
ABSENCE OF THE DEPUTY SPEAKER IN THE LOK SABHA: A CONSTITUTIONAL ANOMALY

Kimaya Dalvi, School of Law, Narsee Monjee Institute of Management Studies, Bengaluru

Navtez Singh, School of Law, Narsee Monjee Institute of Management Studies, Bengaluru

ABSTRACT

This is because the office of the Deputy Speaker in the Lok Sabha has been left vacant since 2019¹, a very serious constitutional and democratic issue. The Indian constitution provides in Article 93² that the Speaker and the Deputy Speaker should be elected as soon as possible after every general election. The fact that the government remained idle has however contravened the balance of power at Parliament and also weakened the democratic governance convention. The deep-rooted inability to complete the assigned post is a symptom of political resistance and makes one question the sense of responsibility, transparency, and adherence to parliamentary traditions. It has long been an opposition position and has been used to bring about bipartisanship and fair representation in House. Moreover, this disregard undermines the institutional integrity and creates a bad example of how legislation should work on the national and state levels. The case demands constitutional immediate compliance and redress to protect the democratic system the framers of the Constitution sought to generate. Not only does it make procedural balance important to restore the office of the Deputy Speaker but it is also important in the reaffirmation of the rule of law, the constitutional morality and the virtue of the representative democracy of India.

Keywords: Deputy Speaker, Article 93³, Lok Sabha, Procedural Balance, Democracy of India, Balance of power, Parliamentary Tradition, Bipartisanship.

¹ India, Lok Sabha, 17th Lok Sabha (2019–2024).

² Constitution of India, art. 93.

³ *Ibid*

INTRODUCTION

The Lok Sabha's deputy speaker post has been vacant for the longest time in its history. Since the start of the 17th Lok Sabha⁴, which is presently continuing in the 18th Lok Sabha⁵ as well, the position has been unfilled. Delaying is seen as an extraordinary step by the ruling party that violates the constitutional mandate. The long-standing vacancy of the deputy speaker position raises very severe constitutional and legal expectations. This is detrimental to parliamentary democracy just as much as it is unhealthy. Since he presides over the house while the Speaker is not present, the Deputy Speaker plays a crucial role in maintaining order and ensuring that all members of the various political parties participate equally. The incapacity to consistently select a Deputy Speaker since July 2025, a period of more than six years, has been viewed as both procedurally peculiar and constitutionally dubious. The integrity of parliamentary operations and the fundamental tenets of democratic administration are at risk when there is no Deputy Speaker at all.

ARTICLE 93⁶ OF THE INDIAN CONSTITUTION AND RULE 8⁷ OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE LOK SABHA

Article 93⁸ of the Indian Constitution mandates that the Lok Sabha shall elect a Speaker and a Deputy Speaker as soon as may be, following each general election or when one of those offices becomes vacant. Although it does not specify a timetable, the wording "as soon as may be" attempts to enable timely appointments that preserve the integrity of the parliamentary processes.

This could be viewed as a flaw in the wording of Article 93⁹ because the phrase "as soon as possible" can be interpreted in a variety of ways depending on the individual. In this sense, even though the urgency is expressed, this sentence lacks logical and interpretive relationships.

The Speaker has the power to determine the date of the Deputy Speaker's election in accordance with Rule 8(1) of the Rules of Procedure and Conduct of Business in the Lok Sabha¹⁰. The

⁴ *Supra note 1*

⁵ India, Lok Sabha, 18th Lok Sabha (2024–2029).

⁶ *Supra note 2*

⁷ 17th Edition, LOK SABHA SECRETARIAT, RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN LOK SABHA, Rule 08, 2024

⁸ *Supra note 2*

⁹ *Ibid.*

¹⁰ *Supra note 7*

Deputy Speaker is chosen when a resolution proposing a name is approved by the chamber. Constitutional academics view the delay as a serious departure from democratic standards because the office has not yet been filled with this procedural certainty. States having established schedules for the election of the Speaker and Deputy Speaker in their legislatures, like Uttar Pradesh and Haryana, serve as role models for prompt behaviour and accountability¹¹. When a deputy speaker is not chosen from among them, the parliamentary balance and institutional representation are lost.

GOVERNMENT RELUCTANCE AND POLITICAL DEADLOCK

The Constitution of India does not specifically state that the Deputy Speaker of Lok Sabha must be elected amongst the opposition though over the years it has now become a well-established tradition in parliament. The tradition began with Prime Minister Jawaharlal Nehru in 1956 who would have offered the opposition Shiromani Akali Dal Sardar Hukum Singh as Deputy Speaker¹². It was the morale of the post of the Deputy Speaker to the Opposition party since the government of first non-INC Prime Minister, Morarji Desai¹³. Although members of the ruling party were also appointed in later Congress-led administrations, this practice became more prevalent following the Emergency, and opposition members currently typically hold these positions. This tradition has been upheld by every Lok Sabha. M. Thambidurai¹⁴ of the AIADMK occupied the position in the 16th Lok Sabha (2014–2019)¹⁵. This is due to the necessity of cultivating a sense of strong bipartisanship within the house.

This parliamentary tradition has been significantly violated by the long-standing vacancy of the Deputy Speaker since 2019. Since the opposition party has always been offered the seat, the ruling party has been severely disgraced by its unwillingness to start the election process. This hesitation is essentially an intentional evasion of the spirit of constitutional and democratic

¹¹ Liz Mathew, Explained: Questions around the election of Deputy Speaker, THE INDIAN EXPRESS (Oct. 21, 2021, 8:10 AM IST), <https://indianexpress.com/article/explained/uttar-pradesh-assembly-deputy-speaker-election-nitin-agrawal-7582446>.

¹² Shyamlal Yadav, When Nehru Picked Opposition Leader as Deputy Speaker, THE INDIAN EXPRESS (Mar. 5, 2023), <https://indianexpress.com/article/opinion/columns/when-jawaharlal-nehru-picked-opp-leader-as-deputy-speaker-8479573/>.

¹³ Election of Speaker and Deputy Speaker, CIVILSDAILY, <https://www.civildaily.com/news/election-of-speaker-and-deputy-speaker/> (last visited Oct. 22, 2025).

¹⁴ PRS India, Munisamy Thambidurai, <https://prsindia.org/mptrack/16-lok-sabha/munisamythambidurai> (last visited Oct. 22, 2025).

¹⁵ Lalmani Verma, Decode Politics: What is the Deputy Speaker's role and how often has it been an Opposition MP?, THE INDIAN EXPRESS (June 26, 2024, 10:46 PM IST), <https://indianexpress.com/article/political-pulse/deputy-speakers-role-opposition-mp-9415379/>.

norms. The government claims that since legislative actions, such as the passing of bills and parliamentary debates, are regular parliamentary proceedings, there is no pressing need for a deputy speaker. This committee, which consists of nine members from various political parties, was established to help the Speaker manage the house's operations. As a result, it appears to be a substitute for the House's Deputy Speaker. This order appears to be a premeditated substitute designed to circumvent the conventional procedure for choosing a Deputy Speaker.

THE DEPUTY SPEAKER CRISIS ACROSS LEGISLATIVE ASSEMBLIES

The long-term vacancy of the Deputy Speaker position in the Lok Sabha is one concerning trend that is being repeated in other state legislative bodies. According to current estimates, at least eight states have failed to fill the position of Deputy Speaker, upending long-standing legislative administration customs¹⁶.

One of the most notable cases is Jharkhand, which has had no Deputy Speaker for more than 20 years, the longest vacancy in the state's history. The Supreme Court of India sent a notice to the Union Government and five states (Rajasthan, Uttarakhand, Madhya Pradesh, Uttar Pradesh, and Jharkhand) in early 2023 regarding the failure to elect Deputy Speakers¹⁷. These openings have existed for varying lengths of time, frequently since the previous assembly elections years ago.

Due to constitutional experts' and democratic institutions' amendments to the constitution, these delays have raised worries about threats to the legislative balance and parliamentary traditions. In addition to impeding the processes' efficacy, the absence of a Deputy Speaker puts the opposition's representation in critical decision-making at risk¹⁸.

JUDICIAL INVOLVEMENT

The Lok Sabha must choose a Speaker and a Deputy Speaker as soon as feasible following

¹⁶ Vajiram Content Team, Why the Deputy Speaker Matters: Constitutional Role, Powers & the Vacancy Debate, VAJIRAM & RAVI (May 29, 2025, 11:41 IST), https://vajiramandravi.com/current-affairs/office-of-deputy-speaker/?utm_source=chatgpt.com.

¹⁷ Shemin Joy, No Deputy Speaker in Eight State Assemblies; Post Vacant in Jharkhand for Over 20 Years, DECCAN HERALD (May 18, 2025), <https://www.deccanherald.com/india/no-deputy-speaker-in-eight-state-assemblies-post-vacant-in-jharkhand-for-over-20-years-3546130>.

¹⁸ Press Trust of India, 'No Deputy Speaker in Eight State Assemblies, Says Think Tank Report', BUSINESS STANDARD (17 May 2025) https://www.business-standard.com/india-news/no-deputy-speaker-in-eight-state-assemblies-says-think-tank-report-125051700919_1.html

general elections or when one of the two positions is vacant, according to Article 93¹⁹ of the Indian Constitution. Even though courts have historically refrained from getting involved in Parliament's procedural processes because the question is whether a constitutional requirement has been met rather than whether a procedural anomaly has occurred, a growing number of constitutional experts argue that the delay in selecting a Deputy Speaker may be justified.

In September 2021, the Delhi High Court received this petition (Pawan Reley v. Speaker, Lok Sabha & Ors)²⁰, claiming that the Deputy Speaker's vacancy violated Article 93²¹. Despite raising serious constitutional issues, the case did not lead to a ruling that required the election.

The jurisprudence of legislative schedules and judicial control reflects this oscillation between parliamentary independence and constitutional accountability. The Indian Supreme Court rendered a decision in *Kihoto Hollohan v. Zachillhu and Ors.* (1992)²², when making decisions under the Tenth Schedule (anti-defection law)²³, the Speaker or Deputy Speaker functions as a quasi-judicial tribunal. As a result, Articles 32²⁴ and 226²⁵, which give citizens the ability to use the Supreme Court and High Courts to enforce their fundamental rights, allow citizens to contest their decisions.

*Keisham Meghachandra Singh v. The Manipur Legislative Assembly, Speaker*²⁶ (2020) reaffirmed the court's power to order constitutional authorities, such as the Speaker, to respond to a disqualification application in a timely manner. The courts can take action and make sure that constitutional activities are not continuously postponed even though they do not prescribe in such circumstances. Furthermore, the Supreme Court may apply Article 142²⁷, which gives it the authority to issue orders on comprehensive justice where particular legal remedies are unavailable, in cases of flagrant non-compliance or institutional corruption.

These precedents are important because they support the notion that procedural legislative purity cannot supersede substantive constitutional imperatives. Article 93²⁸, which mandates

¹⁹ *Supra note 2*

²⁰ Pawan Reley v. Speaker, Lok Sabha & Ors., W.P.(C) 9354/2021

²¹ *Supra note 2*

²² *Kihoto Hollohan v. Zachillhu*, 1992 Supp (2) SCC 651

²³ Constitution of India, Tenth Schedule

²⁴ Constitution of India, art. 21

²⁵ Constitution of India, art. 226

²⁶ *Keisham Meghachandra Singh v. Speaker, Manipur Legislative Assembly*, (2021) 16 SCC 503

²⁷ Constitution of India, art. 142

²⁸ *Supra note 2*

that the position be filled as quickly as feasible, may be violated by the delay in the nomination of a Deputy Speaker. This could support judicial action to preserve constitutional integrity and stop the deliberate deterioration of democratic ideals rather than to control legislative judgment.

CONCLUSION

Legislative accountability and opposition representation are at risk due to the long-standing vacancy in the position of Deputy Speaker in the Lok Sabha and other assemblies, which is a constitutional and democratic failing. It is an indication of structural neglect rather than just a procedural blunder, endangering the integrity of India's parliamentary institutions. Judicial precedents like *Kihoto Hollohan*²⁹ and *Keisham Meghachandra Singh*³⁰ establish the legislature's constitutional duty as something that can and must be revisited in the event that the democratic balance is disturbed. The courts have the authority to guarantee that constitutional obligations are met in a fair amount of time, even though Article 93's³¹ wording is not very explicit. Resuming the position of Deputy Speaker and reiterating India's commitment to inclusivity, transparency, and constitutional faithfulness are crucial for establishing institutional confidence, as failing to do so would send a concerning message.

²⁹ *Supra note 19*

³⁰ *Supra note 23*

³¹ *Supra note 2*

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