

Impeachment of Vice President

Why in news?

The opposition parties to submit a no-confidence motion against vice president of India for the partisan manner in conducting the proceedings of the council of states.

Why opposition is moving no confidence motion on vice president?

- The *independence and neutrality* of parliamentary presiding officers are critical for the *smooth functioning of democracy*.
- **Partisan perception** - Opposition claim that decisions regarding procedural matters, debates or disciplinary actions are biased, especially during legislative sessions.
- Accusations of favoritism or selective enforcement of rules undermines the Vice President's as a neutral arbiter.
- **Preserving democratic integrity** - Neutrality ensures that the Rajya Sabha functions as a deliberative body that represents the states and regions of India.
- It protects the *sanctity of debates and decision-making processes*.
- **Lack of trust among members** - Partiality shown by Vice President makes procedural disruptions and walkouts in rajya sabha.

What are the Constitutional provisions of vice president?

- **Office of vice president** - **Article 63** provides that there shall be a Vice-President of India.
 - Jagdeep Dhankhar serves as the 14th Vice President of India.
- **Qualifications** - To be eligible for the Vice Presidency, a candidate must:
 - Be a citizen of India.
 - Be at least 35 years old.
 - Qualify for election as a member of the Rajya Sabha.
- **Election process** - **Article 66** details the election process of Vice President, who is elected by an electoral college *comprising members of both Houses of Parliament through a system of proportional representation* by means of a **single transferable vote**.
- **Article 324** vests the superintendence of the conduct of election to the office of the Vice-President of India in the *Election Commission of India*.
- **Oath of office** - The Vice President takes an oath or affirmation before the President of India or someone appointed by the President.
- **Term of office** - **Article 67** specifies a *five-year term* for the Vice President.

What are the powers and functions of the vice president?

- **Ex Officio chairman of rajya sabha** - **Articles 64 and article 89** designates that

the Vice-President of India shall *be ex officio Chairman* of the Council of States.

- In the constitutional set-up, the holder of the office of Vice President is part of the Executive but as Chairman of the Rajya Sabha he is a part of Parliament.
- Presides over Rajya Sabha sessions and *maintains order and decorum during debates*.
- Ensures that parliamentary rules and procedures are followed.
- In the event of a tie in the Rajya Sabha, the Vice President ***exercises the casting vote***.
- **Acting president** - In the absence of the President due to death, resignation, removal or incapacity, the Vice President assumes the duties of the President.
- Acts as the President until a new President is elected within six months.
- **Legislative functions** - Presides over Rajya Sabha, address issues and enabling discussions on legislative matters.
- Plays a neutral role, ensuring that all members have the opportunity to express their views.
- **Diplomatic and Ceremonial Roles** - Represents India at various state functions and ceremonies, both domestically and internationally, as needed.
- **Advisory role** - Advises the President and other government authorities in matters of governance and administration, though this is not a formal constitutional duty.

What is the procedure for impeaching the Vice President?

Vice-President may resign his office by hand written resignation to the President.

- **Initiation of the motion** - A resolution to remove the Vice President can be initiated ***only in the Rajya Sabha*** (the Vice President is the ex officio Chairman of this House).
- The resolution must be initiated in ***at least 14 days notice***, signed by a prescribed number of Rajya Sabha members.
- **Approval in the rajya sabha** - The resolution is debated and voted upon in the Rajya Sabha.
- It must be passed by a ***majority of all the then members*** of the Rajya Sabha.
- **Approval in the lok sabha** - After being passed in the Rajya Sabha, the resolution moves to the Lok Sabha.
- It must also be approved by a ***majority of all the then members*** of the Lok Sabha.
- **Final outcome** - If both Houses pass the resolution by the required majority, the Vice President is considered removed from office.
- This is the second such attempt by the Opposition parties this year.
- **Ensuring fairness in removal** - The Vice President cannot preside as Chairman of the Rajya Sabha, during discussions on removal.
 - The Deputy Chairman or any another member of rajya sabha presides.
- **Comparison with the president's impeachment** - The President's impeachment process requires a ***special majority*** (two-thirds of members present and voting in both Houses).
- The Vice President's removal requires only a ***simple majority*** of all members in both Houses.

What lies ahead?

- Balancing neutrality as political divisions intensify, the Vice President must maintain impartiality by ensuring fair treatment of all members to uphold democratic integrity.
- Strengthening institutional credibility by demonstrating transparency, fairness and adherence to constitutional principles.
- Ensure the efficient functioning of parliamentary proceedings to discuss the public issues.

Quick facts	
Electoral college of President	Electoral college of Vice president
<ul style="list-style-type: none">• Elected members of the Rajya Sabha,• Elected members of the Lok Sabha,• Elected members of State Legislative Assembly,• Elected members of each union territory possessing a legislative assembly (Delhi, Jammu and Kashmir and Puducherry).	<ul style="list-style-type: none">• Elected members of Lok Sabha,• Elected members of Rajya Sabha,• Nominated members of Rajya Sabha.

Reference

[The Indian Express | Impeachment of Vice President](#)