Election to the Office of Vice President of India

Prelims - *Current Events of National and International Importance | Indian Polity & Governance.*

Why in News?

Recently, the resignation of Vice-President Jagdeep Dhankhar, the Election Commission of India will have to announce the election to fill the position.

The election of the next Vice-President is to be held ***within 60 days*** *of the expiry of the outgoing Vice-President's term.*

- **Vice-President -** Second highest office, next to the President in the official warrant of precedence.
- **Office -** Modelled in the lines of the *American Vice-President*.
- **Source of power - Article 66(1)** of Indian constitution.
- **Mode of election -** ***Indirect election*** held in accordance with the system of proportional representation by means of the single transferable vote and the voting is by secret ballot.
- **Elected by -** Electoral college consist of both elected and nominated members of the Parliament.
- **Vote of choice -** Members of the Electoral College can vote according to their choice and are not bound by any party whip.
- **Winning percentage -** 50% of the valid votes + 1.
- **Qualifications**
    - Citizen of India.
    - Completed 35 years of age.
    - Qualified for election as a member of the Rajya Sabha.
    - Not hold any office of profit under any government.
- **Nomination of a candidate**

    - Supported by at least 20 electors as proposers and 20 electors as seconders as presented to the Returning officer.
        - Security deposit of Rs.15,000 in the Reserve Bank of India.

- **Condition of office**
    - He should *not be a member* of either House of Parliament or a House of the state legislature.
    - If such a person is elected as Vice-President, he should vacate his seat in that House on the date on which he enters the office as Vice-President.
- **Term of Office**

    - 5 years from the date on which he enters upon his office.
    - Hold office beyond his term of five years until his successor assumes charge.
    - Eligible for re-election for any number of terms.
- **Vacancy in Office**
    - On the expiry of his tenure of five years.
    - By his resignation.
    - On his removal.
    - By his death.
    - Becomes disqualified to hold office or when his election is declared void.
    - Constitution does not provide any method of succession apart from a fresh election.
    - In such an event, the Deputy Chairman can head the Rajya Sabha proceedings.
- **Election dispute**
    - All doubts and disputes regarding the election of the Vice-President are inquired into ***and decided by the Supreme Court,*** whose decision is final.
    - The election cannot be challenged on the ground that the electoral college was incomplete (i.e., the existence of any vacancy among the members of the electoral college).
    - If the election is declared void by the Supreme Court, acts done by him before such declaration are not invalidated (i.e., they continue to remain in force).

Reference

The Hindu| Election to the Office of Vice President of India

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