The election of Vice-President of India

Why in news?

Jagdeep Dhankhar will take oath as the 14th Vice-President of the country.

What are the constitutional provisions of the Vice-President of India?

- Part V of the Constitution of India under Chapter I (Executive) discusses about the office of the Vice-President of India.
- The Vice-President of India is the second highest constitutional office in the country.
- **Article 63 -** There shall be a Vice-President of India.
- **Article 64 -** The Vice-President shall be **ex-officio Chairman** of the Council of States and shall not hold any other office of profit.
- **Article 65 -** The **vice-president to act as president** or discharge his functions during casual vacancies in the office, or during the absence, of the president.
- **Article 66 - Election of Vice-President**
    - The Vice-President shall be elected by the members of an electoral college consisting of the members of both Houses of Parliament.
    - The voting is done in accordance with the system of proportional representation by means of a single transferable vote.
    - The voting at such an election shall be by secret ballot.
    - The Vice-President shall not be a member of either House of Parliament or of a House of the Legislature of any State.
    - If a member of either House of Parliament or of a House of the Legislature of any State is elected Vice-President, he shall be deemed to have vacated his seat in that House.
    - No person shall be eligible for election as Vice-President unless he
        1. is a citizen of India;
        2. has completed the age of thirty-five years; and
        3. is qualified for election as a member of the Council of States.
    - A person shall not be eligible for election as Vice-President if he holds any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments.
- **Article 67 -** The Vice-President shall hold office for a **term of five years** from the date on which he enters his office.
    - Provided that, a Vice-President may, by writing under his hand addressed to the President, resign his office;
    - A Vice-President may be removed from his office by a resolution of the Council of States.
    - The resolution should be passed by a majority of all the members of the Council and agreed to by the House of the People.

    - No resolution for the purpose of this clause shall be moved unless at least 14 days' notice has been given of the intention to move the resolution;
    - A Vice-President shall, notwithstanding the expiration of his term, continue to hold office until his successor enters his office.
- **Article 68 - Time of holding election** to fill a vacancy in the office of vice-president and the term of office of person elected to fill casual vacancy.
- **Article 69 - Oath or affirmation** by the Vice-President
    - Every Vice-President shall, before entering upon his office, make and subscribe before the President, or some person appointed on that behalf by him.
- **Article 71 -** Matters relating to, or connected with, the **election of a president or vice-president**.

What will be the role of Mr.Dhankhar as the Vice-President of India?

- The Vice-President is also the chairman of the Rajya Sabha.
- This is a critical role anytime, and more so in the present situation of extreme hostility between the Government and the Opposition.
- Parliamentary proceedings have been continuously stalled and Members of Parliament have been suspended.
- There has been a complete breakdown of communication between the ruling and the Opposition parties.
- The Government has repeatedly bypassed the Rajya Sabha in the making of critical laws by arbitrarily classifying pieces of legislation as money Bills.
- As Vice-President, he will be expected to facilitate better relations between the ruling party and the Opposition parties.
- He is also expected to uphold the majesty and the constitutional role of the House.

What is the way forward?

- Mr. Dhankhar’s elevation as Vice-President will certainly help the ruling party politically.
- His role as Chairman should be more to protect the Opposition’s space, and debates and ensure accountability of the executive.
- The inauguration of the new Vice-President should renew hopes for parliamentary democracy.

Reference:

1. https://www.thehindu.com/opinion/editorial/new-hopes-on-the-new-vice-president-of-india-and-parliamentary-democracy/article65746992.ece

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