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Q4

Discuss the role of the Vice -Presidents of India as the chairman of the Rajyasabha.

UPSC Civil Services Mains 2022 · GS II · 10 marks · Indian Constitution

Indian Constitution - historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Core demand of the question

- Discuss the role of the Vice-President of India as Chairman of the Rajya Sabha
- Refer to **Articles 63, 64, 89 and 67(b)**, and to the casting vote

Revision summary

The Vice-President is ex officio Chairman of the Rajya Sabha under **Articles 64 and 89**.

The chair keeps order, applies the rules, and has only a casting vote on a tie under **Article 100(1)**.

Joint sittings are chaired by the Speaker of the Lok Sabha, not by the Vice-President.

Removal is by Rajya Sabha resolution of a majority of all then members, agreed to by the Lok Sabha, under **Article 67(b)**.

While acting as President under **Article 65**, the Vice-President does not continue as the sitting Chairman.

Introduction

The Vice-President is, by **Article 64**, ex officio Chairman of the Council of States. That second office is the daily working of the Union's upper House: order, debate, and a casting vote, not a parallel executive to the President.

Body

Constitutional offices that must be kept distinct

- **Article 63** creates the office of Vice-President of India; **Article 64** makes that person the ex officio Chairman of the Rajya Sabha and bars another office of profit.
- When the President's office is vacant, or the President is unable to discharge functions, the Vice-President acts as President or discharges those functions under **Article 65**; during that period the duties of Chairman are performed by the Deputy Chairman, because one person cannot preside and act as President at once in the scheme of the text.
- **Article 89(1)** repeats that the Vice-President is ex officio Chairman; **Article 89(2)** provides for a Deputy Chairman elected by the Council.

Role on the floor of the Rajya Sabha

- As Chairman, the Vice-President presides over sittings, interprets the Rules of Procedure, admits questions and motions, and maintains order, including naming a member or adjourning a

disorderly House.

- **Article 100(1) applies to the Chairman as to the Speaker:** there is no vote in the first instance, but a casting vote on equality of votes, which is a tie-breaker, not a party whip.
- The Chairman does not preside over a joint sitting of Parliament; **Article 108** assigns that duty to the Speaker of the Lok Sabha.
- Money bills originate in the Lok Sabha; the Chairman's Rajya Sabha is a revising and deliberative chamber on ordinary legislation, and a co-equal chamber on several other bills, which shapes how the chair manages time.

Removal, impartiality, and **Article 67(b)**

- **Article 67(b)** allows removal of the Vice-President by a resolution of the Rajya Sabha passed by a majority of all the then members of the Council and agreed to by the Lok Sabha, after at least fourteen days' notice.
- **Article 92** directs that the Chairman shall not preside while a resolution for his removal is under consideration; the Deputy Chairman or another person then takes the chair.
- That removal process, harder than an ordinary motion, is meant to protect the chair's independence; it does not make the Chairman a political deputy Prime Minister.

Practical weight of the office

- A Chairman who is trusted across benches can protect Question Hour and committee time; a Chairman seen as partisan damages the Council's claim to be a House of elders.
- The Vice-President has no independent executive veto in ordinary government; influence as Chairman is procedural and moral, which is still decisive on close divisions and on the dignity of the Opposition.

Flow diagram

Art 63 Vice-President -> Art 64 89 ex officio Chairman
 Art 64 89 ex officio Chairman -> Presides Rajya Sabha
 Art 64 89 ex officio Chairman -> Art 100 1 casting vote
 Art 64 89 ex officio Chairman -> Art 67 b removal by RS plus LS

Conclusion

As Chairman under **Articles 64 and 89**, the Vice-President runs the Rajya Sabha, votes only to break a tie under **Article 100(1)**, and can be removed only through **Article 67(b)**. The role is parliamentary, not a second political executive.

Facts & figures

Article 64

Vice-President is ex officio Chairman of the Council of States and shall not hold any other office of profit.

Article 89

The Vice-President is ex officio Chairman of the Rajya Sabha; the Council elects a Deputy Chairman.

Article 100(1)

Chairman or Speaker does not vote in the first instance and has a casting vote on equality of votes.

Article 67(b)

Vice-President may be removed by a Rajya Sabha resolution passed by a majority of all the then members and agreed to by the Lok Sabha, after fourteen days' notice.

Article 108

Joint sitting of the two Houses is presided over by the Speaker of the Lok Sabha.

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