



# ROLE OF THE SPEAKER OF LOK SABHA

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India has a plural and multicultural society with a democratic political system. We have adopted a parliamentary system of government from British Westminster model. The role of the Speaker has a vital role in the working of Lok Sabha. Usually, the Speaker plays an impartial role in the House, but in some cases, the Speaker plays a partisan role. It has negative consequences on the dignity, integrity and impartiality of the Speaker and smooth functioning of the temple of democracy Lok Sabha. This scenario provides the relevance of this research paper. This paper analyses the process of election of the speaker, and role of the Speakers and its consequences on the working of the parliamentary proceedings. Also, this paper suggests some remedial measures to maintain the dignity and impartiality of this gubernatorial office.

## ELECTION OF THE SPEAKER

The Speaker is elected by Lok Sabha from its members. This election is conducted after every general election. The Lok Sabha shall as soon as may be choose two members of the House to be respectively Speaker and Deputy Speaker there of and so often as the officer of the Speaker and the Deputy Speaker becomes vacant. Thus, any member can propose the name of another for the post of the Speaker provided it is seconded by a third member and a letter of consent from the nominee is accompanied therewith.<sup>1</sup>

Usually it has been a choice of the majority party of coalition without taking the opposition into confidence and most of them were elected unanimously. A convention has been developed that the motion was moved by the Prime Minister and seconded by another minister. Once a candidate is declared elected as Speaker of Lok Sabha, he is conducted to the chair by the Prime Minister and the Leader of Opposition or single largest party in the House. He conducts the proceedings of the House. Obviously, the choice of speaker is a Political decision of the ruling party or coalition without the Opposition having any role to play in his matter. It is not a healthy democratic convention. Even after the dissolution of the House, the Speaker continues in Office until immediately before the first meeting of the new House. Kaul, Shukdhara and Malhotra observed, the election is by open voting in the House and even if there is only one candidate, election formally put to the House.<sup>2</sup>

## Role of the Speaker

We can analyse the role of the Speaker under the following heads:

### 1. To Preside Over the Meeting

The Speaker presides over the meeting of the Lok Sabha. It is hoped that the Speaker should play an impartial role towards the treasury bench and the opposition bench. Usually, the Speaker has played a non-partisan role in this matter except in some cases. The first Speaker G.V. Mavlankar, has established a democratic convention of

impartiality in this matter and this convection followed by most of his incumbents. Whenever, in the event of disagreement between the two Houses on a legislative matter, a joint sitting is called, the Speaker presides over such a sitting and all the rules operate in regard to the sitting under his orders. The Speaker has been imperially and efficiently presided over the joint sitting of both the Houses yet.

## 2 Adjournment of the House

The Speaker has adjourned of the Lok Sabha or to suspend its sitting in the event of absence of a quorum. His empowered to adjourned the proceeding of the House when disturbance occurred in the House on any controversial issue. Usually, the Speaker has impartially adjourned the House in grave disturbance But, in some cases the Speaker has adjourned the House on a little disturbance and it becomes his role partition, which is not justified.

## 3 Allocation of Time for Debate

The Speaker allocates time for debate on various matters after discussion to the leaders of various political parties in the House. In some cases, the Speaker gave weight age to the ruling party. It undermines the office of the Speaker.

## 4 Determines the Business of the House.

The Speaker determinisms the business and order of the House after discussion to the leaders of the political parties in the House. Regardless of the party identity of a member, the speaker should give adequate opportunity to the members who come to House after doing sufficient home work on the subject under discussion.

## 5 Conduct of the Business of House

The Speaker conducts the business of the House. He gives permission to the members to speak, decide their time and order can be permit any member who is unable to express himself in Hindi or in English to address the House in his mother tongue. He is final interpreter of the rules of the House, assent the proposals and decide the question regarding point of order etc. As G.V. Mavlankar observed, once a person is elected Speaker, he is expected to be above parties, above politics. In other words, he belongs to all the members or belongs to none. He holds 'the scales of justice evenly' irrespective of party or person.<sup>3</sup>

## 6 Assents of Bills

The Speaker gives the assents to present any bill in the Lok Sabha and he certify the approved of bill after voting in the House. The role of Speaker is nominal in these matter.

## 7 Certification of Money Bills

The Speaker certifies that a specific bill is a Money bill or not. If he certify a bill as a Money Bill, his decision is final. Usually, the Speaker has certify a bill as a Money bill whenever such bills related to Article 110 of the Constitution.

## 8 Taking Votes

The Speaker takes voting on various bills and matters after debate and he declares their results

## 9 Admission of Adjournment Motions ‘

The Speaker admits the adjournment motion related to any public interest issues. Also, the Speaker decide the time for discussion on such motion. In some cases, the Speaker did not admit the adjournment motion related to any public interest presented by any members of the Opposition party Hence, the role of Speaker becomes arbitrary and partition. It is very bad thing for our parliamentary democracy.

## 10 Interpretation of Rules and Procedures of the House

The Speaker interprets the rules and procedures of the House. His decision is final in this matter and this decision cannot be challenge in any Court. In some cases, the Speaker has been interpreted the rules of the House in view of political interest of the ruling party. It created controversy and it downgraded the post of Speaker.

## 11 Maintain Of Discipline

The Speaker maintains the discipline in the House . He can expulsion any member of the House if he create any type of disturbance and disruption in the proceedings of the House. He can order to marsel to exploitation of such member or suspend him. Also he can order to delete the uncivilized, controversial, un-parliamentary or defamatory words from the proceedings of the House.

## 12 Protection of Rights and Privileges

The Speaker protects the rights and privileges of the members of the House. He ensures that majority party could not ignore the voice of the opposition party. If any individual or institution violates the privilege of any member of the House, than the Speaker can take appropriate action. He can refer the matters involving issues of privilege to the Committee on Privileges.

## 13 Link Between President and Lok Sabha.

The speaker provides the information regarding proceedings of the House to the President of India and he convey the messages of the President to the members of the House. Thus, the speaker is a vital link between President of India and Lok Sabha.

## 14 Appointment of Select Committees

The Speaker appoints the chairpersons and members of the select committees of the House. Also, he insures that all political parties and opinions are adequately represent and that the members with the right kind of experience and expertise, had the important committees. He presides over the Business Advisory Committee, the Rules Committee and the General Purpose Committee. The Speaker ensures that the delegation represents the varied groups and opinions in the House and represent effectively.

## 15 Casting Vote

If equal votes are casted on any matter then the Speaker can cast their vote. Thus, the Speaker play a decisive role in thus matter.

## 16 Defection of Members

The Speaker is empowered to disqualify a member on ground of defection. He decides the question whether a member of the House has become subject to disqualification. Further, the decision of the Speaker in matters of

defection has excluded the jurisdiction of the court. Thus, the Speaker can disqualify the dissenting members in the House to fulfil the political interest of the ruling party. It becomes the partition role of the Speaker and it downgraded the dignity of this constitutional institution. However, the Supreme Court ruled that the decision of the Speaker is subject to judicial review. It is restricted to some specific grounds like violation of constitutional mandate, violation of natural justice, and malafidies and perversity and the Court made it clear that it cannot cover any stage prior to the decision by the Speaker. Thus, the speaker should not be given the role of sole arbitration in a defection case as it would go against the basic structure of the Constitution. The Court made it clear the Speaker acts as a tribunal adjudicating... their decision thus be open to judicial review.<sup>4</sup> The first a Speaker of Lok Sabha, G.V. Malvalanker has played an impartial role. He introduced the parliamentary standards and democratic conventions of the august office and he protected the rights and privileges of the House. He maintained the decorum, dignity and discipline of the House. <sup>5</sup> He is considered as a pioneer and father of the Lok Sabha. His successors M.A. Ayyangar, Hukum Singh and N. Sanjiva Reddy were follow him. As Sanjiva Reddy resigned his Congress party after their election to the Speaker of Lok Sabha. He tried to establish the democratic convention in India like England. Further, he did not participate in active politics and he played non-partisan and impartial role in the House. However, his successors did not maintained the parliamentary standards and conventions. Guru Dyal Singh Dhillon, Bali Ram Bhagat, K.S. Hegde and Bal Ram Jakhar did not maintained the dignity and impartiality of this august office. Even Bal Ram Jakhar participated in the Congress (1) party meetings and participated in active politics. It has negative consequences on the impartiality and dignity of this constitutional institution. Rabi Ray, P.A. Sagma, GMC Balyogi, Manohar Joshi, Meera Kumar, Somnath Chatterji and Sumitra Mahajan played an impartial' role and maintained the parliamentary standards in his working. The of the 14<sup>th</sup> Lok Sabha, Som Nath Chatterjee, did not agree to the decision of his Communist Party of India (Marxist) to resign from the post and vote agenised the indigo- US Nuclear elied as the Left parties has withdrawn their support to UPA government as he thought that it would seriously compromise to the Constitutional position of the Speaker. But ,Om Birla slightly tilt their BJP, It is inconsistent with the dignity and impartiality of this institution. Morris-Jones opined that it is conceded that the Speaker in India should stand apart from party strife, it is maintained that he should not keep himself entirely aloof from politics as the British Speaker does .<sup>5</sup>

In fact, the Speaker plays a vital role in the working of the House. He is representative, arbiter and interpreter of the provisions of the House and his decisions are final. Hence, it is expected that the Speaker should play an impartial role in the House. He is expected to fulfil the interests of all the members irrespective of their party affiliation. He should ability of co-operation, adjustment and accommodation with members of various political parties. As Jawaharlal Nehru observed, "The Speaker represents the House. He represents the dignity of the House, the freedom and liberty .... should be occupied always by men of outstanding ability and impartiality."<sup>6</sup>

## REMEDIAL MEASURES

The following remedial measures should be used to maintain the impartiality and dignity of the post of the speaker:-

1. The election of the post of the Speaker should be unamimsousaly from all the political parties in the House. The ruling party should discuss to other parties and parties and a consensus should be developed in this matter.
2. An eminent person who has knowledge and experience of parliamentary proceedings should be elected for the post of speaker.
3. The Speaker should resign from his party after he elected as a Speaker and he did not participate in political activities after his tenure.

4. The Speaker should have self- control, positive attitude and he should ability of decision making, cooperation, adjustment, and accommodation to the members of all political parties without their party identity.
5. The Speaker should play an impartial role in the in the House, He should equal treat with all members of the House without their party identity.
6. A democratic convention should be developed that all members of the House should obey the orders and directions given by the Speaker.

#### CONCLUSION:

It may be concluded that the post of Speaker is an important and dignified post in our parliamentary system. The Speaker plays a vital role in the proceeding of the Lok Sabha. He is representative, arbiter and interpreter of provisions of the House and his decisions are final. Usually, the Speaker plays and impartial role in the House, but in some cases, Speaker has played partisan role. It is inconsistent with the impartially, dignity and democratic conventions of this constitutional and democratic institution. Hence, the above cited measures may be used for maintain the impartiality, dignity and successful working of our vibrant democracy.

#### References:

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4. *Kihoto Hollohon Vs Zachihu*, AIR, SC 412
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