



Chairperson of Rajya Sabha

For Prelims: Article 89, Vice-President, Upper House, Deputy Chairman of the Rajya Sabha, Indian Constitution.

For Mains: Constitutional Provisions and Powers related to the Chairperson of Rajya Sabha.

Why in News?

Recently, [Rajya Sabha \(RS\)](#) welcomed its new Chairman, Jagdeep Dhankhar.

What are the Key Points Related to RS Chairman?

- **About:**
 - The [Vice-President](#) is the **ex-officio chairman of the Rajya Sabha**.
 - The Vice-President as Chairman of the Rajya Sabha is the **unchallenged guardian of the eminence and dignity** of the House.
- **Constitutional Provisions:**
 - **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 89** of the Constitution provides provision for the **Chairman (Vice-President of India) and the Deputy Chairman of the Rajya Sabha**.
- **Power and Functions:**
 - The Chairman of the Rajya Sabha is **empowered to adjourn the House or to suspend** its sitting in the event of the absence of quorum.
 - The 10th Schedule of the Constitution empowers the **Chairman to determine the question** as to disqualification of a member of the Rajya Sabha on the ground of defection;
 - The Chairman's consent **is needed to raise a question of breach of privilege in the House**.
 - Parliamentary Committees, regardless of whether set up by the Chairman or by the House, work under the direction of the Chairman.
 - He nominates **members to different Standing Committees** and the Department-related Parliamentary Committees. He is the Chairman of the Business Advisory Committee, the Rules Committee and the General Purposes Committee.
 - It is the duty of the Chairman **to interpret the Constitution and rules so far as matters** in or relating to the House are concerned, and no one can enter into any argument or controversy with the Chairman over such interpretation.
- **Removal of Chairperson:**
 - He can only be removed as the chairman of Rajya Sabha **when he is removed from the office of Vice-President of India**.
 - While the resolution is in effect for the removal of Vice-President, he cannot preside **over the house as chairman**, although he can be part of the house.

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.

▪ **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.

▪ **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 Examination, Previous Year Questions (PYQs)

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)

Source: IE

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