



Article 101

Why in News?

The Punjab and Haryana [High Court](#) postponed the hearing on [Member of Parliament \(MP\)](#) Amritpal Singh's petition, which sought **permission to attend [Parliament](#)**.

Key Points

- **Legal Argument on Absence:**
 - Amritpal Singh's counsel argued that he had already been absent for 46 days from the date of filing the petition.
 - As per [Article 101\(4\) of the Constitution](#), a **parliamentary seat may be declared vacant if a member is absent for more than 60 days without permission**.
 - It was emphasized that only six days remained before reaching this threshold, after which his membership could be terminated.
- **Background of the Case:**
 - Amritpal Singh, MP from the Khadoor Sahib constituency, initially moved the court in January 2025.
 - He **sought permission to attend Parliament and meet Union ministers** to discuss development issues in his constituency.
 - His plea argued that, as an elected MP representing over 19 lakh people, he should be allowed to fulfill his parliamentary duties.

Article 101(4)

- **Key Provisions:**
 - An MP's seat may be declared vacant if they are absent from the House for 60 consecutive days without permission.
 - The **counting of days excludes periods when Parliament is not in session**.
 - The [Speaker \(Lok Sabha\)](#) or [Chairman \(Rajya Sabha\)](#) decides on the disqualification.
- **Objective:**
 - Ensures active participation of MPs in legislative proceedings.
 - Prevents **neglect of parliamentary responsibilities** by elected representatives.
 - Upholds the principle of accountability in a democracy.
- **Exceptions and Special Cases:**
 - MPs **can apply for leave of absence** due to **valid reasons such as illness, detention, or unavoidable circumstances**.
 - If the **House grants permission, the MP retains their seat**.
 - In **cases of legal detention, courts may intervene** to allow attendance if required.

