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Date: 21 December 2023

LARGEST SUSPENSION OF MPS FROM LOK SABHA AND RAJYA SABHA

*This article covers 'Daily Current Affairs' and the topic details 'Suspension of MPs from Lok Sabha and Rajya Sabha' This topic has relevance in the **Polity and Governance** section of the UPSC CSE exam.*

GS 2: Polity and Governance

Why in the News?

Recently, 143 MPs from both the Lok Sabha and Rajya Sabha belonging to the Opposition have been suspended from Parliamentary sessions due to their role in causing disruptions.

What are the rules on the suspension of MPs?

- The fundamental rule dictates that the responsibility and duty to uphold order and ensure the smooth functioning of the House lie with the Presiding Officers i.e the **Speaker of the Lok Sabha and the Chairman of the Rajya Sabha**.
- The Presiding Officers — the Speaker of Lok Sabha and Chairman of Rajya Sabha plays the major role in suspensions of Members of Parliament (MPs).
- In the **Lok Sabha**, the Speaker's actions are guided by Rules 373, 374, and 374A of the Rules of Procedure and Conduct of Business, while in the **Rajya Sabha**, the Chairman acts as per Rules 255 and 256.
- **Rule 373 and Rule 255:** These rules authorize the presiding officers to instruct an MP to leave the House in the event of any disruptive behavior.
- **Rule 374 and Rule 256:** Should an MP persistently disrupt the proceedings, the presiding officer has the authority to "name" the legislator. Subsequently, the House can propose a motion to suspend the MP for the remainder of the session.
- **Rule 374A:** It was introduced in the Lok Sabha's Rule Book in 2001, this rule grants the Speaker the ability to address severe and disorderly behavior. Under this provision, an MP identified by the Speaker is automatically suspended for either five days or the duration of the session's remaining part. This rule removes the need for the House to pass a motion for suspension. This provision has not been incorporated by Rajya Sabha in its procedures.



How long can MPs be suspended for and the implications of suspension?

MPs can be suspended for the remaining part of the session only.

Implications

1. Suspended members cannot enter the chamber or attend the meetings of the committees.
2. Suspended members are not eligible to give notice for discussion or submission.
3. Members lose the right to get a reply to his questions.
4. They will not be eligible to give notice for discussion or submission.

However, the House at any point of time can reinstate a suspended member by passing a motion.

Can courts intervene in a matter of suspension of MPs?

Article 122 of the Constitution indicates that parliamentary proceedings cannot be questioned before a court. However, in some cases, courts have intervened in the procedural functioning of legislatures like Maharashtra Legislative Assembly passed a resolution in its 2021 Monsoon Session suspending 12 BJP MLAs for a year. Thereafter, the matter came before the Supreme Court, which held that the resolution was ineffective in law beyond the remainder of the Monsoon Session.

Motivation behind Suspension of MPs

1. **Disorderly Conduct:** Suspensions may be imposed in response to disorderly conduct, disruptions, or unruly behavior during parliamentary sessions. Such actions can impede the

smooth functioning of the legislature and compromise the decorum essential for productive debates.

2. **Breach of Parliamentary Rules:** MPs may face suspension if they violate specific parliamentary rules, procedures, or ethical guidelines. This could include actions that contravene the established code of conduct for parliamentarians.
3. **Unparliamentary Language:** The use of offensive or unparliamentary language is a common reason for suspension. Utterances that are disrespectful, derogatory, or inflammatory may lead to disciplinary measures, including suspension, to maintain the dignity of parliamentary proceedings.
4. **Physical Altercations:** Instances of physical altercations or aggressive behavior within the parliamentary premises may result in the suspension of involved MPs. Such incidents are considered serious breaches of conduct and can lead to immediate disciplinary actions.
5. **Defiance of Speaker's Authority:** Refusing to comply with the Speaker's directives, challenging the authority of the presiding officer, or engaging in acts of disobedience can be grounds for suspension. This is crucial for maintaining order and ensuring the smooth functioning of parliamentary sessions.
6. **Ethical Violations:** Actions that are ethically questionable, such as conflicts of interest, corruption, or other ethical violations, may prompt disciplinary action, including suspension, to uphold the integrity of parliamentary proceedings.
7. **Repetitive Offenses:** MPs who repeatedly engage in disruptive behavior or violate parliamentary norms may face suspension as a means of deterring such actions and maintaining discipline within the legislative body.

Possible Implication of the Suspension:

The suspension of Members of Parliament (MPs) in Parliament carries several implications, affecting both the individuals involved and the functioning of the parliamentary system. Here are some key implications:

1. **Denial of Participation:** Suspended MPs lose their right to participate in the proceedings of the house during the period of suspension. This includes attending sessions, voting on bills, and engaging in debates. The denial of participation is a significant consequence, as it hinders the suspended members from fulfilling their legislative responsibilities.
2. **Impact on Representation:** The suspension of MPs may impact the effective representation of the constituencies they represent. Constituents may be deprived of their elected representatives' contributions and voice in parliamentary activities during the period of suspension.
3. **Disciplinary Measure:** Suspension is often a disciplinary measure taken by the parliamentary authorities in response to actions deemed inappropriate or a breach of parliamentary rules. It serves as a means of maintaining order, decorum, and the integrity of parliamentary proceedings.
4. **Political Ramifications:** Suspensions can have political ramifications, affecting party dynamics and inter-party relationships. The suspension of MPs may lead to debates on the fairness of the disciplinary action and influence public perceptions of the political parties involved.
5. **Legal Challenges:** Suspended MPs may choose to challenge their suspension through legal means, arguing that the disciplinary action is unjust or violates parliamentary norms. Legal

challenges can lead to further scrutiny of the grounds for suspension and the procedures followed.

6. **Preservation of Parliamentary Decorum:** The suspension of MPs is intended to uphold the dignity and decorum of parliamentary proceedings. It serves as a deterrent against disruptive behavior and actions that could undermine the functioning of the legislature.
7. **Duration and Review:** Suspensions are typically of a specific duration, and the parliamentary rules may allow for a review of the suspension. This review process provides an opportunity for suspended MPs to appeal and seek a reconsideration of the disciplinary action.

Challenges and Criticisms

The suspension of MPs in India has been met with criticism and scrutiny which are as follows:

1. **Potential for Abuse:** Critics argue that the power to suspend MPs could be misused for political expediency, stifling dissent and opposition within the legislative framework.
2. **Need for Transparency:** There is a perceived lack of transparency in the criteria and process for suspending MPs, leading to allegations of arbitrary and unfair disciplinary actions.
3. **Legal Ambiguities:** The legal framework governing MP suspensions lacks clarity in certain aspects, necessitating reforms to ensure consistency, fairness, and adherence to constitutional principles.

The Way Forward

Addressing the challenges associated with the suspension of MPs in India requires a multi-faceted approach:

1. **Reform of Parliamentary Rules:** There is a need to revisit and reform the rules governing MP suspensions to ensure transparency, accountability, and adherence to democratic norms.
2. **Enhanced Dialogue:** Promoting constructive dialogue among parliamentary members to foster mutual respect and understanding, thereby reducing the need for disciplinary actions.
3. **Public Awareness and Engagement:** Raising public awareness about the importance of parliamentary decorum and the role of MPs in upholding democratic values, fostering a culture of responsible governance.

Conclusion

The suspension of MPs in India is a complex issue that intersects with various aspects of parliamentary democracy, including representation, accountability, and governance. While it serves as a mechanism for maintaining order and discipline within the legislative framework, it also raises significant questions and challenges that warrant critical examination. As India continues to strengthen its democratic institutions, addressing the complexities surrounding MP suspensions becomes essential to ensure the effective and equitable functioning of parliamentary democracy.

Source: [https://epaper.thehindu.com/ccidist-
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21T01:07:39+05:30&cropFromPage=true](https://epaper.thehindu.com/ccidist-
ws/th/th_delhi/issues/64293/OPS/GLCC60J4.1.png?rev=2023-12-
21T01:07:39+05:30&cropFromPage=true) | The Hindu

Q1. Which of the following have provisions for the disqualification of a Member of Parliaments?

1. Rule of Procedure of Lok Sabha and Rajya Sabha
2. Constitution of India

3. RPA, 1951
4. Schedule 1 of constitution

How many statements are correct:

- A) Only 1
- B) Only 2
- C) Only 3
- D) Only 4

Answer: C

Q.2 What are the tools to ensure accountability of the Executive. To what extent, the Parliament is able to ensure accountability of the executive in India. Critically Analyze?

Chandan Prasad



Yojna IAS
योजना है तो सफलता है