

Vice President of Republic of India as Chairman of Rajya Sabha

Article 63 of the Constitution of India provides that there shall be a Vice-President of India. Articles 64 and 89 (1) provide that the Vice-President of India shall be *ex-officio* Chairman of the Council of States *i.e.*, Rajya Sabha and shall not hold any other office of profit. 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. He has thus a dual capacity and holds two distinct and separate offices.

The dual Role

The Office of the Vice-President is one of the unique features of the Constitution of India. It has no exact parallel in the countries of other democratic constitutions of the world. There is no such office in other parliamentary systems of Governments in Commonwealth countries or in Ireland. The only Constitution, among the important democracies of the world, which provides for such an office, is that of the United States of America. But the office of the Vice-President of India though analogous to, is not identical with, that of the Vice-President in the United States of America for the obvious reason that it has a presidential system of Government and not a Parliamentary one as in India. And yet the Constitution-makers of India, while basically following the British Parliamentary system, decided to opt for the American system and provided that like the Vice-President in the U.S.A. The Vice-President of India would preside over the Upper House and act as President in certain contingencies. Thus the Vice-President of India has been clothed with a dual capacity as the second head of the Executive and as the Presiding Officer of the Upper House of Parliament.

This naturally casts an enormous burden of responsibility on the holder of the two offices. He has to keep the responsibilities of the two offices distinct and separate. The Chairman cannot allow his mind to be influenced by the knowledge acquired in his capacity as the Vice-President. While performing his duties as Vice-President, he cannot do anything which may impair his obligation as Chairman. It is remarkable that in India the holders of this high office as Vice-President have functioned within this fusion of roles and have received admiration and appreciation of the nation as a whole. All of them have been great personalities. They have occupied the Chair of the Rajya Sabha with singular distinction and have performed their functions with dignity and grace during all these years.