

05-07-2022

Vice President Election

Why in Newspapers?

Recently the Election Commission announced the Vice-Presidential election to be held in August 2022.

Quick Issue?

- The Vice President is the second highest constitutional office of India. He serves for a term of five years, but he can continue in office notwithstanding the expiry of the term until the office is taken over by the successor.

Historical Background?

- The Vice-President can resign from office by giving his resignation to the President of India which becomes effective from the day the resignation is accepted.
- The Vice-President can be removed from office by a resolution of the Council of State (Rajya Sabha), which is then passed by a majority of the members present, with the consent required by the Lok Sabha. A motion to this effect can be moved only after giving a notice of not less than 14 days for the purpose.
- The Vice President is the ex-officio President of the Council of States (Rajya Sabha) and does not hold

Other Key Facts?

VICE PRESIDENTIAL ELECTION PROCESS

- According to Article 68 of the Indian Constitution, elections to fill a vacancy caused by the termination of office must be completed before the term of the outgoing Vice President expires.
- The superintendence, direction and control of the conduct of elections to the office of the Vice-President is vested in the Election Commission of India under Article 324 of the Constitution along with the President and the Vice-President's Election Act, 1952 and the President's and Vice-President's Election Rules, 1974.
- The notification for the election shall be issued on or after sixty days before the expiry of the term of the outgoing Vice-President.
- Since all the members of the electoral college are members of both the houses of the Parliament, each member of Parliament will have the same value of vote i.e. 1 (one).
- The Election Commission, in consultation with the Central Government, appoints the Secretary General of the Lok Sabha and the Rajya Sabha alternately as the Returning Officer.
- Accordingly, the Secretary General, Lok Sabha shall be appointed as the Returning Officer for the present election to the office of the Vice President of India.
- The Commission has also decided to appoint an Assistant Returning Officer in the Parliament House (Lok Sabha) to assist the Returning Officer.
- As per Rule 8 of the Election of President and Vice-President Rules, 1974, voting for the election shall be held in the Parliament House.



any other office of profit.

▪ **Qualification for the post of Vice President~**

- Must be a citizen of India.
- Must have completed 35 years of age.
- Must be eligible for election as a member of the Rajya Sabha.
- Should not hold any office of profit under the Central Government or any State Government or any local authority or any other public authority.
- According to Article 66 of the Constitution of India, the Vice President is elected by the members of the Electoral College.

▪ **Electoral College:**

- Elected members of Rajya Sabha.
- Nominated members of Rajya Sabha.
- Elected members of Lok Sabha.

Likely Question Asked In Preliminary Exam

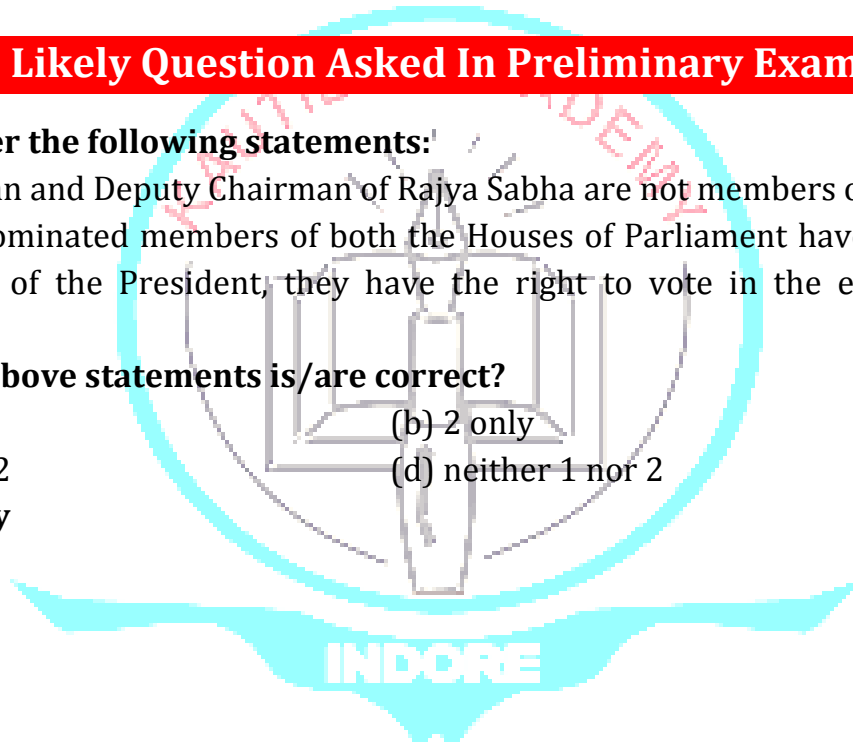
Question: Consider the following statements:

1. The Chairman and Deputy Chairman of Rajya Sabha are not members of that House.
2. While the nominated members of both the Houses of Parliament have no right to vote in the election of the President, they have the right to vote in the election of the Vice-President.

Which of the above statements is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) neither 1 nor 2

Answer: (b) 2 only



National Investigation Agency

Why in Newspapers?

The National Investigation Agency (NIA) has taken over the investigation into the murder of tailor Kanhaiya Lal (48) in Rajasthan's Udaipur over a social media post supporting suspended leader Nupur Sharma.

Quick Issue?

- Now the Union Home Ministry has handed over the investigation of similar murder of Pharmacist Umesh Kolhe in Maharashtra to the agency.

Historical Background?

- The National Investigation Agency (NIA) was constituted under the National Investigation Agency (NIA) Act, 2008.
- It is a central agency to investigate and prosecute crimes:~
- Affects India's sovereignty, security and integrity, state security and friendly relations with foreign states.
 - Against nuclear and nuclear facilities.
 - Smuggling in high quality counterfeit Indian currency.
- It implements international treaties, agreements, conventions and resolutions of the United Nations, its agencies and other international organizations.
- It also aims to counter terrorism in India. It acts as the central anti-terrorism law enforcement agency.
- Headquarters: New Delhi
- Branches: Hyderabad, Guwahati, Kochi, Lucknow, Mumbai, Kolkata, Raipur and Jammu.
- Scheduled Offences: The Schedule to the NIA Act specifies a list of offenses that are to be investigated and prosecuted by the NIA. These include offenses under Acts such as the Atomic Energy Act, 1962 and the Unlawful Activities Prevention Act, 1967.
- State Government refers the matter: As provided under Section 6 of the Act, State Governments may refer a case relating to scheduled offenses registered in any police station to the Central Government (Union Ministry of Home Affairs) for NIA investigation.
- Direction to Central Government Agency: After assessing the details provided, the Centre may direct the agency to handle the matter.
- The state governments need to provide all kinds of assistance to the NIA.
- Outside India: Where the Central Government finds that a scheduled offense has been committed at any place outside India, so far as this Act applies, it may also direct the NIA to register a case and investigate.

Other Key Facts?

Jurisdiction of NIA:

- The law under which the agency operates extends to the whole of India and also applies to Indian citizens outside the country.
- Wherever the persons are posted in the service of the Government.
- Wherever individuals may be on ships and aircraft registered in India.
- Persons who commit scheduled offenses outside India against an Indian citizen or affect the interest of India.



- Can investigate allied offences: While investigating a scheduled offence, the agency may also investigate any other offence, which is alleged to be connected with the scheduled offence.

Likely Question Asked In Preliminary Exam

Que. Which of the following crimes is investigated and prosecuted by the NIA?

1. Smuggling in high quality counterfeit Indian currency.
2. Offences affecting friendly relations with foreign states.
3. Offences relating to nuclear and nuclear facilities.

Select the correct answer using the code given below :

(A) 1 and 2 only

(B) 2 only

(C) 1 and 3 only

(D) 1, 2 and 3

Answer: (D) 1, 2 and 3

