



Suspension of Members of Parliament

For Prelims: [Members of Parliament \(MPs\)](#), [Speaker of Lok Sabha](#), [Chairman of Rajya Sabha](#), [Rules of Procedure and Conduct of Business](#), [Rule 374A](#), Rule 255, Rule 256

For Mains: Consequences of frequent suspension of Members of Parliament on Working of Democracy

Source: [IE](#)

Why in News?

Recently, 146 [Members of Parliament \(MPs\)](#) have been suspended during the **winter session of Parliament 2023**.

- MPs in both Houses faced suspension due to their disruption of Parliamentary proceedings in protest of the recent breach of security in Parliament.

Why do MPs disrupt Parliament?

- As per the analysis done by political leaders, and presiding officers there is **four main causes that lead to disruption**:
 - MPs do not have enough time to raise crucial issues.
 - The government's lack of responsiveness
 - Parties intentionally cause disturbance for political or publicity reasons.
 - The failure to take immediate action against MPs who interrupt parliamentary proceedings.

Who Can Suspend a Minister of Parliament?

- The general principle is that it is the role and duty of the Presiding Officer i.e., [Speaker of Lok Sabha](#) and [Chairman of Rajya Sabha](#) to maintain order so that the House can function smoothly.
- In order to ensure that proceedings are conducted in the proper manner, the **Speaker/ Chairman** is empowered to force a Member to withdraw from the House.

What are the Rules Under Which the Presiding Officer Suspends MPs?

- **Rules of Procedure and Conduct of Business of Lok Sabha :**
 - **Rule 373:** Rules The Speaker can direct a member to withdraw immediately from the House if he finds the member's conduct disorderly.
 - Members so ordered to withdraw shall do so forthwith and shall remain absent during the remainder of the day's sitting.
 - **Rule 374:** The Speaker can 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.
 - And the member so named will be suspended from the House for a period not

exceeding the remainder of the session.

- A member suspended under this rule shall forthwith withdraw from the precincts of the House.”
- **Rule 374A:** 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.
- **Rules of Procedure and Conduct of Business of Rajya Sabha:**
 - **Rule 255:**
 - The [Chairman of Rajya Sabha](#) is empowered under [Rule 255](#) of its Rule Book to “direct any Member whose conduct is in his opinion grossly disorderly to withdraw immediately” from the House.
 - **Rule 256:**
 - Under this rule, 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.

What are the Drawbacks of the Suspension of MPs?

- The suspension of MPs in Parliament is a drastic measure that is taken to maintain the order and decorum of the House. However, it also has several **disadvantages for the functioning of democracy**, such as:
 - It **curbs the voice** and **representation of the people** who elected the suspended MPs. It deprives them of their right to raise issues of public interest and hold the government accountable.
 - It reduces the **scope and quality of debate** and **discussion** on important matters of legislation and policy.
 - It **undermines the role of the opposition** as a constructive and responsible partner in the parliamentary process.
 - It creates a **trust deficit** and animosity between the ruling and opposition parties.
 - It erodes the **spirit of cooperation and consensus-building** that is essential for a **healthy democracy**.
 - It sets a bad precedent and encourages the **misuse of power** by the majority party.
 - It violates the **norms and conventions of parliamentary democracy** and weakens the institution of Parliament.
 - The suspensions are a **threat to the federal structure** and the **diversity** of the country, as they affect **MPs** from different regions and parties.

Way Forward

- Ensuring that the government **responds to the concerns and demands of the opposition in a timely and respectful manner**, and avoids using suspension as a tool to suppress dissent or criticism.
- Strengthening the role and authority of the presiding officers to maintain order and discipline in the House, and imposing stricter penalties for MPs who violate the rules and norms of parliamentary conduct.
- **Encouraging dialogue and consensus-building among different parties and groups** on key issues, and avoiding confrontation and disruption as a means of protest or pressure.
- Enhancing the awareness and accountability of MPs **towards their constitutional duties and responsibilities**, and respecting the sanctity and dignity of the House.

UPSC Civil Services Examination Previous Year Question (PYQ)

Prelims

Q. Regarding the office of the Lok Sabha speaker, consider the following statements: (2012)

1. He/She holds the office during the pleasure of the President.
2. He/She need not be a member of the House at the time of his/her election but has to become a member of the House within six months from the date of his/her election.
3. If he/she intends to resign, the letter of his/her resignation has to be addressed to the Deputy Speaker.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
(b) 3 only
(c) 1, 2 and 3
(d) None

Ans: (b)

Exp:

- The Speaker is elected by the members of Lok Sabha from amongst its members (as soon as may be, after its first sitting). Hence, statement 2 is not correct.
- Whenever the office of the Speaker falls vacant, the Lok Sabha elects another member to fill the vacancy. The date of election of the Speaker is fixed by the President. Usually, the Speaker remains in office during the life of the Lok Sabha. However, he has to vacate his office earlier in any of the following three cases:
 - If he ceases to be a member of the Lok Sabha. if he resigns by writing to the Deputy Speaker; Hence, statement 3 is correct.
 - If he is removed by a resolution passed by a majority of all the members of the Lok Sabha. Such a resolution can be moved only after giving 14 days advance notice. Hence, statement 1 is not correct. Therefore, option (b) is the correct answer.

Mains

Q. The Indian Constitution has provisions for holding joint session of the two houses of the Parliament. Enumerate the occasions when this would normally happen and also the occasions when it cannot, with reasons thereof. **(2017)**

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