

Oath and Affirmation of Rajya Sabha Members

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Why in News?

Hon'ble Chairman of Rajya Sabha administered oath/affirmation to 19 newly elected/re-elected Members in the Rajya Sabha.

- **Election Method** - Rajya Sabha members are elected ***indirectly by elected members of State Legislative Assemblies (Article 80)***.
- **Eligibility**
 - Candidate must be a citizen of India.
 - Must be at least 30 years old.
 - Must be an elector for a parliamentary constituency.
- **Chairman** - Vice-President of India, Ex-officio Chairman (Article 89).
- **Maximum Strength** - 250 members (238 elected + 12 nominated).
 - It has now 245 members, with 233 representing states/UTs and 12 nominated by the President.

Currently, only Delhi (3 seats), Puducherry (1 seat), and Jammu & Kashmir (4 seats) have representation in the Rajya Sabha among Union Territories.

- **Term** - It is a ***permanent body*** where one-third of members retire every 2 years, each serving a 6-year term.
- **Casual Vacancies** - Filled through bye-elections; new member serves remainder of term.
- **System of Election** - Proportional representation by Single Transferable Vote (STV).
- **Allocation of Seats** - Based on population, detailed in the ***4th Schedule***
- **Oath or Affirmation** -
 - **Constitutional Authority** - Administered by the **President of India** or a person appointed by them.
 - In practice, this responsibility is usually delegated to the **Chairman**

- of the Rajya Sabha** (the Vice-President of India).
- **Form of Oath** - Prescribed under the **Third Schedule** of the Constitution.
 - **Content - Article 99** - Members swear or affirm to:
 - Bear true faith and allegiance to the **Constitution of India**.
 - Uphold the **sovereignty and integrity** of India.
 - Faithfully **discharge the duties** upon which they are about to enter.
 - Members must take oath or affirmation before assuming their seat.
 - **Language** - Oath can be taken in English or any of the 22 languages listed in the Eighth Schedule.
- **Restrictions Before Taking Oath**
- Until a member has made and subscribed the oath, they:
 - Cannot sit, participate, or vote in the House.
 - Are not eligible for parliamentary privileges and immunities.
 - Face a penalty of Rs.500 for every day they sit or vote without taking the oath (Article 104).

Reference

[PIB | Rajya Sabha](#)

