

### **3. Revocation of Suspension of MPs in Lok Sabha**

**Prelims Syllabus:** Parliament

**Mains Syllabus:** GS-II Parliament and State Legislatures - structure, functioning, conduct of business, powers & privileges and Issues Arising out of these.

#### **Why in News?**

- Seven Congress members were recently suspended for unruly behaviour in the Lok Sabha and their suspension has been revoked recently.

#### **What is the reason for suspending an MP?**

- The general principle is that it is the role and duty of the Speaker of Lok Sabha to maintain order so that the House can function smoothly. This is a daunting task even at the best of times.
- In order to ensure that proceedings are conducted in the proper manner, the Speaker is empowered to force a Member to withdraw from the House (for the remaining part of the day), or to place him/her under suspension.

#### **What are the Rules under which the Speaker Acts?**

- Rule Number 373 of the Rules of Procedure and Conduct of Business says: “The Speaker, if is of the opinion that the conduct of any Member is grossly disorderly, may direct such Member to withdraw immediately from the House, and any Member so ordered to withdraw shall do so forthwith and shall remain absent during the remainder of the day’s sitting.”
- To deal with more recalcitrant Members, the Speaker may take recourse to Rules 374 and 374A. Rule 374 says:
  - ✓ “The Speaker may, if deems it necessary, name a Member who disregards the authority of the Chair or abuses the rules of the House by persistently and wilfully obstructing the business thereof.
  - ✓ “If a Member is so named by the Speaker, the Speaker shall, on a motion being made forthwith put the question that the Member (naming such Member) be suspended from the service of the House for a period not exceeding the remainder of the session:
  - ✓ Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.
  - ✓ “A member suspended under this rule shall forthwith withdraw from the precincts of the House.”

### What is the Procedure for Revocation of a Member's Suspension?

- While the Speaker is empowered to place a Member under suspension, the authority for revocation of this order is not vested in him/her. It is for the House, if it so desires, to resolve on a motion to revoke the suspension.

### What happens in Rajya Sabha?

- Like the Speaker in Lok Sabha, the Chairman of the Rajya Sabha is empowered under Rule Number 255 of its Rule Book to “direct any Member whose conduct is in his opinion grossly disorderly to withdraw immediately” from the House.
  - ✓ “Any Member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day’s meeting.”
  - ✓ The Chairman may “name a Member who disregards the authority of the Chair or abuses the rules of the Council by persistently and wilfully obstructing” business.
  - ✓ In such a situation, the House may adopt a motion suspending the Member from the service of the House for a period not exceeding the remainder of the session.
  - ✓ The House may, however, by another motion, terminate the suspension.
  - ✓ **Unlike the Speaker, however, the Rajya Sabha Chairman does not have the power to suspend a Member.**

### Need of the Hour:

- A balance has to be struck. There can be no question that the enforcement of the supreme authority of the Speaker is essential for smooth conduct of proceedings. However, it must be remembered that her job is to run the House, not to lord over it.
- The solution to unruly behaviour has to be long-term and consistent with democratic values.
- A step in that same direction could be to discontinue the practice of herding people out of the visitors’ gallery when the House witnesses chaos. It has been suggested that it may perhaps be a good idea to let them be — and to also reserve a few blocks in the gallery for schoolchildren, who could see for themselves the conduct of Members.