Rajya Sabha Elections

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Why in News?

Recently, the Election Commission of India issued a notification for elections to 37 Rajya Sabha seats, with polling scheduled on 16 March 2026, as the terms of several MPs are expiring in April.

- **Parliament of India –** Consists of three parts, namely the President, the Council of States and the House of the People.
- **Rajya Sabha** - It is the upper house which represents the States and Union Territories of the Indian Union.
- **Permanent house -** It is a ***continuing chamber and not subject to dissolution.***
- **Fourth Schedule -** It is related to the allocation of seats in the Council of States or Rajya Sabha.
- **History of Rajya Sabha –** Traced to *Montague-Chelmsford Report (1918)* and the Council of State created under the *Government of India Act, 1919 (1921).*
- Constituted on 3 April 1952 with the first sitting on 13 May 1952.
- **First Chairman –** Dr S. Radhakrishnan.
- **Composition – Article 80** deals with the composition of the Rajya Sabha with a maximum strength of 250 members.
- **Current strength -** 245 members representing States and Union Territories.

- **Nominated members -** Out of the total, 12 are directly nominated by the President, from the fields of art, literature, sports, science, etc (Article 80(3)).
- **UT representation** - Out of 8 UTs, Delhi, Puducherry and Jammu and Kashmir have representation in the Rajya Sabha.
- **Tenure (Article 83) - *Members serve a 6-year term***, with one-third of the members retiring every two years to ensure continuity.
- **Qualifications –** Citizen of India, Minimum age of 30 years, and other qualifications as prescribed by Parliament.

- **Elections**

- **Indirect election -** As per Article 80 (4), the members of the Rajya Sabha are elected indirectly by the elected members of the Legislative Assembly of each State and the respective Union Territories.
- **Proportional Representation System -** Each MLA's vote is counted only once (Single Transferable Vote), with members casting their votes in order of preference.
- **Preference Voting-** MLAs submit a list of candidates based on their preferences. The

first preference carries the most weight.

- **Quota requirement-** A candidate must secure a certain number of votes (the “quota”) to be elected.
- **Elimination process-** If no candidate reaches the quota, the candidate with the fewest votes is eliminated. Their votes are redistributed based on subsequent preferences.
- **By-elections -** In case of a member’s death, disqualification, or resignation, by-elections are held to fill the vacant seat.

- **Powers**

- **Equal Powers with Lok Sabha –** *Equal legislative powers, including Constitution Amendment Bills.*
    - No joint sitting for constitutional amendment deadlocks.
- **Special Powers (Article 249) –** Can authorise Parliament to legislate on State List subjects by a 2/3rd majority resolution (valid for 1 year and extendable).
- **Creation of All India Services (Article 312) –** Can recommend creation of All India Services common to the Union & States.
- **Role in Emergencies –** Must approve proclamations *under Articles 352, 356, 360.*
- If the Lok Sabha is dissolved, the Rajya Sabha's approval keeps the proclamation valid.

Reference

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