

**05– 06 – 2024**

**News:** Election results 2024

- General elections were held in India from 19 April to 1 June 2024 in seven phases, to elect all 543 members of the Lok Sabha.
- Votes were counted and the result was declared on 4 June.
- More than 968 million people out of a population of 1.4 billion people were eligible to vote, equivalent to 70% of the total population.
- 64.2 Crore (642 million) voters participated in the election and 31.2 crore (312 million) of them were women, making it the highest ever participation by women voters.
- The legislative assembly elections in the states of Andhra Pradesh, Arunachal Pradesh, Odisha, and Sikkim were held simultaneously with the general election, along with the by-elections for 25 constituencies in 12 legislative assemblies.

**Electoral system to the Lok Sabha**

- Article 83 of the Constitution of India requires elections to the Lok Sabha to be held once every five years.

- All 543 elected MPs are elected from single-member constituencies using first-past-the-post voting.
- The 104<sup>th</sup> amendment to the constitution abolished the two seats that were reserved for the Anglo-Indian community.

### **Notification to the Election**

- The election schedule for the 18<sup>th</sup> Lok Sabha was announced by the Election Commission of India on 16 March 2024, and with it the Model Code of Conduct came into effect.
- The tenure of the 17<sup>th</sup> Lok Sabha is scheduled to end on 16 June 2024.

### **National Parties heading to the election**

- Six national parties contested the 2024 Indian general elections: BJP (Bharatiya Janata Party), INC (Indian National Congress), CPI (M) (Communist Party of India (Marxist)), BSP (Bahujan Samaj Party), NPP (National People's Party) and AAP (Aam Aadmi Party) with all except the BSP being a part of one of the two alliances.

## **National parties**

A registered party is recognised as a national party only if it fulfils any one of the three conditions listed below

- The party wins two per cent of seats (11 seats) in the Lok Sabha from at least three different states.
- At a general election to Lok Sabha or Legislative Assembly, the party polls six per cent of votes in any four or more states and in addition it wins four Lok Sabha seats.
- The party gets recognition as a state party in four states.

## **State party**

A registered party is recognised as a state party only if it fulfils any one of the four conditions listed below:

- A party should secure at least six per cent of valid votes polled in an election to the state legislative assembly and win at least two seats in that state assembly.
- A party should secure at least six per cent of valid votes polled in an election to Lok Sabha and win at least one seat in Lok Sabha.
- A party should win at least three per cent of the total number of seats or any fraction thereof allotted to that state.

- Under the liberalised criteria, one more clause that it will be eligible for recognition as state party if it secures eight per cent or more of the total valid votes polled in the state.
- There are 57 recognized state parties in India catered over various states.

### **Privileges of National parties**

- A recognised party (national or state) has the right to certain privileges like allocation of the party symbols, provision of time for political broadcasts on the state-owned television and radio stations and access to electoral rolls.
- These parties are allowed to have 40 “star campaigners” during the time of elections (the registered-unrecognised parties are allowed to have 20 “star campaigners”).
- Every national party is allotted a symbol exclusively reserved for its use throughout the country. Even in the states where it is not contesting elections.
- For a state party, the allotted symbol is exclusively reserved for its use in the state/s in which it is so recognised.

# Lok Sabha

- The Lok Sabha, constitutionally the House of the People, is the lower house of India's bicameral Parliament, with the upper house being the Rajya Sabha.
- Members of the Lok Sabha are elected by an adult universal suffrage and a first-past-the-post system to represent their respective constituencies, and they hold their seats for five years or until the body is dissolved by the President on the advice of the council of ministers.
- The maximum membership of the House allotted by the Constitution of India is 552 (Initially, in 1950, it was 500).
- Currently, the house has 543 seats which are filled by the election of up to 543 elected members.
- Between 1952 and 2020, two additional members of the Anglo-Indian community were also nominated by the President of India on the advice of the Government of India, which was abolished in January 2020.
- To form a government, a party (or a coalition of parties) must have a support of 272 Members of Lok Sabha.
- A total of 131 seats (24.03%) are reserved for representatives of Scheduled Castes (84) and Scheduled Tribes (47). The quorum for the House is 10% of the total membership.

- The Lok Sabha, unless sooner dissolved, continues to operate for five years from the date appointed for its first meeting. However, while a proclamation of emergency is in operation, this period may be extended by Parliament by law or decree.

## Speaker of Lok Sabha

- The Speaker is the presiding officer of the Lok Sabha, (the lower house of the Parliament of India).
- Newly elected Members of Parliament from the Lok Sabha elect the Speaker among themselves.
- Article 93 of the Constitution provides for the election of both the Speaker and the Deputy Speaker.
- The Constitution provides that the office of the Speaker should never be empty.
- 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.
- The Government of India Act of 1935 changed the nomenclatures of President and Deputy President to the Speaker and Deputy Speaker respectively.

- The Constitution of India requires the Speaker should be a member of the House.
- Although there are no specific qualifications prescribed for being elected the Speaker, an understanding of the Constitution and the laws of the country is considered a major asset for the holder of the Office of the Speaker.
- Usually, a member belonging to the ruling party is elected Speaker. The process has evolved over the years where the ruling party nominates its candidate after informal consultations with leaders of other parties and groups in the House.
- This convention ensures that once elected, the Speaker enjoys the respect of all sections of the House.
- The Speaker (along with the Deputy Speaker) is elected from among the Lok Sabha members by a simple majority of members present and voting in the House.
- Once a decision on the candidate is taken, his/her name is normally proposed by the Prime Minister or the Minister of Parliamentary Affairs.
- The Speaker holds Office from the date of his/her election till immediately before the first meeting of the next Lok Sabha (for 5 years).
- The speaker once elected is eligible for re-election.

- Whenever the Lok Sabha is dissolved, **the Speaker does not vacate his office and continues till the newly-elected Lok Sabha meets** (not in the case of Deputy Speaker).
- He / She are the **final interpreter of the provisions of the Constitution of India, the Rules of Procedure and Conduct of Business of Lok Sabha and the parliamentary precedents, within the House.**
- In matters regarding interpretation of these provisions, he/she often gives rulings which are respected by members and are **binding in nature.**
- He / She **preside over a joint sitting of the two Houses of Parliament.** Such a sitting is summoned by the President to settle a deadlock between the two Houses on a bill. According to article 118 of the Indian constitution, **the President, after consultation with the Chairman of the Council of States and the Speaker of the House of the People, is responsible for making rules regarding procedure with respect to joint sittings.**
- In absence of Lok Sabha speaker, Deputy Speaker presides the joint sitting.
- If the Deputy Speaker is also absent from a joint sitting, the **Deputy Chairman of Rajya Sabha presides.** If he is also absent, such **other person as may be determined by the members present at the joint sitting,** presides the meeting.
- The **speaker can suspend a member of the Lok Sabha without calling for adoption of motion.** He may invoke Rule 374A of the Lok Sabha's rules of



procedure and conduct of business in case of grave disorder occasioned by a member coming into the well of the House or abusing the Rules of the House or persistently and wilfully obstructing its business by shouting slogans or otherwise. In such a case, the member concerned, on being named by the Speaker, stands automatically suspended from the service of the House for five consecutive sittings or the remainder of the session, whichever is less.

- However, he doesn't have the power to revoke such a suspension. Instead, **the power to revoke the suspension lies with Lok Sabha.**
- He / She can **adjourn the House or suspend the meeting in absence of one-tenth of the total strength** of the House (called the quorum).
- The **Secretary General shall communicate to each member the date, time, place and duration of the next part of the session.**
- In cases of **State Legislative Assembly, either 1/10<sup>th</sup> or 10, whichever is higher,** is taken as the Quorum.
- The presiding officer of that House of Parliament has the **final powers in deciding matters of breach of privileges.**
- The speaker **does not vote in the first instance but in the case of a tie;** when the House is divided equally on any question, the Speaker is entitled to vote. Such a vote is called a **Casting Vote**, and its purpose is to resolve a deadlock.

- He / She decides **whether a bill is a money bill or not** and his/her decision on this question is **final**.
- He can **allow a 'secret' sitting of the House at the request of the Leader of the House**. When the House sits in secret, **no stranger can be present in the chamber, lobby or galleries except with the permission of the Speaker**.
- It is the speaker who decides the questions of **disqualification of a member of the Lok Sabha**, arising on the ground of defection under the provisions of the **Tenth Schedule**.
- The 52<sup>nd</sup> amendment to the Indian Constitution vests this power in the Speaker.
- In 1992, the Supreme Court ruled that the decision of the Speaker in this regard is subject to judicial review.
- He / She acts as the **ex-officio chairman of the Indian Parliamentary Group (IPG)** which is a link between the Parliament of India and the various parliaments of the world.
- He also acts as the **ex-officio chairman of the conference of presiding officers of legislative bodies in the country**.
- The **Committees of the House are constituted by the speaker and function under the speaker's overall direction**.
- The Chairmen of all Parliamentary Committees are nominated by him/her.

- Committees like the Business Advisory Committee, the General Purposes Committee and the Rules Committee work directly under his Chairmanship.
- The Speaker is the **guardian of the rights and privileges of the House**, its Committees and members.
- It depends solely on the Speaker to refer any question of privilege to the Committee of Privileges for examination, investigation and report.
- **Leader of Opposition must be recognized by the Speaker.**

### **Abnormal Vacation of Office of Speaker**

Usually, the Speaker remains in office during the life of the Lok Sabha. However, under following conditions, the speaker, may have to vacate the office earlier:

- If he ceases to be a member of the Lok Sabha.
- If he **resigns by writing to the Deputy Speaker.**
- If he is removed by a resolution passed by a majority of all the members of the Lok Sabha. Such **a resolution can be moved only after giving 14 days' advance notice.** When a resolution for the removal of the Speaker is under consideration of the House, he/she may be **present at the sitting but not preside.**

## Speaker Pro Tem

- When the Speaker of the last Lok Sabha vacates his office immediately before the first meeting of the newly-elected Lok Sabha, the President appoints a member of the Lok Sabha as the Speaker Pro Tem.
- Usually, the senior most members are selected for this.
- The President himself administers oath to the Speaker Pro Tem.
- He/ She preside over the first sitting of the newly-elected Lok Sabha and have all the powers of the Speaker.
- The main responsibility is to administer oaths to the new members and to enable the House to elect the new Speaker.
- When the new Speaker is elected by the House, the office of the Speaker Pro Tem ceases to exist.
- When the offices of both the Speaker and the Deputy Speaker fall vacant, the duties of the office of the Speaker are performed by such member of the Lok Sabha, as the President may appoint for the purpose. The person so appointed is also known as the Speaker pro tem.

## Leader of the House in Lok Sabha

- The Leader of the House in Lok Sabha is the parliamentary chairperson of the party that holds a majority in the Lok Sabha and is responsible for government business in the house.
- The office holder is usually the prime minister if they are a member of the house.
- If the prime minister is not a member of the Lok Sabha, usually the senior-most minister in the union cabinet serves as the leader of the house.

### Vacancy in seat in Lok Sabha

A seat in the Lok Sabha will become vacant in the following circumstances (during the normal functioning of the House):

- When the holder of the seat, by writing to the speaker, resigns.
- When the holder of the seat is absent from 60 consecutive days of proceedings of the House, without prior permission of the Speaker.
- When the holder of the seat is subject to any disqualifications mentioned in the Constitution or any law enacted by Parliament.
- A seat may also be vacated when the holder stands disqualified under the 'Anti-Defection Law'.

Furthermore, as per article 101 (Part V.—The Union) of the Indian Constitution, a person cannot be:

- A member of both Houses of Parliament and provision shall be made by Parliament by law for the vacation by a person who is chosen a member of both Houses of his seat in one House or the other.
- A member both of Parliament and of a House of the Legislature of a State.
- A member of Lok Sabha from more than 1 constituency.
- In this case, Rahul Gandhi has to vacate one of his seats either in Wayanad or Raebareli as he won from both constituencies and the law does not permit a person to represent both the constituencies.
- Shafi parambil MP (from Vadakara) also has to vacate his membership from Kerala Legislative Assembly Palakkad seat within 14 days, failing to do so would necessarily relieve him from the position of MP, thereby necessitating a bye election in any case.