

## Office of the Speaker

*Mains: GS - II - Polity & Governance*

### Why in News?

*The recent no-confidence motion moved by the Opposition against Om Birla has reignited the debate over the constitutional position and accountability of the office of the Speaker of the Lok Sabha.*

### What are the facts about the office of Speaker?

- **Importance** - The office of the Speaker is one of the most critical pillars of India's parliamentary democracy.
- **Office of speaker** - *Article 93 of the Indian Constitution* provides for the offices of the Speaker and Deputy Speaker.
- He shall be elected as soon as may be after the commencement of the house.
- **Origin** - The *Government of India Act of 1919* - Introduced the institutions of Speaker and Deputy Speaker in India in 1921.
- At that time, the Speaker and the Deputy Speaker were called the President and Deputy President respectively, same nomenclature continued till 1947.
- The *Government of India Act of 1935* - It changed the titles of President and Deputy President to the Speaker and Deputy Speaker respectively.
- **Selection** - After a pro-tem or temporary Speaker administers the oath to new members of the house, the Speaker is *elected by a simple majority* in the House.
- Usually by convention, a member belonging to the ruling party is elected Speaker.
- **Election** - Elected by the Lok Sabha from among its members; date fixed by the President.
- **Tenure** - It is *coterminous with the term of the Lok Sabha* that is 5 years unless he/she resigns or is removed from office before that.

*When the Lok Sabha is dissolved, the Speaker remains in his office till the first meeting of the new assembly when the new speaker is elected.*

- **Disqualification** - The Speaker can also be removed on getting disqualified from being a Lok Sabha member under the Representation of the People Act, 1951.
- **Resignation** - A speaker can also tender his resignation to a Deputy Speaker.
  - Dr. Neelam Sanjiva Reddy is the only Speaker who resigned from the office.
- **Qualification** - There are no specific qualifications for becoming Speaker, but he must be a member of the house.

- **Independence** - The salary of the Speaker is drawn from the Consolidated Fund of India unlike for other MPs.
- **Constitutional Role** - As the presiding officer of the Lok Sabha, act as an impartial arbiter expected to rise above party politics once elected.

### What are the core functions of the office of Speaker?

- **Sources of powers** - The Speaker derives powers from three sources like
  - The Constitution of India
  - The Rules of procedure and Conduct of Business of Lok Sabha
  - The Parliamentary Conventions (residuary powers that are unwritten or unspecified in the Rules).
- **Core functions**
  - The Speaker ensures orderly debate, enforces the rules of procedure, safeguards the rights of members,
  - Maintains the balance between government authority and the voice of the Opposition.
  - The recognition of members, interpretation of procedural rules, disciplinary powers, and the certification of Money Bills.
- **Authority & Influence** - These powers significantly shape legislative outcomes and parliamentary debates.
- **Protections & Tenure** - The constitutional framework provides strong protections to ensure that the Speaker cannot be removed easily for political reasons.

To know more about the functions of Speaker, click [here](#)

### What is the removal process for Speaker?

- **Article 94(c)** - The Speaker can be removed only through a resolution passed by a majority of all the members of the Lok Sabha (effective majority), not merely those present and voting.
- This high threshold reflects the intent to safeguard the stability and dignity of the office.

### Procedure for Removal

- **Rule -200-203, Rules of Procedure and Conduct of Business in Lok Sabha**
- **Written notice** - The process begins when a member submits a written notice to the Secretary-General of the Lok Sabha seeking removal.
- At least 14 days' notice must be given before the motion can be taken up.
- **Support of members** - Once admitted, the motion requires the support of at least 50 members to proceed for discussion in the House.
- **Clearly mention the charges** - The rules mandate that the resolution must clearly state the charges against the Speaker.
- **Voting** - Requires an effective majority of the total membership of the Lok Sabha.
- **Speaker's Position During Removal Motion** - Any motion submitted without the mandatory 14-day notice is not taken up for consideration.
- The Speaker continues in office until the removal resolution is formally passed.

- During the debate on such a motion, the Speaker may participate in the proceedings as a member of the House.
- While the Speaker can vote on the resolution in the first instance, he/she cannot exercise their vote in case of a tie.
- **Historical Precedents** - No-confidence motions against the Speaker have been *extremely rare* in India's parliamentary history.
- Only three such attempts have occurred
  - In 1954 against G. V. Mavalankar;
  - In 1966 against Hukam Singh; and
  - In 1987 against Balram Jakhar.
- In all three cases, the motions failed.
- These precedents demonstrate the political and procedural difficulty involved in removing a Speaker.

### What are the larger impact of no confidence motion against Speaker?

- **Symbolic value** - Although the present motion may not result in the Speaker's removal, it carries broader institutional significance.
- It reminds presiding officers that their authority derives from the collective confidence of the legislature.
- **Impartiality** - The Speaker's credibility depends heavily on the perception of impartiality.
- **Impact on public trust** - Allegations of partisan conduct can weaken public confidence in parliamentary processes.
- **Balance of power** - While the high constitutional threshold ensures that the Speaker is not vulnerable to routine political pressure, it still allows a democratic mechanism for accountability.

### What are the several challenges affecting the functioning of the Speaker's office?

- **Growing perception of politicization** - In recent years, decisions on matters such as disqualification of legislators under the anti-defection law or certification of Money Bills have often been viewed through a partisan lens.
- **Frequent confrontations** - Between the ruling party and the Opposition have led to procedural deadlocks in Parliament.
- **Erosion of trust** - When the neutrality of the presiding officer is questioned, trust between political actors erodes, making consensus-building more difficult.
- **Parliamentary conventions** - The unwritten norms that once guided the impartial conduct of the Speaker have gradually weakened.
- As political competition intensifies, these conventions risk being overshadowed by tactical considerations.

### What is the way ahead?

- **Reinforcing Conventions** - Reinforcing institutional conventions should be the first step.
- Political parties must collectively reaffirm the tradition that the Speaker acts above party lines once elected.

- **Enhancing Transparency** - Enhancing transparency in procedural rulings can also improve trust.
- Clear explanations for major decisions, such as rejecting requests for discussion or certifying legislative bills would reduce allegations of bias.
- **Encouraging dialogue** - Structured consultations between the government and the Opposition on parliamentary procedures and reforms could reduce confrontations and improve legislative productivity.
- **Codifying best practices** - Guidelines regarding the Speaker's discretionary powers may help clarify ambiguities.
- While flexibility is essential in parliamentary procedure, clearer guidelines could reduce disputes over interpretation.

## Reference

[The Hindu | Reevaluating the office of the Speaker](#)

