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# Cabinet's decision to defer action on turf club miffs PAC

BV.Shivashankar  
@timesgroup.com

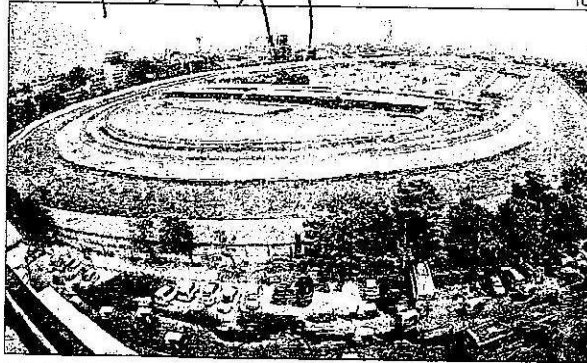
**Bengaluru:** The Public Accounts Committee (PAC) has taken serious exception to the state government for ignoring its recommendation to shut Bangalore Turf Club (BTC). The club is facing charges of conducting races without a valid licence and defaulting on rent.

The PAC, which met on Tuesday, took note of the cabinet's decision to defer action on its recommendation citing a case pending in the Supreme Court. PAC now plans to seek an expla-

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nation from the chief secretary and the advocate general, when it summons them to their next meeting, perhaps later this month.

"It's unbecoming of the government to take shelter under a court case and sleep on PAC's recommendation," said HK Patil, PAC chairman. "What is more unbecoming is that the decision was taken by the cabinet which has no business taking such decisions."



**EYE OF A STORM:** The tussle stems from the BJP government's decision in 2010 to move the turf club to the outskirts of Bengaluru

In December, PAC had asked the government to crack the whip on BTC and take steps to recover Rs 37.4 crore rent outstanding. The cabinet promptly added the issue to its agenda for its meeting on January 6. However, at the meeting, members of the cabinet decided not to take any action against BTC since the club had moved the Supreme Court and secured a status quo order.

"We went by legal advice of the advocate general and the law department," said deputy chief minister Govind M Karjol. "Although we are keen on resolving the issue, we cannot move till the court disposes of the case."

Advocate General Prabhuling K Navadagi said the government is aware of the gravity of the issue and it has moved an application before the SC seeking early hearing of the case. "It would amount to contempt of court if the government takes action when the case is pending," said Navadagi. He said the case could be heard on Friday.

The tussle over BTC dates back to 2010 when the then BJP government decided to shift the club from its present location in the heart of Bengaluru, to the outskirts. BTC moved the Karnataka high court, which ruled in the government's favour. BTC then filed an appeal in the SC.

"The government has taken the right decision to wait for the SC's final order. We too are abiding by law," said BTC chairman D Vinod Shivappa.

However, PAC, which comprises members of the ruling party and the opposition, feels the government is going soft on the club and is not doing enough to get the status quo order vacated.

Former assembly speaker KR Ramesh Kumar, a member of PAC, said, "Although it is not binding, democratic convention suggests the government respect PAC's recommendation. However, the rules mandate a debate on the PAC's recommendation after it is tabled in the legislative assembly. This means only the House can take a decision to reject it."

Legal experts concur. "The government may reject the PAC recommendation, but it has to give proper reason for it on the floor of the House," said Subhash C Kashyap, former secretary-general of Lok Sabha and Constitution expert.

The government is bound to present an action taken report on PAC's recommendations. Failure could invite disciplinary action against the officials concerned.