

# 25th Amendment of US constitution

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In news

In the immediate aftermath of Donald Trump supporters stroking over the US Capitol building, there is a demand by US congress to either impeach President Trump or invoke the 25th Amendment.

What is the 25th Amendment of the US constitution?

- The Twenty-fifth Amendment (1967) to the United States Constitution deals with **presidential succession and disability**.
- **It was introduced after the assassination of President John F. Kennedy**, the 25th Amendment was proposed by Congress on July 6, 1965, and ratified by the states on February 10, 1967.
- It clarifies that the vice president becomes president if the president dies, resigns, or is removed from office, and establishes how a vacancy in the office of the vice president can be filled.
- It also provides for the **temporary transfer of the president's powers and duties** to the vice president, either on the initiative of the president alone or on the initiative of the vice president together with a majority of the president's cabinet.
- In either case, the vice president becomes acting president until the presidential powers and duties are returned to the president

Four important parts of the Amendment

According to Encyclopaedia Britannica amendment has 4 important parts:

1. The traditionally observed process of succession in the event of the death of the president, like the vice president would succeed to the office and it even also introduced a change regarding the ascent of the vice president to president should the latter resign from office.
2. The amendment addresses vacancies in the office of the vice president.
3. The amendment set forth the formal process for determining the capacity of the president to discharge the powers and duties of office.
4. The amendment requires the vice president and the cabinet to jointly ascertain if the president is unable to declare his/her incompetence.

#### What is the impeachment of the President in the USA?

Impeachment in the United States is the process by which a legislature (usually in the form of the lower house) brings charges against a civil officer of government for crimes alleged to have been committed, analogous to the bringing of an indictment by a grand jury

The federal House of Representatives can impeach federal officials, including the president, and most states' legislatures can impeach state officials, including the governor, in accordance with their respective federal or state constitution.

#### What is the procedure for the impeachment of the Indian President?

According to Article 61 of the Constitution, when a President is to be impeached for violation of the Constitution, the charge shall be preferred by either House of Parliament. No such charge shall be preferred unless (a) the proposal to prefer such charge is contained in a resolution which has been moved after at least fourteen days' notice in writing signed

by not less than one-fourth of the total number of members of the House has been given of their intention to move the resolution, and (b) such resolution has been passed by a majority of not less than two-third of the total membership of the House.