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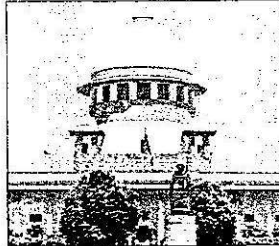
ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Deccan Herald ತಾರೀಖು : DATE: 12/01/2020

Rethink Speaker power to disqualify lawmakers: SC

NEW DELHI, DHNS

The Supreme Court on Tuesday asked Parliament to reconsider the power of the Speaker to decide a disqualification petition, replacing him with an independent body like a tribunal headed by a retired judge, as the presiding officer continued to belong to a political party.

"Parliament may seriously consider amending the Constitution to substitute the Speaker of the Lok Sabha and Legislative Assemblies as arbiter of disputes concerning disqualification which arise under the Tenth Schedule (anti-defection law) with a permanent Tribunal headed by a retired SC judge or a retired Chief Justice of a High Court, or some other outside independent mecha-



nism," a bench of Justices R F Nariman, Aniruddha Bose and V Ramasubramanian said.

This would ensure that such disputes are decided both swiftly and impartially, thus giving real teeth to the provisions contained in the Tenth Schedule, "which are so vital in the proper functioning of our democracy", the bench added.

The role of Speaker in a House becomes crucial in case of hung verdict. It has been seen in several recent in-

stances, including in Karnataka, where the disqualification petitions were not decided promptly by the Speaker.

Three months was the outer limit within which disqualification petitions filed before the Speaker must be decided, the court said.

The court passed its judgement on a batch of petitions filed by Congress MLA Keisham Meghachandra Singh from Manipur Assembly, related to formation of the BJP government, despite the party having won 21 seats, in contrast to Congress which secured 31 seats, in March, 2017.

The bench said MPs and MLAs should not be allowed continue even for a day, if they have incurred disqualification under the Tenth Schedule for anti-party activities.