



Suspension of MPs from Parliament

For Prelims: Suspension of MPs from Parliament, Lok Sabha, [Rajya Sabha](#), Member of Parliament, Presiding Officer, Speaker.

For Mains: Suspension of MPs from Parliament.

[Source: HT](#)

Why in News?

Recently, one of the MPs (Member of Parliament) of the [Rajya Sabha](#) has been suspended for “violating” the **directives of the chair**.

- The Rajya Sabha has been witnessing protests from the opposition over the Manipur Issue. They are demanding the Prime Minister's response to the matter, and as a result, one of the involved MPs was suspended.

What is the Process of Suspension of MPs?

- **General Principle:**
 - The general principle is that it is the **role and duty of the Presiding Officer — Speaker of Lok Sabha and Chairman of Rajya Sabha** — to maintain **order so that the House can function smoothly**.
 - To ensure that proceedings are conducted in the proper manner, **the Speaker/ Chairman is empowered** to force a member to withdraw from the House.
- **Rules of Procedure and Conduct:**

Lok Sabha	Rajya Sabha
Rule 373: <ul style="list-style-type: none">▪ According to Rule Number 373 of the Rules of Procedure and Conduct of Business “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 forth with and shall remain absent during the rest of the day's sitting.▪ To deal with more obstinate or	Rule 255: <ul style="list-style-type: none">▪ Like Speaker in Lok Sabha, the Chairman of Rajya Sabha is empowered under Rule Number 255 to “direct any Member whose conduct is in his opinion grossly disorderly to withdraw immediately” from the House.▪ Unlike the Speaker of Lok Sabha, the Rajya Sabha Chairman doesn't have the power to suspend a member. Therefore, the House may by another motion, terminate the

<p>recalcitrant Members, the Speaker makes recourse to Rules 374 and 374A.</p>	<p>suspension.</p> <ul style="list-style-type: none"> ▪ 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 this type of 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.
<p>Rule 374:</p> <ul style="list-style-type: none"> ▪ The Speaker may name a member if deems it necessary, 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. 	<p>Rule 256:</p> <ul style="list-style-type: none"> ▪ It provides for suspension of members. ▪ The Chairman can suspend a member from the service of the Council for a period not exceeding the remainder of the Session.
<p>Rule 374A:</p> <ul style="list-style-type: none"> ▪ Rule 374A was incorporated in the Rule Book in December 2001. ▪ In case of gross violation or severe charges, on being named by the Speaker, the member stands automatically suspended from the service of the House for five consecutive sittings or the remainder of the session, whichever is less. 	

▪ **Terms of Suspension:**

- The maximum period of **suspension is for the remainder** of the session.
- Suspended members **cannot enter the chamber or attend the meetings** of the committees.
- He will not be **eligible to give notice for discussion** or submission.
- He loses the right to get a reply to his questions.

What are Interventions by the Court?

- **Article 122** of the Constitution says parliamentary proceedings cannot be questioned before a court.
- Although courts have intervened in the procedural functioning of the legislature like,

- Maharashtra Legislative Assembly passed a resolution in its 2021 Monsoon Session **suspending 12 BJP MLAs** for a year.
 - The matter came before the Supreme Court, which held that the resolution was ineffective in law beyond the remainder of the Monsoon Session.

Way Forward

- It is difficult to **deal with planned parliamentary offenses** and deliberate disturbances for publicity or political reasons.
- So, opposition members should play a constructive role in Parliament and they should be allowed to put forward their views and express themselves in a dignified manner.
- There is **a need to strike a balance between deliberate disruption** and raising the important issue.

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