

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: 9 Court matter

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu

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Notice on plea against inducting three MLCs into the Ministry

Petitioner says they are ineligible to become Ministers now

SPECIAL CORRESPONDENT
BENGALURU

The High Court of Karnataka on Monday ordered issue of notice to the State government, the Governor, and the Chief Minister on a PIL petition filed against inducting three MLCs – R. Shankar, A.H. Vishwanath, and N. Nagaraj (MTB) – into the Council of Ministers.

However, the court declined to pass any interim order against any likely process to induct them.

A Division Bench comprising Chief Justice Abhay Shreeniwas Oka and Justice Ashok S. Kinagi passed the order on the PIL petition, filed by Harisha A.S., a city-based advocate.

As it was contended in the petition that the move, published in the media, to induct the trio into the Council of Ministers would be contrary to Article 164 and 361B of the Constitution, the Bench observed that surely the constitutional functionaries, the Governor and the Chief Minister, would exa-



Unconstitutional move?

- It was contended in the petition that the move, published in the media, to induct MLCs R. Shankar, A.H. Vishwanath, and N. Nagaraj (MTB) into the Council of Ministers would be contrary to Article 164 & 361B of the Constitution.

mine the constitutional provisions before inducting anyone. The petitioner alleged that the trio were given entry into the Legislative Council with the sole purpose of inducting them into the Council of Ministers even though Mr. Vishwa-

nath and Mr. Nagaraj had lost in the byelections in their respective Assembly constituencies after their disqualification. Mr. Shankar did not contest from the Assembly constituency after his disqualification, the petitioner said.

To become eligible to be appointed as a Minister, a disqualified member of the Assembly will have to get "re-elected" to the same House during the same period in which he was disqualified, by contesting in an election from the Assembly constituency, the petitioner contended.

It was also claimed in the petition that the trio were "not eligible" to be appointed as Ministers and in politically remunerative posts because of the prohibitions imposed in constitutional provisions and the observations of the apex court, which had upheld the order passed the Speaker of the Legislative Assembly in July last year disqualifying the trio from the Assembly.