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Q39

Consider the following statements: 1. The Speaker of the Legislative Assembly shall vacate his/her office if he/she ceases to be a member of the assembly. 2. Whenever the Legislative Assembly is dissolved, the Speaker shall vacate his/her office immediately. Which of the statements given above is/are correct? (a) 1 only (b) 2 only (c) Both 1 and 2 (d) Neither 1 nor 2 Official key: A.

UPSC Civil Services Prelims 2018 · General Studies · 2 marks · Polity and Governance

Indian Constitution, polity, rights, governance - Prelims GS Paper I.

Explanation**(a) Official key**

(a) 1 only. **(a) Official key:** The Speaker must be an Assembly member; ceasing to be a member vacates the office. On dissolution the Speaker does not go immediately but continues until the first sitting of the new House. Statement 2 is therefore false. Only statement 1 is correct.

(b)

(b) 2 only. Immediate vacation on dissolution is not the constitutional rule. This is not the key.

(c)

(c) Both 1 and 2. Statement 2 fails, so both-correct is not the key.

(d)

(d) Neither 1 nor 2. Statement 1 is true, so 'neither' is not the key.

Summary

- **Official key is (a) 1 only. Article 179:** the Speaker vacates office on ceasing to be a member, but after dissolution continues until the next Assembly meets. Honour the stored letter (a).

Related possible facts

These can be asked in a future Prelims paper.

Article 179

Vacation and resignation of Speaker/Deputy Speaker

Continuity after dissolution

Speaker in office till first meeting of new House

Deputy Speaker

Same continuity rule

Lok Sabha parallel

Article 94 for the Speaker of the House of the People

Pro tem Speaker

Swears in a new House before Speaker election

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