



Deputy Speaker Election

Why in News

Recently, an MLA from UP was elected Deputy Speaker of the Uttar Pradesh Assembly.

- **Article 93** of the Constitution provides for the election of both the [Speaker](#) and the **Deputy Speaker of the Lok Sabha**.
- **Article 178** contains the corresponding position for **Speaker and Deputy Speaker of the Legislative Assembly of a state**.

Key Points

▪ Deputy Speaker:

◦ Elected By:

- The **Deputy Speaker is elected by the [Lok Sabha](#)** from amongst its members right after the election of the Speaker has taken place.
- The **date of election of the Deputy Speaker is fixed by the Speaker** (date of election of the Speaker is fixed by the President).
- The institutions of **Speaker and Deputy Speaker originated in India** in 1921 under the provisions of the **Government of India Act of 1919 (Montague-Chelmsford Reforms)**.
 - At that time, the Speaker and the Deputy Speaker were called the President and Deputy President respectively and the same nomenclature continued till 1947.

◦ Time Frame & Rules of Election:

- The practice in **both Lok Sabha and the State Legislative Assemblies** has been **to elect the Speaker during the (mostly short) first session of the new House** usually on the third day after oath-taking and affirmations take place over the first two days.
- The **election of the Deputy Speaker usually takes place in the second session**, even though there is no bar on having this election too in the first session of the new Lok Sabha/Assembly.
- But the **election of Deputy Speaker is generally not delayed** beyond the second session without genuine and unavoidable constraints.
- In Lok Sabha, the **election of Deputy Speaker** is governed by **Rule 8 of The Rules of Procedure and Conduct of Business in Lok Sabha**.

- Once elected, the **Deputy Speaker usually continues in office** until the dissolution of the House.

◦ Term of Office and Removal:

- Like the Speaker, the Deputy Speaker **remains in office usually during the life of the Lok Sabha (5 years)**.

- The **Deputy Speaker may vacate his/her office earlier** in any of the following three cases:

- If he ceases to be a member of the Lok Sabha.
- If he resigns by writing to the Speaker.
- If he is **removed by a resolution passed by a majority of all the then members of the Lok Sabha.**

- Such a resolution can be moved only after giving 14 days' advance notice.

- **In the case of the State Assembly**, the removal process is the same as that of the Speaker and Deputy Speaker of the Lok Sabha.

- **Responsibilities and Powers (Deputy Speaker of the Lok Sabha):**

- Under **Article 95** of the constitution, the Deputy Speaker **performs the duties of the Speaker's office** when it is vacant.

- He/She also **acts as the Speaker when the latter is absent** from the sitting of the House.
- He/She also **presides over the joint sitting** of both the Houses of Parliament, in case the Speaker is absent from such a sitting.

- The Deputy Speaker has one special privilege, that is, **whenever he/she is appointed as a member of a parliamentary committee**, he/she automatically becomes its chairman.

- **Deputy Speaker and Tenth Schedule (Exception):**

- **Para 5 of the Tenth Schedule** (commonly known as the anti-defection law) says that **a person who has been elected Speaker/ Deputy Speaker shall not be disqualified:**

- If he, by reason of his election to that office, **voluntarily gives up the membership of the political party** to which he belonged immediately before such election,
- **And does not**, so long as he continues to hold such office thereafter, **rejoin that political party** or become a member of another political party.

- This **exemption applies to the** Rajya Sabha Deputy Chairman, Chairman/ Deputy Chairman of a state Legislative Council, and Speaker/ Deputy Speaker of a state Legislative Assembly as well.

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