
Notifn.	”	Notification.

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THE PRESIDENT (DISCHARGE OF FUNCTIONS) ACT, 1969

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Definitions.
3. Discharge of President's functions in certain contingencies.

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THE PRESIDENT (DISCHARGE OF FUNCTIONS) ACT, 1969

ACT NO. 16 OF 1969

[28*th May*, 1969.]

An Act to provide for the discharge of the functions of the President in certain contingencies.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the President (Discharge of Functions) Act, 1969.

2. Definitions.—In this Act "President", "Vice-President" and "Second Schedule" shall mean the President of India, the Vice-President of India and the Second Schedule to the Constitution respectively.

3. Discharge of President's functions in certain contingencies.—(*1*) In the event of the occurrence of vacancies in the offices of both the President and the Vice-President, by reason in each case of death, resignation or removal, or otherwise, the Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court of India available shall discharge the functions of the President until a new President elected in accordance with the provisions of the Constitution to fill the vacancy in the office of the President enters upon his office or a new Vice-President so elected begins to act as President under article 65 of the Constitution, whichever is earlier.

(*2*) When the Vice-President, while discharging the functions of the President, dies, resigns, or is removed or otherwise ceases to hold office, the Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section (*1*) shall discharge the said functions until the President resumes his duties or a new Vice-President is elected as aforesaid, whichever is earlier.

(*3*) When the Vice-President,—

(*a*) while acting as President, or

(*b*) while discharging the functions of the President,

is unable to discharge the functions of the President owing to absence, illness or any other cause, the Chief Justice of India or, in his absence, the seniormost Judge referred to in sub-section (*1*) shall discharge the said functions—

(*i*) in the case referred to in clause (*a*), until a new President elected as aforesaid enters upon his office or until the Vice-President acting as President resumes his duties, whichever is earlier;

(*ii*) in the case referred to in clause (*b*), until the President resumes his duties, or the Vice-President resumes his duties, whichever is earlier.

(*4*) The person discharging the functions of the President under this section shall, during, and in respect of, the period while he is so discharging the said functions, have all the powers and immunities of the President and be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and, until provision in that behalf is so made, such emoluments, allowances and privileges as are specified in the Second Schedule.