



MAINS iMPACT 2025

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## VICE PRESIDENT OF INDIA

### SYLLABUS:

GS 2 > Indian Polity >> Constitution

### REFERENCE NEWS:

**Vice President of India** Jagdeep Dhankhar resigned from his post by submitting a letter to **President** Droupadi Murmu, in which he stated that the resignation was being tendered in accordance with **Article 67(a) of the Constitution of India**. His letter cited personal health concerns as the reason for stepping down. The Ministry of Home Affairs added his resignation letter to the Gazette the next day, thus making it official.

### VICE PRESIDENT OF INDIA:

- **Part V, Chapter I** of the **Indian Constitution** deals with the Vice-President.
- **Articles 63 to 71** cover provisions related to the office.
- **Article 63: Office of Vice-President** mandates that there shall be a **Vice-President of India**.
- **Article 64: Ex-officio Chairman of Rajya Sabha**, the Vice-President acts as the **Chairman of the Rajya Sabha**. He presides over its proceedings.
- **Article 65: Role during Presidential Vacancy-** Acts as **President of India** in case of death, resignation, removal, or absence of the President. Can discharge the President's functions **for a maximum of 6 months**, until a new President is elected.
- **Article 66:** Elected by an **Electoral College** comprising **elected & nominated members of both Houses of Parliament** (Lok Sabha + Rajya Sabha). Elected by **proportional representation with a single transferable vote** and **secret ballot**. Unlike the President's election, **all MPs' votes have equal value (1 vote)**.
- **Article 67: Term of Office is five years**, but continues until a successor assumes office. Can **resign** by writing to the President.
- **Article 68: Filling of Vacancy-** Any vacancy (due to death, resignation, removal) must be filled by an **election within 6 months**.
- **Article 69: Oath or Affirmation is** administered by the **President of India**.
- **Article 70: Discharge of President's functions in other contingencies.** Parliament can make laws for VP's role in unforeseen circumstances.
- **Article 71: Supreme Court** decides disputes regarding VP's election.

- **Election Process**
  - **Nomination:** Needs **20 proposers + 20 seconders** from Electoral College.
  - **Security deposit:** ₹15,000.
  - **Returning Officer:** Secretary General of Lok Sabha/Rajya Sabha (by rotation).
  - **Winning quota:** **50% of valid votes cast + 1 vote.**
- **Qualifications:** Must be an **Indian citizen**, at least **35 years old**, and **eligible for Rajya Sabha membership**. **No office of profit** under Union or State Government.
- **Removal:** Can be removed by a **Rajya Sabha resolution passed by an effective majority (Article 67)** and agreed to by Lok Sabha. Can also be removed if the **Supreme Court invalidates his election.**

### **ROLE OF VICE PRESIDENT AS THE CHAIRMAN OF RAJYA SABHA:**

- **Article 64:** The Vice-President is the **ex-officio Chairman of the Rajya Sabha**.
- **Article 89(1)** – Specifies the position of the Chairman in the Upper House. He is **not a member of the Rajya Sabha** but presides over its sessions.

### **Presiding Officer of Rajya Sabha**

- **Conduct of Business:** Decides the order of business, recognizes members to speak, and ensures smooth proceedings.
  - During **Article 370 abrogation debate (2019)**, VP Venkaiah Naidu ensured structured discussion despite disruptions.
- **Maintaining Decorum:** Can **suspend or expel members** for disorderly conduct under **Rule 255 of Rajya Sabha Rules**.
  - In **2021 Winter Session**, Naidu suspended 12 opposition MPs for misconduct.
- **Deciding Points of Order:** Final authority on procedural issues raised by members.
- **Voting Rights:** Does **not normally vote**; only casts a **decisive vote in case of a tie**.

### **Administrative & Disciplinary Role**

- **Refers Bills to Committees:** Can refer a Bill to a **Select Committee** for detailed scrutiny.
- **Oversees Secretariat:** Supervises the Rajya Sabha Secretariat and related parliamentary committees.

### **Role in Law-making**

- **Ensures Legislative Debate:** Facilitates **meaningful debates** on bills, motions, and national issues.
- **Summoning & Adjourning:** Can adjourn the House in case of disorder or lack of quorum.

### **SIGNIFICANCE OF OFFICE OF VICE PRESIDENT OF INDIA:**

#### **Constitutional Significance**

- **Ensures Continuity of the Executive:** Under **Article 65**, the Vice-President acts as **President in case of vacancy or incapacity**, ensuring **no constitutional vacuum**.
  - **VV Giri** acted as President after **Zakir Hussain's death (1969)** until a new President was elected.
- **Link Between Executive & Legislature:** As **ex-officio Chairman of Rajya Sabha (Article 64)**, the Vice-President bridges **executive policy and legislative debate**, maintaining a federal balance.

### Legislative Significance

- **Presiding Officer of Rajya Sabha:** Maintains **order, discipline & decorum** during debates. Can **suspend members for misconduct** (e.g., 12 opposition MPs suspended in 2021). Facilitates scrutiny of bills by **referring them to Select Committees**.
- **Ensures Federal Spirit:** Rajya Sabha represents **States & Union Territories**. The VP, as Chairman, safeguards their interests.

### Democratic & Political Significance

- **Symbol of Political Neutrality:** Expected to function **above party lines** despite political background.
- **Promotes Healthy Debate:** Encourages **reasoned deliberation** rather than populist rhetoric, enhancing the quality of law-making.

### Administrative & Ceremonial Role

- Supervises **Rajya Sabha Secretariat & Committees**.
- Represents India in **state functions & diplomatic events**, when delegated.

### Succession Stability

- Provides **immediate leadership backup** for the President, crucial during emergencies, wars, or political instability.
  - **BD Jatti** acted as President after Fakhruddin Ali Ahmed's death (1977) during a politically turbulent period.

### LIMITATIONS OF OFFICE OF VICE PRESIDENT:

#### Limited Executive Authority

- **Acts only as President in contingency:** The Vice-President **cannot exercise executive powers independently**, except when acting as President under **Article 65**.
  - Despite being the second-highest constitutional office, Jagdeep Dhankhar could not influence executive decisions and was confined mainly to Rajya Sabha proceedings.

#### Constrained Legislative Role

- **No Full Voting Power:** As **Chairman of Rajya Sabha (Article 64)**, the Vice-President **does not vote** except in a **tie**, limiting influence on law-making.
- **Limited Control Over Legislative Agenda:** Cannot decide which bills are introduced—the **government controls business** in Rajya Sabha.
  - During contentious debates on **Farm Laws repeal (2021)** and **Delhi Services Bill (2023)**, the VP could only moderate proceedings, not influence outcomes.
- **No Role in Money Bills or Financial Matters:** The Rajya Sabha has **restricted powers on Money Bills (Article 110)**; as its presiding officer, the VP **cannot alter financial legislation**.
  - **2016 Aadhaar Bill passed as a Money Bill** bypassed Rajya Sabha's scrutiny, showing the VP's limited legislative authority.

### Political Neutrality vs. Perceived Bias

- **Expected to be impartial:** Yet controversies arise when the Vice-President is seen as **politically biased**.
  - Jagdeep Dhankhar faced criticism for **remarks against judiciary & opposition**, raising questions on neutrality of the Rajya Sabha Chair.

### No Clear Succession in Rajya Sabha Leadership

- In case of VP's resignation or absence, **Deputy Chairman** temporarily presides, creating a **leadership vacuum** until elections.
  - **Recent Case (2024):** Jagdeep Dhankhar's **mid-term resignation** created an immediate need for fresh election since the Constitution doesn't provide an automatic successor.

### Ceremonial Nature

- Beyond Rajya Sabha, the VP has **limited national influence**, often termed a **standby constitutional post**.
  - Despite chairing the Upper House, VPs like Venkaiah Naidu or Hamid Ansari had minimal say in actual policy-making.

### OFFICE OF INDIAN VICE PRESIDENT v/s US VICE PRESIDENT:

#### Constitutional Basis

<b>Constitutional Articles</b>	<b>Articles 63–71</b> of the Indian Constitution	<b>Article II, Section 1 &amp; 25th Amendment</b> of the U.S. Constitution
<b>Nature of Office</b>	Primarily a <b>standby constitutional post</b> with limited functions	An <b>integral part of the Executive branch</b>
<b>Election</b>	Elected by <b>Electoral College of MPs (Lok Sabha + Rajya Sabha)</b> through	Elected <b>along with the President</b> through an <b>Electoral College system</b>



	<b>proportional representation &amp; single transferable vote</b>	
<b>Tenure</b>	5 years, eligible for re-election	4 years, eligible for re-election
<b>Removal</b>	By <b>Rajya Sabha resolution (effective majority)</b> & agreed by Lok Sabha	Can be <b>impeached by Congress</b> for “high crimes & misdemeanors”

**Powers & Functions**

<b>Presiding Role</b>	<b>Ex-officio Chairman of Rajya Sabha</b> ; moderates debates but has <b>no voting right except in a tie</b>	<b>President of the U.S. Senate</b> ; votes <b>only in case of a tie</b>
<b>Executive Powers</b>	<b>No direct executive powers</b> , acts as <b>President only in vacancy/absence</b> (for max 6 months)	<b>Direct member of the Executive</b> ; succeeds President immediately in case of death, resignation, or removal
<b>Succession</b>	Acts as President temporarily until a new one is elected	Becomes <b>President automatically</b>
<b>Legislative Powers</b>	Limited—cannot influence bills directly	Can <b>lobby for executive policies in Senate</b> but has <b>no legislative veto</b>
<b>Policy Role</b>	Largely <b>ceremonial</b> beyond Rajya Sabha	Plays <b>active policy &amp; diplomatic role</b> , depending on President's delegation
<b>Examples</b>	VV Giri acted as President after Zakir Hussain's death (1969)	Lyndon B. Johnson became President after JFK's assassination (1963)

**Political & Functional Significance**

<b>Influence in Government</b>	Minimal; does <b>not attend Cabinet meetings</b>	High; attends <b>Cabinet meetings</b> , serves as <b>close advisor to the President</b>
<b>Electoral Role</b>	Elected <b>independently of the President</b>	Elected <b>on the same ticket as the President</b>

<b>Example of Political Importance</b>	Sarvepalli Radhakrishnan, Hamid Ansari maintained largely ceremonial roles	JD Vance, the current VP plays active role in <b>policy advocacy &amp; diplomacy</b>
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### Key Differences in Succession

- **India:** Vice-President becomes *Acting President* only for **6 months**, after which **fresh Presidential election is held**.
- **US:** Vice-President becomes **full President for the remainder of the term** (e.g., Gerald Ford after Nixon's resignation, 1974).

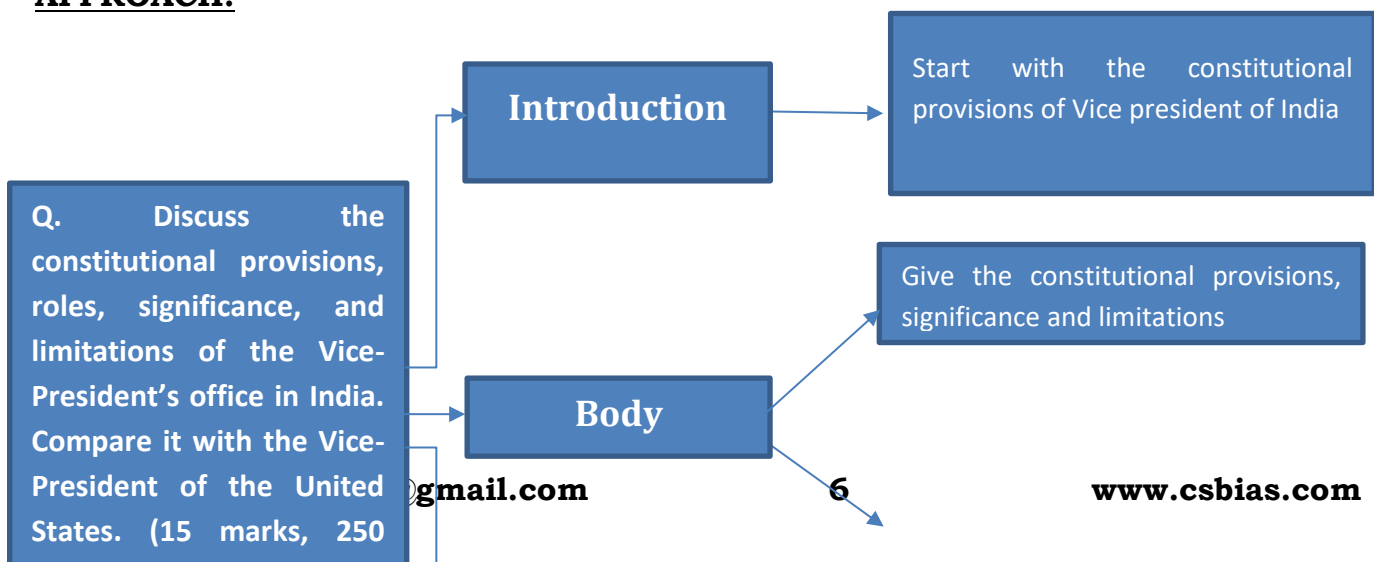
### COMMITTEE RECOMMENDATIONS AND OTHER FACTS REGARDING OFFICE OF VP:

- **Sarkaria Commission on Centre-State Relations (1983):** While focusing on the **Rajya Sabha's federal role**, it implied that the **Vice-President, as its Chairman, should uphold neutrality** and encourage **meaningful debate**. Recommended improving **committee system of Rajya Sabha**, indirectly strengthening the VP's role as a **facilitator of federal balance**.
- **M.N. Venkatachaliah Commission (2002):** Recommended **better coordination between Lok Sabha & Rajya Sabha presiding officers** for smoother legislative business—indirectly involving the VP's role.
- **Germany (Bundesrat President):** The German Vice-President-equivalent (President of Bundesrat) plays a **formal federal balancing role**, strengthening intergovernmental relations. VP could promote **State-Centre coordination** through Rajya Sabha debates.
- **Australia (Senate President):** Emphasizes **strict political neutrality & procedural efficiency** in the Upper House.

### PRACTICE QUESTION:

**Q. Discuss the constitutional provisions, roles, significance, and limitations of the Vice-President's office in India. Compare it with the Vice-President of the United States. (15 marks, 250 words)**

### APPROACH:



Bring the comparison of US and Indian VP

Provide way forward and conclude

### **MODEL ANSWER:**

The **Vice-President of India**, provided under **Articles 63–71 of the Constitution**, is the second-highest constitutional office. Though often considered a *ceremonial standby*, it plays a key role as **ex-officio Chairman of Rajya Sabha** and as the **immediate successor to the President** in case of vacancy.

### **Constitutional Provisions & Election**

- **Article 63:** Mandates the office of the Vice-President.
- **Article 64:** VP serves as **Chairman of Rajya Sabha**, presiding over debates and maintaining order.
- **Article 65:** Discharges President's duties in case of **death, resignation, or absence**, but only for **six months** until a new election.
- **Article 66:** Elected by an **Electoral College of MPs** through **proportional representation and single transferable vote**; all MPs' votes have equal value.
- **Article 67:** Holds office for **five years**, can resign to the President.
- **Article 71:** **Supreme Court adjudicates election disputes.**

*Example:* VV Giri served as Acting President in 1969 after Zakir Hussain's death; BD Jatti did so in 1977 after Fakhruddin Ali Ahmed's demise.

### **Functional Significance**

1. **Constitutional Continuity:** Prevents a **power vacuum** by acting as President during unforeseen vacancies.
2. **Legislative Balance:** As Rajya Sabha Chairman, ensures **federal representation** and discipline. Refers bills to **select committees** for scrutiny (e.g., key legislations on GST & farm laws).
3. **Symbol of Neutrality:** Expected to rise above party lines to **protect the dignity of the Upper House.**

### **Limitations**

- **Minimal Executive Authority:** VP cannot influence government policy unless acting as President.

- **Constrained Legislative Power:** Cannot initiate or control the legislative agenda; votes only in a tie.
- **No Role in Financial Legislation:** Money Bills bypass Rajya Sabha completely, limiting VP's role. *Example:* Aadhaar Bill (2016) passed as a Money Bill.
- **Political Neutrality vs. Perceived Bias:** VP Jagdeep Dhankhar faced criticism for comments on judiciary & opposition, raising questions on impartiality.
- **Leadership Vacuum:** In case of resignation (Dhankhar's 2024 mid-term resignation), no automatic successor exists—fresh elections must be held.

### Comparison with US Vice-President

Aspect	India	United States
<b>Nature of Office</b>	Largely ceremonial, parliamentary presiding officer	Active member of Executive
<b>Succession</b>	Acts as President for 6 months till election	Becomes <i>full President</i> for remainder of term (e.g., Lyndon Johnson after JFK's assassination)
<b>Policy Role</b>	No direct executive role	Advises President, attends Cabinet meetings
<b>Election</b>	Elected <b>separately by MPs</b>	Elected <b>on same ticket as President</b>
<b>Influence</b>	Limited to Rajya Sabha	Significant in governance & diplomacy

### Way Forward

- **Codify neutrality conventions** for Rajya Sabha Chair to avoid partisan perception.
- **Strengthen legislative committees** to enhance VP's role in improving Rajya Sabha scrutiny.
- **Promote parliamentary diplomacy**, allowing VP to represent India in federal and international forums.
- Learn from **Germany (Bundesrat President)** & **Australia (Senate President)** in improving federal coordination & procedural efficiency.

The Vice-President's office may appear ceremonial, but it is a **vital constitutional safeguard** ensuring **continuity, federal balance, and legislative discipline**. While it cannot emulate the **US model of executive activism** in a parliamentary system, **institutional reforms and adherence to neutrality** can enhance its relevance in India's democratic framework.