

Parliament Attendance Rule

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Parliament Attendance Rule: Amritpal Singh's Legal Battle

Context

Amritpal Singh, **Khadoor Sahib MP**, has moved the **Punjab and Haryana High Court** seeking permission to attend the ongoing Parliament session. He is detained under the **National Security Act (NSA)** and has been in **Dibrugarh Jail, Assam, since April 2023**. Despite winning the **2024 Lok Sabha elections** from jail, his **attendance is only 2%**, with his only presence being during his **oath-taking in July 2024**.

Legal Provision: Article 101(4)

- An MP's seat **may be declared vacant** if absent for **60 days without permission**.
- **Only actual sittings of Parliament** are counted; **prorogued or long adjourned periods do not count**.
- Amritpal has **not yet crossed** the 60-day limit in terms of actual sittings.

Seeking Leave to Avoid Disqualification

- MPs can **seek leave** for long absences.
- The **Committee on Absence of Members from the Sittings of the House** handles these requests.
- Common reasons for leave:
 - **Medical issues**
 - **Imprisonment**
- **Precedent: Atul Rai (BSP, 2023)** was granted leave while in jail.

Final Decision: House Vote on Seat Vacancy

- Even after **60 days of absence**, the seat is **not automatically vacant**.
 - The **House must vote** on the issue before disqualification.
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Conclusion

Amritpal Singh's case depends on **parliamentary procedure rather than automatic disqualification**. He can **avoid losing his seat by seeking leave**, as done in previous cases. His plea in the **High Court** aims to allow direct participation, but even if denied, **he can retain his position through formal procedures in Parliament**.



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