The Speaker of the Maharashtra Legislative Assembly is the guardian of the rights and privileges of the House. He is supposed to guide the deliberations and maintain order there. The nature of Legislature is peculiar unlike that of an ordinary debating society in a School or College. As it is debate means divergent views, one trying to attack the views of the others. There, certain amount of warmth is inevitable. Having regard to the nature of the legislature, a presiding officer is more needed. Unlike most institutions the Speaker's office is dynamic and deals with the actual needs and problems of the Parliament and the State legislatures in the process of its development. The speakership is an office of much dignity, honour and power, which not only serves the constitutional and to a large extent, legislative ends, but also influences almost every phase of Parliamentary life. When it is said that his position is of great authority it means that when he presides over meetings of the legislature his word is law. It is described as dignity, it is because he occupies a very high position in protocol. Like that he must have the qualities of independence and impartiality. He must be free from the Executive influence so that the Executive does not brow beat him. He must be impartial and must be able to hold the scales even between the
Ruling party and the opposition. Hence it can be described that the Speaker is no longer a person but an institution in itself.

Why Speaker is called a speaker? In England it was the duty of somebody to speak to the King on behalf of the House. So whatever decisions were taken by the House, those decisions were first conveyed to the King. From the position when the Speaker was a servant and spokesman of the crown, today, he occupies the position of the spokesman and servant of the House. It is a great transition that has taken place during all these years. From early, in England, the Speaker was regarded as the Spokesman of the King. The King depended upon the speaker to get the business transacted in the House. From that time onwards, the relations between the speaker and the King, and the Speaker and the House have undergone a great and significant change and ultimately the House asserted its rights and now the Speaker has come to occupy the position namely, to be the servant and the Spokesman of the House.

In India the Legislatures came into existence in 1854 under the Charter Act of 1853. Right from its beginning till 1920 the Governor General of India presided over the sittings of the legislatures under the different statutes passed by Parliament from time to time and she was designated as the "PRESIDENT" of the legislative Council.
Under the Government of India Act, 1919, the first president of the First Central Legislative Assembly was Sir Frederick Whyte, who was nominated by the Governor General of India for four years (1921-25). For the first time second Central Legislative Assembly elected, Shri V. J. Patel, as its First non-official President. President Patel held Office from 1925-30 (Second and Third Central Legislative Assembly).

In Maharashtra, the Governors of the Bombay Province, Presided over the meetings of the Bombay Legislative Council from 1862 to 1920. In 1921, the First President of the Bombay Legislative Council was Sir N. G. Chandavarkar, who was nominated by the Governor, who held office from 1921 to 1923. For the first time in the history of Maharashtra, a bicameral legislature was established in 1937, Under the Act of 1935. Shri G. V. Kavalikar got elected as the First Presiding officer of Bombay Vidhan Sabha and Shri Mangaldas Pakwasa of Bombay Vidhan Parishad.

Before 1920, Governor Generals in the Central Legislature and Governors at the Provinces presided over the Meetings of the legislature. And therefore, he could hardly be placed in the category of the British speaker who has been devoid of any trace of executive authority or party colour and who has exhibited a high degree of impartiality. The tradition of electing a Speaker to the Central Legislative Assembly started from 1925 and to the
Bombay Legislative Assembly from 1937. The status of the Speaker since then has been gradually evolving on democratic lines and conventions. Now the position of the Speaker in India is almost identical with that of his counterpart in the House of Commons in England.

The legislature in Maharashtra is bicameral, that is, having the legislative Assembly and legislative Council. Their composition is governed by Article 170 and 171 of the Indian Constitution. The Indian constitution provides, Speaker of the Legislative Assembly and Chairman for the Legislative Council.

The Speaker is elected by the House. Nomination papers for the Speaker are invited before noon preceding the day for election fixed by the Governor. The motions are put before the House in the order of the receipt of nominations. Debate on the motions is not permitted and once a motion has been carried, no further motions are allowed and the member proposed in the successful motion is declared elected. On his being elected, he is administered an oath of office by the Governor of the State as provided in the Third Schedule of the Indian Constitution.

The Deputy Speaker acts as Speaker in the event of Speaker's absence. The term of the Speaker is governed by governed by Article 179 of the Constitution of India, which states that the Speaker continues to be in his office
till a new speaker is elected in the First meeting of the Assembly after the dissolution.

The Speaker is free to resign when he so chooses and may be removed from his office by a resolution of the Assembly passed by a majority of all the then members of the Assembly\(^\text{12}\). The motion for the removal of the Speaker can not be moved unless at least Fourteen days notice has been given of the intention to move the motion as required under Article 179. And such a motion can be admitted if it is supported by not less than 27 members\(^\text{13}\). Despite the constitutional provision for moving no-confidence motion against the Speaker, the late Prime Minister, Jawaharlal Nehru considered it to be an unhealthy tradition to do so.

On one, when motion of no-confidence was launched on 18th December 1954 in the Lok Sabha, he observed\(^\text{14}\). We are concerned with our honour, we are concerned with the honour of the person who holds up the dignity and prestige of the Parliament. I do not say that it is not possible at all to raise a motion against the speaker. Of course, the constitution has provided it. Nobody challenges the right of opposition or any member of the House to put forward this motion I do not deny that, since it has been given by the Constitution. The point is not the legal right but the propriety, the desirability of doing it.
There should not be any criticism about the Speaker's conduct either inside the House or outside except on a motion for his removal. If however, any motion for the Speaker's removal is moved in the House, then fullest opportunity is given to Members to discuss including serious allegations. In order to protect his status as independence and impartiality, there are certain conventions to be observed by the Speaker after his election. For example, the Speaker must not take part in active politics, he should not accept any membership of any committee appointed by Government, because then in that case he would be a subordinate to Government. Like that some thing must also be done by the Political Parties to maintain the Speaker's position as contemplated. For example, his election to the Assembly must be ensured. In the general elections, the Political parties must agree that the Speaker's seat should remain uncontested, like that his election to the chair also must be uncontested. And no doubt this will create such a climate of independence which enables the speaker to be impartial and independent. Such a climate of independence exists in England and there he has nothing to worry about anything.

The office of the Speaker has several obligations manifested through his functions. He has administrative, regulatory, censuring, supervisory, judicial, police and residuary functions to perform. The significance of
the office of the Speaker can be judged easily from the functions he performs and the powers he exercises.

Regulations of the debate is one of the most important functions that the Speaker is required to perform, within the frame work of the Rules of the Maharashtra legislative Assembly, he admits the notices of questions, motions, bills and resolutions. If the debate is to be carried out in an orderly manner, then the Speaker is required to keep order in the House. So far as proceedings of the Assembly is concerned, he has got full control over the debates and the House.

He is the guardian of the rights and privileges of the House both in collective and individual aspects. It is duty of the Speaker to see that all shades of opinion are given due opportunity to voice their feelings. The independence and impartiality of the Speaker is really tested when he has to protect the rights of the minority party. And if the Speaker fails to perform this important function in the House, he looses his impartial figure, and he does not deserve such a high office.

Herman Finer states that the power of Speakership in Britain issues from tradition, ceremony and the possession of present day rights by practice, rule and statute.
He is empowered to exercise a casting vote in tie, and his decision is final in regard to the dispute over a money bill. The rulings given by the Speaker cannot be challenged and in the exercise of his power he is responsible to the House only.

He is the spokesman of the House so far as the motions are concerned or certain decisions are taken by the House, supposing a man is adjudged guilty of the breach of privilege, the House takes a decision and the Speaker has the authority to issue a warrant of arrest. The person concerned is arrested, and he may be sent to prison or admonished. Breach of privilege is quasi-judicial in nature, and hence judicial function is also performed by the Speaker.

The Speaker represents the House, and the House represents the nation. In a particular way, the Speaker becomes the symbol of the nation's freedom and liberty. Therefore, it is right that the Speaker's should be an honoured position, a free position and should be occupied always by men of outstanding ability and impartiality.

Deputy Speaker in the Assembly: As mentioned earlier, the Deputy Speaker acts as Speaker in the events of Speaker's absence. The Deputy Speaker is also elected by the Assembly and if there is a vacancy in the office of the Deputy Speaker, the election of the Deputy Speaker is necessary, the Speaker shall fix a date for the holding of the election. Irrespective of the Deputy Speaker, there is also a panel of Chairman of Four members, any one of whom may preside over the Assembly in the absence of the Speaker and Deputy Speaker as prescribed by the Rule 8(1) of the Assembly Rule.
At the commencement of every session, the Speaker thus nominates the panel of Chairman from amongst the main members of the Assembly.

Rule(9) states that the Deputy Speaker and any Chairman of the Assembly shall, when presiding over the Assembly, have the same powers as the Speaker when so presiding, and all references to the Speaker in the rules shall, in these circumstances, be deemed to be references to any such person so presiding.

The Assembly rule No.(10) states that when by reason of illness or absence due to some reasons, the Speaker is unable to exercise any of his powers or discharge any of his functions, he may be order in writing delegate to the Deputy Speaker such of his powers and functions as he may deem it. He may likewise revoke any such delegation.

But it is true that the Deputy Speaker, though elected by the Assembly and assigned an official designation, does not have the same dignity and esteem which is attached to the Speaker. This is due to fresh elections which are held to fill up the vacancy caused by Speaker’s resignation, removal or death. There is no binding or tradition to elect the Deputy Speaker to Speakership. In the First Loksakha, Shri Ayangar was elected as the Deputy Speaker and
Shri G.V. Navalnkar as the Speaker. On the death of the latter the former become the Speaker. But fresh elections were held. Ayanger was not elevated to Speakership by through promotion. The Deputy Speaker is usually considered to be a partyman who fulfills all his obligations to the party and he is not expected to be diverted of the party interest. In all four Maharashtra Legislative Assemblies, Deputy Speaker belonged to the congress party, it is notable that Shri K.T. Girms was elected for the two terms. Firstly he was elected in the second Assembly on 20th March 1962 and in the Third Assembly on the 16th March 1967. Shri R.V. Bet was elected as Deputy Speaker on March 23, 1972. On 12 March 1976 Shri Sayyed Farooq Pasha was unanimously elected as Deputy Speaker, as earlier Shri Bet has resigned.

The Deputy Speaker, however, assumes some importance when considered from the point of view of the opposition parties. Traditionally, in parliamentary democracies, the Deputy Speaker is "OWNED" by the opposition. But in Maharashtra, however, the case is different, all the Deputy Speakers were belonged to Congress party in all successive Four Assemblies.

The salary of the Deputy Speaker has been enhanced to Rs. 1200/- per month from Rs. 750/- per month. (According to the salaries as allowance payable to
the presiding officers Maharashtra Act No. LI of 1969.)

As a member of a parliamentary Committee, he acts as its Chairman by virtue of his office, as prescribed by the Rule 165(1) of the Assembly Rules. In 1979, Shri Gajananrao Garud, an independent candidate supported by Congress(I), was in the Chair of Deputy Speaker. As soon as, the Congress(I) Ministry resigned and Sharad Pawar's ministry came in Power, they moved a resolution, to remove Deputy Speaker who had inclination toward congress(I). This resolution was passed on 5th April 1979, by 183 V/S Nil votes. It is a case of power politics.

Working of the office of the Speaker (Decisions from the Chair) much depends upon the person who occupied the Chair, till 1980. Seven persons has occupied the Chair of the Speaker's office. Four till the end of Fourth Assembly and Two during Fifth Assembly.
**TABLE (I)**

**SPEAKER OF THE MAHARASHTRA LEGISLATIVE ASSEMBLY**

**FROM 1960 ONWARDS**

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name of the Speaker</th>
<th>Month and Year of assumption of office</th>
<th>Month and Year of retirement from the Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Shri S.L. Silem</td>
<td>May-1960</td>
<td>March-1962</td>
</tr>
<tr>
<td>2</td>
<td>Shri T.S. Bhardes</td>
<td>March-1962</td>
<td>March-1972 *</td>
</tr>
<tr>
<td>3</td>
<td>Shri S.L. Wankhede</td>
<td>March-1972</td>
<td>April-1977</td>
</tr>
<tr>
<td>4</td>
<td>Shri D.S. Desai</td>
<td>July-1977</td>
<td>March-1978</td>
</tr>
<tr>
<td>5</td>
<td>Shri S.V. Patil</td>
<td>March-1978</td>
<td>December-1979</td>
</tr>
<tr>
<td>6</td>
<td>Shri P.N. Vora</td>
<td>January-1980</td>
<td>June-1980</td>
</tr>
<tr>
<td>7</td>
<td>Shri Sharad Dighe</td>
<td>June-1980</td>
<td>Onwards</td>
</tr>
</tbody>
</table>

* Shri Bhardes enjoyed to terms.

**Source**: Compiled from the Assembly Debates from 1960-80.
Shri Sayaji Laxman Silam was a Speaker in the Bombay Legislative Assembly since 1956. And he remained in his Chair also during the First Maharashtra Legislative Assembly.

Shri Trimbak Shivaram Bhide became Speaker in the Second Maharashtra Assembly. He tried to keep the dignity of the office. And that is why he was reelected unanimously in the Third Assembly.

Shri S.K. Wankhede was also elected unanimously as Speaker. But this healthy tradition, breakdown afterwards when Shri D.S. Desai got elected as Speaker by ballot on 4th July 1977.

**SPEAKER IN THE FIRST ASSEMBLY (1960-62)**: Shri Sayaji Laxman Silam continued as Speaker in the First Maharashtra Legislative Assembly. Previously he had been a speaker in Bombay Legislative Assembly since 1956. On 1st May 1960, Bombay State was bifurcated into Maharashtra and Gujarat State. And the experience of Shri Silam kept him into the office of speaker till the end of First Maharashtra Legislative Assembly.

The Table (II) shows that during the First Assembly the speaker has given 6 rulings as statutory bodies, strangers in the house, sub-judice, supply of information by Government, Visitors Gallery, and working hours of Assembly.
<table>
<thead>
<tr>
<th>Area of Business</th>
<th>First Assembly</th>
<th>Second Assembly</th>
<th>Third Assembly</th>
<th>Fourth Assembly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bills</td>
<td>-</td>
<td>18</td>
<td>20</td>
<td>22</td>
</tr>
<tr>
<td>Budget</td>
<td>-</td>
<td>21</td>
<td>17</td>
<td>4</td>
</tr>
<tr>
<td>Conventions and Debates</td>
<td>-</td>
<td>49</td>
<td>36</td>
<td>67</td>
</tr>
<tr>
<td>Adjournment Motions</td>
<td>-</td>
<td>13</td>
<td>14</td>
<td>31</td>
</tr>
<tr>
<td>Other Motions</td>
<td>-</td>
<td>3</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Calling Attention</td>
<td>-</td>
<td>2</td>
<td>6</td>
<td>16</td>
</tr>
<tr>
<td>Privileges</td>
<td>-</td>
<td>11</td>
<td>17</td>
<td>4</td>
</tr>
<tr>
<td>Questions and Short notice Questions</td>
<td>-</td>
<td>28</td>
<td>32</td>
<td>41</td>
</tr>
<tr>
<td>Half-an-Hour Discussion</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Other (Formal) Procedure</td>
<td>6</td>
<td>24</td>
<td>32</td>
<td>24</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
<td><strong>169</strong></td>
<td><strong>178</strong></td>
<td><strong>216</strong></td>
</tr>
</tbody>
</table>

* Till the end of Last Session of 1976.

Sources: 1) Selection of Decisions from the Chair: Illustrative of the procedure of the House drawn from the sessions of the legislative Assembly from 1960-76, Vidhan Bhavan (Library) Bombay.
Regarding the scope of discussion on the Report of statutory bodies the speaker has given the ruling that, "discussion need not be confined to the report only but may embrace the working of the body". Whether strangers are permissible in the House or not. On this matter the Speaker's ruling was, the strangers are not permissible in the House. Sub judice matter can not be discussed in the House. But if there is a doubt regarding the matter as sub judice and whether it should be considered as sub judice, the Speaker has given the ruling on this important issue that, "When there is a doubt as to whether a matter is sub judice it should be taken as sub judice". Strangers are allowed in the Visitors Gallery, but they should not disturb the working of the House by any means. The Speaker has given ruling regarding it as "In Visitors Gallery, Demonstration is not permitted". Whenever information is asked for from Government, it can not be avoided. Regarding the supply of information by Government, the Speaker has given the following ruling, "Whenever information is asked for from government, whatever information is readily available with it, should be made available to the House as early as possible". It shows that how parliamentary principles are protected in the Assembly by the Speaker, regarding the Governmental responsibility to the legislature.
SPEAKER IN THE SECOND ASSEMBLY (1962-67): Shri Trimbak Shivram Bhande became the speaker on 17th March 1962. He held the office not only during the Second Assembly but also during the Third Assembly. During the period from 1962 to 1967, 169 important rulings were given in all by the Speaker. Table No. (II) shows the rulings given regarding the various areas of Business of the Assembly. During the course of the Second Assembly it is observed that the members had learnt the procedure of designing and raising of questions in the Assembly. It is also observed by analysing the content and structure of the rulings that it shows a marked success in the role of the speaker in the Second Assembly. The speaker had succeeded in impressing upon the members to follow the spirit of the rules and privileges, and to improve the quality of discussion and level of criticism. Out of 169 rulings given by the Speaker in the Second Assembly 13 deal with the Adjournment Motions. For example admitting an adjournment motion the matter must be grave and serious requiring immediate attention, it must involve administrative failure and must be definite. On 3rd August 1965 Shri K.N. Dhumal, D.B. Patil, Y.R. Madur, S.A. Deshmukh and K.B. Dhondge, M.L. As, had given a notice for adjournment of the House to discuss the death and serious injury caused due to shortage of foodgrains and starvation, one death occurring in Ambejogai due to strangulation and another case
of serious injury occurred at Pandharpur as a result of fainting due to a long waiting in queue. In that regard the Speaker (Shri Bhide) ruled as follows:

To admit a motion for adjournment, it is necessary that the matter must be grave and serious, requiring immediate attention, it must involve administrative failure and thirdly the facts on which it is based must be definite i.e. there must be no dispute about the existence of those facts. In this case, we do not know whether the death of a person at Ambejogai and an injury to another person at Pandharpur have in fact occurred in the circumstances and for the reasons given in this notice. It also cannot be strictly called an administrative failure, specially in the case of the incident at Ambejogai, as there is no statutory rationing introduced anywhere so far. Government, no doubt, has a moral responsibility to feed the people and see that food grains are made available easily and at reasonable prices. But there is no legal responsibility as such. Apart from the technicalities of the matter, it is clear that the incidents, if true, are serious and deserve to be fully investigated. I would ask Government to clarify the position in this regard, so that fears of the public in this matter may be allayed and confidence restored. I do not think it is necessary to give my consent to move this adjournment
motion. "Out of 169 rulings given by the Speaker in the Second Assembly II are relating to privileges. All the time he upheld the status and dignity of the Assembly, once he remarked. Publication of an incorrect report of a member's speech in the House constitutes a breach of privilege."

On 23rd February 1963, Shri K.N. Dhulip, the leader of the Opposition and three other members had given a notice of their intention to raise an issue of privilege in the House arising out of publication of a totally wrong and misleading report of the proceedings of the House in the issues of "Indian Express" and "Loksatta" dated 22nd February 1963. On this issue the Chair gave a ruling, "Publication of a totally wrong and misleading report of the proceedings of the House constitutes a breach of privilege."

Besides the rulings given by the Speaker in connection with the normal business of the Assembly the Speaker also gave some rulings relating to regulate the day-today behaviour of the members in the Assembly. For regulating parliamentary behaviour, the Speaker's rulings were 49 in all, during the Second Assembly. It comes nearly 29% of the total rulings (169). For example, during the oath taking by members, crossing the floor is not allowed. Like that during the general discussion of the Budget or that on any subject crossing the floor is not allowed. On other occasion the Speaker remarked that, while a member is speaking, no other member is allowed to make any observations, as long as the member speaking is on
his legs. But a member speaking should resume his seat if any member rises on a point of order. The Chair also remarked that persons who are not present in the House should not be criticised. The Speaker further clarified that there were some words which are unparliamentary, and should not be used in the Assembly. Such words are "BRUTE," "SHAMFUL" etc. On 12th March 1963, during the course of discussion on a demand for grant under "19, General Administration" a member Shri B.B.Shaep used the word "KHOTA." (False with) reference to certain charge levelled by the opposition against the Congress. Thereupon Shri D.B.Patil, pointed out that the word "KHOTA" was unparliamentary and the member should withdraw it. The Speaker thereupon asked Shri B.B.Shaep to withdraw the word. The member then withdraw the word.

The rulings given by the Speaker in the sphere of question hour come to nearly 16.6% of the total ruling (169). For example, Speaker observed that, Answers should be given by Government after proper enquiry. Hypothetical supplementary questions are not permissible.

In the field of the legislation, the speaker has given 18 rulings, according to the Table (II).

**SPEAKER IN THE THIRD ASSEMBLY:** The Speaker of the Second Assembly was re-elected unanimously in the Third Assembly on 15th March 1967. This was due to effective
role performed by him in the Second Assembly. No doubt it was a healthy sign.

During the period from 1967-72 in all 178 important rulings were given by the Speaker. Table No. (II) shows that out of 178 rulings, 14 were related to Adjournment motions. On one occasion the Speaker remarked that, "Action taken by Police in some other State can not be subject matter for an adjournment motion 40." Not only this but speaker also given ruling that "An event occurring in some other State can not be a subject matter for an adjournment motion 41.".

The speaker has given 17 rulings related to Privileges out of 178 during the course of the Third Assembly. In this case once Speaker remarked, that "Members of Legislature misbehaviour at the time of Governor's Address at the joint sitting amounts to breach of privilege 42." Again the Chair clarified that, "when the house is in session, decision taken by Government should be announced first in the House 43.".

During the period of the Third Assembly the Speaker has given 32 rulings relating to questions including short notice questions. The Speaker on an occasion remarked that, "Even if subject matter of question is old the information should be collected and supplied to the House 44." Again the Speaker clarified that, "The point of
disallowance of question should not be raised in the House but the Members should meet the Speaker in his Chamber.\textsuperscript{45}

The Speaker has given 36 rulings regarding the behaviour of the members in the Assembly. For example, the Chair remarked that, "Member should not make allegations against other Members\textsuperscript{46}. The Chair has also given ruling that" It is not proper to exhibit Photographs of National Leaders while Speaking in the House\textsuperscript{47}.

During this period 20 ruling were related to legislations and 6 were related to calling attention.

In the second and Third Assembly Speaker Shri T.S. Bharde had succeeded in impressing upon the Members to follow the spirit of the rules and privileges, and to improve the quality of discussion and level of criticism. And only because of this, on 11th October 1971, the Legislative Assembly unanimously passed a resolution eulogising the Speaker, Shri T.S. Bharde, for the excellent manner in which he had conducted the affairs of the Assembly for the last ten years\textsuperscript{48}. While moving the resolution the Chief Minister Shri V.P. Naik said that, the resolution was the sincere expression of the sentiments of the House. Shri Bharde in his capacity of the Speaker had done his best to uphold the dignity of the House in the best parliamentary traditions\textsuperscript{49}. And while supporting the above resolution the leader of the
opposition Shri K.N. Dhulip said that Shri Bhardw had always held the scales even between the Government and the opposition. He expressed the hope that the tradition to elect the Speaker unopposed would be established in India in future. On this occasion, Shri Bhardw said that it was because of the co-operation and help from both the Government benches and the Opposition benches that he was able to conduct the affairs of the House in a smooth manner. He further said that the proceedings of the legislative Assembly would show that number did not matter if the opposition applied constructive pressure and the Government responded in a generous manner. He also observed that the time had come when certain healthy traditions regarding not only the Speaker but also the other important constituents of the Parliamentary democracy would have to be carefully thought out and laid. And resolution thanking the Speaker, Shri Bhardw, for his observation was also adopted by the House unanimously.

Salaries and allowances payable to the presiding Officers were increased by Maharashtra Act No. LI of 1969. The salary of the Chairman and the speaker has been raised to Rs. 1400/- per month from Rs. 1100/- per month. The act also provides for the services of a Chauffeur free of charge to each presiding officer. The Chairman and the Speaker will each get a sumptuary
allowance of Rs. 5,000 per year now, each used to get Rs. 1,000/- previously.

SPEAKER IN THE FOURTH ASSEMBLY (1972-77): Shri S.K. Nankhede was unanimously elected the Speaker of the Maharashtra Legislative Assembly on the 22nd March 1972. Again it was a healthy sign. Like earlier candidates he was also congress party candidate, who contested for the Chair of Speaker and got unanimously elected. In the General Election, Congress got 222 seats out of 270 in the Assembly, and due to this, opposition may not have contested for the Chair of Speaker. However, it was a good sign that successively the Chair of the Speaker got unanimously elected.

During the period of 1972 to 1976 (till the end of the last session of 1976), the Speaker has given 216 rulings regarding the various areas of Business of the legislative Assembly. Out of them 22 were related to legislation. Again Table No. (II) shows that out of 216, Sixty Seven dealt with the behaviour of the Members in the Assembly, 31 dealt with Adjournment motions, 16 deals with calling Attention, 4 dealt with privileges, 41 dealt with questions and short notice questions etc.

The notable event during the Fourth Assembly was, Mass suspension of Members. The speaker of Maharashtra
Legislative Assembly Shri S.K. Wankhede on March 22 named 27 opposition members and suspended them till March 26 when they refused to leave the House as directed by him. Oppositions demanded that Revenue Minister Shri H.C. Vartak should make a statement over the four demands relating to scarcity relief work before the Commencement of the debate, Shri Vartak insisted on completing his reply first. The opposition continuously raised points of order. The opposition also successfully stalled the debate on the budgetary demands of the Revenue Department for the day. The House was also adjourned twice by the Deputy Speaker and once by the Speaker. Finally the Speaker adjourned the House earlier than the Scheduled time.

During the Fourth Assembly Shri Wankhede conducted the House in a masterly way. He was known for his style to easily pacify for his wit and humour. Shri Wankhede and his humor also, on many occasions came to the rescue of the turbulent house.

The study of the Speakers office shows that till 1977, men of intelligence and reasonable nature had held this office. Among these three Shri T.S. Bhardwaj enjoyed two terms successively because of his fair attitude towards all power of tolerance and acute knowledge of rules of procedure. Like Bhardwaj his
successor Shri S.K. Wankhed, also maintained the previous convention and remained fair with all. Both these persons conducted the business nicely. They had the ability to convince the members and this helped them to take up the matter for consideration or to postpone the decision by giving time for leisurely consideration. Above all they had the ability to catch the sense of House and respond to the movement of sentiment and emotion among the members. They allowed free discussion which even led to the severer criticism on the Government. Because of this both these persons became popular even among opposition members.

After these two persons, the Speakers office lost its importance as a high office, as the persons like Desai, Patil, Vora and even Bigha could not maintain the impartial attitude. All these persons were motivated by political considerations. They remained as a active party worker and this attitude impaired the prestige of the office of the Speaker. Actually during the period of the Bhard and Wankhed also, many times opposition members many times left the House. Saying that decision is not impartial. And to some extent there found a truth in the saying of the opposition members. But comparing these two Speakers with other Four we can say that Bhard and Wankhed were the
successful Speakers in Maharashtra. Actually a person elected on the support of the majority party can not remain impartial, though as a Speaker, it is expected from him. In Maharashtra Speaker continues to be a member of political party and this created doubts about his integrity in the minds of the opposition members. Generally it is found that the influential person in the party have occupied the office of the Speaker, for example S.K. Wankhede joined the Ministry, as a cabinet Minister. The second person Shivaraj Patil, who occupied speakers office afterwards became the member of the central Ministry. This shows that ambitious Political persons contested the office of the Speaker, No doubt the party supported them as it could not adjust them elsewhere. This naturally leads to any observer that the decisions of the Speaker are given party consideration. The record also shows that these persons have shown interests in the issue before the House, and also participated in the discussion. This is not at all a healthy convention. Though sometimes interventions are well intentioned or useful they are fought with danger. Many times the opposition members challenge the ruling of the Speaker, the main reason was that, the Speaker had disallowed adjournment motions, questions etc. Many times they had shown distrust on the information given by the opposition
members. The opposition being weak in Maharashtra had not tried to move a resolution for vote of no-confidence against the Speaker. However, the record also shows that, the Speaker many times asked the Ministers to provide complete information asked by the opposition members. The Speaker also warned the Ministers to be present in the House, when the question or the subject of their department is discussed in the House. To conclude from the above, except Bhardwaj, no other person, who became the Speaker remained totally impartial and for this the political situation is more responsible than the person. It is necessary to establish sound convention to make the office of the Speaker, the office of dignity and prestige. The party in power as well as opposition must see things in proper perspective by giving proper respects and having confidence and not indulging in emotional outburst. It is high time that they themselves realise that, constant obstructions or showing disrespect to the Chair, gets neither vote nor popularity. Above all individual Speaker must depoliticise the office by relinquishing his party affiliation, by renouncing the political ambition after retirement and not indulging in political controversies. Then only can be lay strong foundation for the smooth running and preservation of the Parliamentary Democracy. This leads to the cordial relationship between the Executive and the Legislative.
REFERENCES:


6. Ibid.

7. Ibid.


11. Ibid, Rule 10, p.11.

12. The Constitution of India, op.cit,Article 179 p.100

13. op.cit., Rule 11, p.11.


22. Ibid, Ruling No.1025, p.703.


39. Shri Bhide was reelected unanimously as Speaker
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40. Shri Maharashtra Legislative Assembly Debates Vol.29,

41. Maharashtra Legislative Assembly Debates Vol.29,

42. Maharashtra Legislative Assembly Debates Vol.23,
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43. Maharashtra Legislative Assembly Debates Vol.27,

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45. Maharashtra Legislative Assembly Debates Vol.25,

46. Maharashtra Legislative Assembly Debates Vol.23
Part II, 12th April 1968 p.1637.

47. Maharashtra Legislative Assembly Debates Vol.21,

48. Maharashtra Legislature Journal Vol.2, No.1,
January 1972 p.42.

49. Ibid. p.42.

50. Ibid. p.42.

51. Ibid. p.43.


53. Brief Review of the Working of the Legislative
Assembly 1st session 1972 p.32.

54. Maharashtra Legislature Journal, Vol.3 Nos.1 & 2

55. Members can be suspended under Rule 50 and 52 of
Maharashtra Legislative Assembly Rules.