



## Article 101(4)

[Source: IE](#)

An independent **Member of Parliament (MP)**, has approached the **High Court** over concerns regarding the potential loss of his **Lok Sabha** seat due to prolonged absence.

### Article 101(4):

- **Article 101** of the Constitution of India deals with the **vacation of seats, disqualifications, and dual membership in Parliament.**
- As per **Article 101(4)** of the Constitution, if an **MP remains absent from all meetings of the House for 60 days without permission**, the **House may declare their seat vacant.**
  - However, this period excludes days when the House is **prorogued** or **adjourned for more than 4 consecutive days.**
  - This provision is intended to ensure that **MPs actively participate in legislative proceedings.**
- A seat is **vacated only when the House formally declares** it vacant through a vote, **not automatically.**
  - **Barjinder Singh Hamdard**, a Rajya Sabha MP, was **disqualified in 2000** under **Article 101(4)** for **sustained absence.**
- **Procedure for Seeking Leave:**
  - MPs must request leave from the **Committee on Members' Absence**, which **reviews and reports to the House.** The House then **votes on approval or rejection.**
  - Leave is granted for up to **59 days** at a time; MPs must submit a **fresh request for extended absences.**

**Read More:** [Major Constitutional Amendment: Part 1](#)

PDF Refernece URL: <https://www.drishtias.com/printpdf/article-101-4>