

what is relevant is whether the office is capable of yielding a profit or pecuniary gain and not whether the person actually obtained a monetary gain.

- **Constitutional Provisions: Under Article 102 (1) and Article 191 (1)**, an MP or an MLA is barred from holding any office of profit under the central or state government. Also **under RPA 1951**, holding an office of profit is **grounds for disqualification**.
 - The office of profit law simply **seeks to enforce a basic feature of the Constitution**- the principle of separation of power between the legislature and the executive.
- **Legal provisions: Parliament (Prevention of Disqualification) Act, 1959** lists a wide- ranging number of offices that are exempted from disqualification.

2.4. RAJYA SABHA (RS) ELECTIONS

Why in news?

Recently, RS elections to 19 seats across 8 states were concluded.



RS ELECTION

PARTICULAR	PROVISIONS	
WHY	- Permanent body but 1/3rd member retire every 2nd year	
HOW	WHO ELECTS	- Elected by elected members of SLA
	METHOD	- Proportional representation by means of single transferable vote
CONSTITUTIONAL BASIS	4th Schedule	- Seats allocated on basis of population
	Article 80	- Total strength -250 out of which, 12 nominated by President. - Term-6 years - If by-election-elected member remains till remainder of term.
	Article 84	- QUALIFICATIONS OF MEMBERS <ul style="list-style-type: none"> → Citizen of India → not less than 30 years age → other qualifications prescribed by Parliament