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Q7(b)

The Speaker represents the freedom and dignity of the House. Examine

UPSC Civil Services Mains 2022 · PSIR GS 1 · 15 marks · Indian Nationalism

Indian Nationalism: Political Strategies of India's Freedom Struggle; Perspectives on Indian National Movement; Gandhi, Tagore, Nehru, Ambedkar, and the socialists.

Core demand of the question

- The Speaker represents the freedom and dignity of the House. Examine. (15 marks)

Revision summary

The Speaker is meant to embody the House's freedom of debate and the dignity of its rules.

Indian Speakers certify money bills, run question hour, and decide defection.

Kihoto Hollohan made defection rulings reviewable.

Delay in disqualification and partisan adjournments contradict the ideal.

The statement is a constitutional ethic that courts now partly enforce against the chair.

Introduction

The Speaker is the House's presiding officer. In Westminster theory the office stands for the House's freedom against the executive and for the dignity of its procedure. In India, **Article 93** and the anti-defection **Tenth Schedule** have strained that theory.

Body

The Westminster claim

- The Speaker represents the House, not the government. Freedom means the right of members to speak, question, and oppose under rules.
- Dignity means orderly debate, protection of minorities in the House, and custody of privileges.
- **Ersine May** and Indian practice expect the Speaker to be impartial after election, even if the person came from a party.

Indian constitutional design

- The Speaker is elected by the Lok Sabha or Vidhan Sabha. The office is not a presidential nominee.
- Casting vote, adjournment, and referral of money bills (**Article 110**) are powers that can decide legislative fate.
- The **Tenth Schedule** made the Speaker the first judge of defection, which mixed the referee with party-break politics.
- **Kihoto Hollohan (1992)** held that the Speaker's defection order is judicially reviewable, a limit that protects freedom of the House from a partisan chair.

- **Nabam Rebia** (2016) and later **Keisham Meghachandra** (2020) pressed time-limits and constitutionality when Speakers sat on disqualification.

Examination

- When the Speaker protects question hour, opposes sudden adjournment to save the government, and recognises the opposition, the office does represent freedom and dignity.
- When the Speaker certifies ordinary bills as money bills to bypass the Rajya Sabha, or delays defection cases until a term ends, the office represents the majority, not the House.
- **A. V. Dicey's** parliamentary dignity assumed a culture of restraint. Anti-defection and tight whips reduced the member's freedom that the Speaker is said to incarnate.
- State Assemblies have seen mass disqualification and floor tests where the Governor and the Court, not the Speaker's neutrality, restored a kind of dignity, as in some **Bommai**-line cases.

Conclusion of the examine

- The sentence is a norm, not a description. The Speaker ought to represent the House's freedom and dignity.
- Law has had to review the Speaker because practice often failed the norm.
- Strengthening impartiality-faster defection decisions, less inventive money-bill certification-would make the sentence true again.

Flow diagram

Speaker -> Freedom of speech in House
 Speaker -> Dignity of procedure
 Tenth Schedule -> Partisan chair
 Kihoto Hollohan -> Judicial review

Conclusion

The Speaker is designed as the symbol of the House's freedom and dignity. **Tenth Schedule** partisanship and procedural abuse have often made the office the majority's tool. Kihoto and later cases restored review so that dignity is not whatever the chair says.

Facts & figures

Article 93

Lok Sabha shall choose a Speaker and a Deputy Speaker.

Tenth Schedule

Anti-defection; the Speaker (or Chairman) decides disqualification in the first instance.

Kihoto Hollohan (1992)

Speaker's **Tenth Schedule** order is subject to judicial review.

Keisham Meghachandra (2020)

Supreme Court pressed that Speakers decide disqualification within a reasonable period, suggesting three months as a guide.

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