



# Election to the Office of the Vice-President of India

**For Prelims:** Vice-President of India, Related Constitutional Provisions

**For Mains:** Election Procedure of Vice-President of India

## Why in News?

Recently, the [Election Commission](#) announced the Vice-Presidential election to be held in August, 2022.

## What are the Provisions Related to the Vice-President?

### ▪ Vice President:

- The Vice President is the **second highest constitutional office in India**. He/She serves for a **five-year term, but can continue to be in office, irrespective of the expiry of the term**, until the successor assumes office.
- The Vice President may resign his office by submitting his resignation to the President of India. The resignation becomes effective from the day it is accepted.
- The Vice President **can be removed from office by a resolution of the Council of States (Rajya Sabha)**, passed by a majority of its members at that time and agreed to by the House of the People ([Lok Sabha](#)). A resolution for this purpose may be moved only after a notice of at least a **minimum of 14 days has been given of such an intention**.
- The Vice President is the **ex-officio Chairperson of the Council of States (Rajya Sabha)** and does not hold any other office of profit.

### ▪ Eligibility:

- Should be a citizen of India.
- Should have completed 35 years of age.
- Should be qualified for election as a member of the Rajya Sabha.
- Should not hold any office of profit under the Union government or any state government or any local authority or any other public authority.

### ▪ Electoral College:

- As per **Article 66 of the Constitution of India**, the Vice-President is elected by the members of the Electoral College.
- **Electoral College consists of:**
  - Elected members of Rajya Sabha.
  - Nominated members of Rajya Sabha.
  - Elected members of Lok Sabha.

## What is the Election Procedure?

- As per Article 68 of the Constitution, **the election to fill the vacancy caused by the expiration of the term of office of the outgoing vice-president** is required to be completed before the expiration of the term.
- **Article 324** of the Constitution read with the **Presidential and Vice-Presidential Elections Act, 1952** and the Presidential and Vice-Presidential Elections Rules, 1974, vests the

**superintendence, direction and control of the conduct of election** to the office of the Vice-President of India in the Election Commission of India.

- The notification for election shall be issued **on or after the sixtieth day before the expiration of the term of office of the outgoing Vice-President.**
- Since all the electors are members of **both Houses of Parliament, the value of the vote of each Member of Parliament would be the same i.e.1 (one).**
- The Election Commission, in consultation with the Central Government, appoints the Secretary-General of Lok Sabha and Rajya Sabha, **by rotation, as the Returning Officer.**
  - Accordingly, the **Secretary-General, Lok Sabha will be appointed as the Returning Officer** for the present election to the Office of the Vice-President of India.
- The Commission also decides to appoint Assistant Returning Officers in Parliament House (Lok Sabha) to assist Returning Officers.
- As per Rule 8 of the Presidential and Vice-Presidential Elections Rules, 1974, **polls for the election are taken in the Parliament House.**

## **UPSC Civil Services Exam, Previous Year Questions (PYQ)**

**Q. Consider the following statements: (2013)**

1. The Chairman and the Deputy Chairman of the Rajya Sabha are not the members of that House.
2. While the nominated members of the two Houses of the Parliament have no voting right in the presidential election, they have the right to vote in the election of the Vice President.

**Which of the statements given above is/are correct?**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Ans: (b)**

**Exp:**

- The Vice President of India is the ex-officio Chairman of the Rajya Sabha, who presides over its sessions. But he is not the member of that house. However, the Deputy Chairman, who takes care of the day-to-day matters of the House in the absence of the Chairman, is elected from amongst the members of the Rajya Sabha. Thus, Deputy Chairman is the member of the House. Hence, statement 1 is not correct.
- The President of India is chosen by the Electoral College, which consists of the following members: elected members of both Houses of Parliament (Lok Sabha and Rajya Sabha), elected members of the Legislative Assemblies of the States including NCT of Delhi and Union Territory of Puducherry. Hence, the nominated members of the two Houses have no voting rights in the presidential election.
- The Vice President is elected by the elected as well as nominated members of both the Rajya Sabha and the Lok Sabha. Hence, statement 2 is correct. Therefore, option (b) is the correct answer.

**[Source: IE](#)**

