

Examrace

Competitive Exams: Political Science Study Material Lok Sabha or the Lower House

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The Lok Sabha or the Lower House

The Lok Sabha is the popular House of the Parliament because its members are directly elected by the citizens of India. All the members of the Parliament are popularly elected, except not more than two members of the Anglo-Indian community, who are nominated by the President. This is basically due to the fact that they are not concentrated in a particular constituency and hence the Anglo-Indian community, in the opinion of the President, is not adequately represented in the Lok Sabha. In the Constitution, the strength of the Lok Sabha was provisioned to be not more than 552 – 530 from the States, 20 from the Union Territories and 2 nominated from the Anglo-Indian community. But the Constitution empowers the Lok Sabha to readjust the strength.

Tenure of the Lok Sabha

- The normal tenure of the Lok Sabha is five years. But the House can be dissolved by the President before the end of the normal tenure.
- The life of the Lok Sabha can be extended by the Parliament beyond the five-year term during the period of time of emergency, proclaimed under Art. 352. But this extension is for a period of not more than one year at a time (no limit on the number of times in the Constitution).
- However, such extension shall remain in force for not more than six months after the emergency has been revoked.
- The original Constitution, under Art. 83 envisaged the normal tenure of the Lok Sabha to be 5 years. However, Parliament by 42nd Amendment extended it to six years, but the 44th Amendment Act again fixed the original normal tenure of five years.

Qualifications for the Membership of the Lok Sabha

To become a member of the Lok Sabha, the person must

- be a citizen of India.
- be not less than 25 years of age.
- be a registered voter in any of the Parliamentary constituencies in India.
- should not hold any office of profit

Vacation of Seats

Provisions for vacation of the seats in the Parliament are enumerated in Art, 101, These are:

- No person shall be a member of both the Houses of the Parliament. If a person is chosen for both the Houses, he/she shall have to vacate membership of either House.
- If a member of the house is disqualified under Art. 102 (1) and (2).
- If a member resigns in writing addressed to the Chairman (the Council of States) or the Speaker (the House of People) as the case may be, and if his resignation is accepted by the Chairman or the Speaker, as the case may be.
- If a member of either House absents himself from the House without its permission for a period of more than sixty days, the House may declare his seat vacant.

The Speaker and the Deputy Speaker of the Lok Sabha

- The Speaker is the Chief Presiding Officer of the Lok Sabha.
- The two officers are elected from amongst the Members of the Lok Sabha after a new Lok Sabha is constituted.
- The Speaker presides over the meetings of the House and his rulings on the proceedings of the House are final.
- He has the responsibility to uphold the dignity and the privileges of the House.
- In the absence of the Speaker, the Deputy Speaker performs the Speaker's duties.
- The Speaker continues to hold office even after the Lok Sabha is dissolved till the newly elected Lok Sabha is constituted.
- The Speaker and the Deputy Speaker may be removed from their offices by a resolution passed by the House with an effective majority of the House after a prior notice of 14 days to them.
- The Speaker, to maintain impartiality of his office, votes only in the case of a tie i.e. to remove a deadlock arising from equality of votes.

Penalty for Sitting and Voting when Not Qualified

If a person sits or votes as a member of either House of the Parliament before he has complied with the requirements of Art. 99 (Oath), or when he knows that he is not qualified or that he is disqualified for membership thereof, he shall be liable in respect of each day on which he so sits or votes to a penalty of five hundred rupees to be recovered as a debt due to the Union.