

LETTER & SPIRIT

The importance of the Deputy Speaker

The Deputy Speaker is not a mere substitute of the Speaker; he plays an indispensable role in maintaining the continuity of legislative work. Conventionally, this position has been handed over to the Opposition, in order to develop harmony between the ruling party and the Opposition



Vacant seat: A view of the Lok Sabha during the Winter session of Parliament, in New Delhi, on December 16, 2024. - Photo: PTI

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implies urgency and necessity.

- While Article 93 provides for the election of the Deputy Speaker “as soon as may be”, it does not set a timeline.
- The Government of India did not appoint a Deputy Speaker in the 17th Lok Sabha (2019-24), and it appears now that it does not have the intention to appoint one in the 18th Lok Sabha as well.

The position of the Deputy Speaker has been lying vacant for the last six years raising questions on constitutional adherence and democratic resilience. The position goes beyond ceremonial significance and is indispensable to parliamentary democracy. The present scenario of the vacant position could be understood through some very important questions. The framers of the Constitution adopted a parliamentary form of governance to ensure effective representation of the people of India in the political system. This idea would lose its significance if the system does not function properly, effectively and smoothly. It is also extremely important that debates and discussions between the ruling establishment and the Opposition remain proper to make the government accountable, and that checks and balances are ensured. It has been alleged that the current ruling government has vehemently denied to hand over the position of the Deputy Speaker to an Opposition member. This is against the principle of sharing of powers which is one of the mandates of a successful parliamentary democracy. It may also be noted that constitutional conventions do have statutory effect in cases of absence.

A Deputy Speaker's role

The Deputy Speaker is not a mere substitute of the Speaker; he plays an indispensable role in maintaining the continuity of legislative work. He also presides over committees such as the private member's bill and the House Budget Committee of Parliament; oversees crucial debates; and serves as a neutral arbiter during sensitive discussions. Provisions for a Deputy Speaker is listed under Article 93 of the Constitution. The language of the Article which includes the phrase 'as soon as' for electing both the Speaker and the Deputy Speaker implies urgency and necessity, and not discretion. Article 94 reinforces the continuity of the Deputy Speaker's office until resignation, removal, or disqualification.

Conventionally the position of the Speaker goes to the ruling party. There has been an informal practice of offering the Deputy Speaker's post to a member of the Opposition. The essence of this practice is to develop harmony between the ruling party and the Opposition for the smooth functioning of Parliament.

Prolonged vacancy

The Government of India did not appoint a Deputy Speaker in the 17th Lok Sabha (2019-24), and it appears now that it does not have the intention to appoint one in the 18th Lok Sabha as well. It is really unfortunate that the government and the Opposition could not come to terms on the issue of appointing a Deputy Speaker, which could be primarily because the government does not want to give this position to the Opposition. According to Rule 8 of the Rules of Procedure and Conduct of Business in Lok Sabha 1952, election to the post of the Deputy Speaker "shall be held on such date as the Speaker may fix". The Deputy Speaker is elected once a motion proposing his or her name is moved. He enjoys the same powers as the Speaker when he presides over a sitting House. According to Article 180 of the Constitution, the Deputy Speaker has the power to conduct the duties of the Speaker when his chair is vacant. Thus, this vacancy violates not only Articles 93, 94 and 180 of the Constitution, it is also inconsistent with the Rules of Procedure.

Constitutional implications

While Article 93 provides for the election of the Deputy Speaker "as soon as may be", it does not set a timeline. The misinterpretation of this phrase may lead to a long delay which could distort constitutional intent and create a constitutional vacuum. Conventionally, the position is handed over to the Opposition, but now that the position is vacant, authority is centralised in the Speaker and thereby in the ruling party which will be inconsistent with the democratic intent of the Constitution. In fact, constitutional conventions intend to strike a delicate balance between the ruling party and the Opposition to ensure that democratic resilience is maintained and sustained in the parliamentary system, based on the Westminster model, which mandates effective discussions and deliberations. Moreover, in a situation caused due to the resignation of the Speaker or even in case of incapacitation, a severe constitutional crisis may surface which will be detrimental to the system of governance.

Above all, the failure to uphold the tradition of offering the office to the Opposition undermines the spirit of consensus-driven politics.

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