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No Confidence Resolution against Rajya Sabha Deputy Chairman

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Why in News

Rajya Sabha members of 12 opposition parties moved a **no-confidence resolution against Rajya Sabha Deputy Chairman** over the passage of two controversial **farm Bills** by the **voice vote**.

Voice Vote

- It involves the speaker putting a question to the house and then asking the house to put forward its opinion in the forms of ayes (yes) or noes.
- Based on a rough measure of which side was **louder**, the speaker decides if the motion was passed or fell through.
- The **advantage** of a voice vote is that it is **quick**.
- The apparent **disadvantage** is that it is **inaccurate**, given that the speaker decides what the opinion of the house is based on which side is louder.

Key Points

- **Resolution:**

- The Deputy Chairman has violated all the canons of law, procedure, parliamentary procedures, practices and fair play. The Deputy Chairman did not allow **points of order** to be raised and did not allow large numbers of members of Rajya Sabha, from diverse political parties, to even speak against **farm bills**.
- This no confidence resolution is for the removal of the Deputy Chairman. It is **not the same as the No Confidence Motion specified in Rule 198 of the Rules of Procedure and conduct of Lok Sabha**, which can lead to the resignation of the Council of Ministers. **Article 75** of the Constitution specifies that the Council of Ministers shall be collectively responsible to the House of People.
- **Some Precedents:** Earlier resolutions moved against the first Lok Sabha Speaker G V Mavalankar in 1951, Speaker Sardar Hukam Singh in 1966, and Speaker Balram Jakhar in 1987.

All of these resolutions were negated by the House.

- **Options with the Government:**

- **Suspension of Opposition MPs :** In a counter move, the government is likely to seek the suspension of Opposition MPs who were involved in the unruly scenes witnessed in the House.
 - The government can invoke **Rule 256**, which deals with the suspension of a member.
 - The final decision of suspension rests with the Chairman.
- **Privilege Motion:** The ruling party **can also move a privilege motion** against some of the Opposition MPs.

A privilege motion is invoked when there is a breach of parliamentary privileges by a member.

Relevant Rules of Procedures and Conduct of Business

- **Rule 256, Suspension of member:** This is decided by the presiding officer of the house on the grounds like a member **disregarding the authority of the Chair or abusing the rules** of the Council.
- **Rule 258** of the Rules of Procedure and Conduct of Business in Rajya Sabha makes a provision to enable a member to raise a **point of order**. It provides as follows:
 - Any member may at any time submit a point of order for the decision of the Chairman.
 - The Chairman's decision shall be final in this regard.
- **Point of order:**

A point of order is an **objection** to the **pending matter or proceeding is in violation** of a written and unwritten rule of the House.

Deputy Chairman of Rajya Sabha

- The Deputy Chairman is elected by the Rajya Sabha itself from amongst its members. The post of the Deputy Chairman is not subordinate to the Chairman.
- **In the Role of the Chairman:**
 - The Deputy Chairman performs the duties of the Chairman's office when it is **vacant or when the Vice-President acts as President** or discharges the functions of the President.
 - He also acts as the Chairman when the **Chairman is absent** from the sitting of the House.

In both cases, he has all the powers of the Chairman.

- Like the Chairman, the Deputy Chairman, while presiding over the House, **cannot vote in the first instance**; he can only exercise a casting vote in the case of a tie.
- **Removal:** According to the **Article 90** of the Constitution, the Deputy Chairman vacates his office in any of the following three cases:
 - If he ceases to be a member of the Rajya Sabha;
 - If he resigns by writing to the Chairman; and
 - If he is removed by a **resolution** passed by a majority of **all the then members** of the Rajya Sabha. Such a resolution can be moved only after giving **14 days' advance notice**.

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