

1. Speaker Removal- Polity

Opposition likely to move resolution to remove Lok Sabha Speaker Birla

Opposition parties of the INDIA bloc are contemplating a resolution to remove Lok Sabha Speaker Om Birla, alleging partisan conduct during debates and unfair suspension of MPs. This procedural move, though historically unprecedented in success, serves as a symbolic protest against perceived institutional bias and the denial of opposition space in Parliament.

Context- Proposed Resolution for Removal

Opposition parties of the INDIA bloc are actively considering moving a resolution for the removal of Lok Sabha Speaker Om Birla. This move stems from allegations of partisan conduct amidst repeated disruptions and the suspension of MPs.

Reasons Behind the Proposed Resolution

The Opposition has cited specific grievances prompting this consideration-

Partisan Functioning- Leaders have accused the Speaker of acting in a "partisan manner" by allegedly denying the Leader of Opposition the opportunity to speak during the crucial debate on the Motion of **Thanks** to the President's Address.

MP Suspensions- The move is a direct fallout of the recent suspension of eight Opposition MPs from the Lok Sabha, which the Opposition views as disproportionate or biased.

Allegations Against Women MPs- The Opposition has strongly objected to what they term as "unsubstantiated" charges made against women Congress MPs, viewing it as unfair treatment from the Chair.

About the Speaker of the Lok Sabha

The Speaker holds a pivotal position in India's parliamentary democracy.

Role- The Speaker is the presiding officer of the Lok Sabha and is responsible for regulating its day-to-day functioning and maintaining order.

Constitutional Status- It is a constitutional office that functions directly under the provisions of the Constitution and the Rules of Procedure and Conduct of Business.

Salary and Allowances- To ensure independence, the Speaker's salary and allowances are charged on the Consolidated Fund of India, meaning they are not subject to the annual vote of Parliament.

Constitutional Provisions

Article 93- Mandates that the Lok Sabha shall choose two members to be Speaker and Deputy Speaker.

Article 95- States that the Deputy Speaker performs the duties of the Speaker when the office is vacant.

Election and Tenure of the Speaker

Eligibility & Election Process

Qualification- There are no special qualifications required other than being a member of the Lok Sabha.

Election- The Speaker is elected by a simple majority of members present and voting.

Date- The date of the election is fixed by the President and is usually held soon after the first sitting of a newly constituted Lok Sabha.

Convention- The Speaker is usually elected from the ruling party. However, informal consultations with opposition parties are conducted to ensure impartiality and acceptance across party lines.

Tenure

Duration- The Speaker normally holds office for the full life of the Lok Sabha.

Dissolution- A unique feature is that even when the Lok Sabha is dissolved, the Speaker does not vacate the office immediately. They continue until immediately before the first meeting of the new House.

Historical Precedent

No Successful Removal- No Lok Sabha Speaker has ever been removed through a successful resolution in independent India's history.

Resignation- Dr. Neelam Sanjiva Reddy is the only Speaker who resigned from the post and later went on to become the President of India.

Procedure for Removal of the Speaker

Grounds for Removal-

A Speaker can be removed if they

1. Cease to be a member of the Lok Sabha.
2. Resign by writing to the Deputy Speaker.
3. Are removed by a resolution passed by the Lok Sabha.

The Removal Process

Majority Required- The resolution must be passed by an effective majority of the Lok Sabha (i.e., a majority of the *then* members of the House).

Notice Period- A removal motion can only be moved after giving 14 days' advance notice.

Support Required- The motion must have the support of at least 50 members to be admitted.

Presiding Restriction (Article 96)- When a resolution for removal is under consideration, the Speaker cannot preside over the sitting. However, they constitute a part of the House and have the right to speak, participate, and vote in the first instance (though not in the case of a tie).

Historical Instances of Removal Resolutions-

First Instance (1954)- Moved against G.V. Mavalankar during the First Lok Sabha. The resolution was defeated as the ruling party held the required majority.

Second Instance (1987)- Moved against Balram Jakhar during the Eighth Lok Sabha. This occurred during the Bofors scandal turbulence but was also defeated due to the government's single-party majority.

Comparison- Indian Speaker vs. British Speaker

Criteria	Indian Speaker	British Speaker
Election	Chosen from among Lok Sabha members after a new House is constituted.	Elected from the House of Commons; usually re-elected unopposed in subsequent general elections.
Partisanship	Expected to act impartially but continues to be a member of their political party.	Must remain strictly neutral and formally resigns from their political party upon election.
Tenure	Holds office until a new Lok Sabha elects a speaker (even after dissolution).	Continues in office despite government changes or elections, until retirement or resignation.
Post-Tenure	May return to active party politics after completing their term.	Usually withdraws from the House of Commons and is often appointed to the House of Lords.
Electoral Convention	No special convention regarding the Speaker's constituency; they face opposition in elections.	The Speaker's constituency is traditionally left uncontested by major political parties.

Political Significance of Removal Motions

Even if they lack the numbers to pass, such motions hold strategic value.

Symbolic Nature- These resolutions primarily function as a strong political statement rather than a realistic attempt to remove the Speaker.

Opposition Strategy- They provide a platform for the Opposition to highlight alleged institutional bias and formally register their protest against the conduct of the Chair.

Punching Above Weight- It allows the Opposition to "punch above its numbers" in parliamentary politics by forcing a discussion on the Speaker's neutrality.

Democratic Function– Such procedural devices underline the layered nature of democratic politics, demonstrating how tools are used to register dissent even when numerical strength is lacking.

Source– https://www.thehindu.com/news/national/opposition-no-confidence-motion-lok-sabha-speaker-om-birla/article70610032.ece#google_vignette

