

ಅಲಾಪಿ / ವಿಷಯ: DEPARTMENT / SUBJECT:

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**Disqualified MLAs**

- Congress**
- Ramesh L. Jarkiholi - Gokak
  - Mahesh E. Kumathalli - Athani
  - Pratapgouda Patil - Maski
  - B.C. Patil - Hirekerur
  - B.S. Anand Singh - Vijayanagar
  - A. Shivaram Hebbar - Yellapur
  - S.T. Somashekhar - Yeshwantpur
  - B.A. Basavaraj - K.R. Puram
  - Munirathna Rajarajeshwari Nagar

- R. Roshan Baig - Shivajinagar
- N. Nagaraju (MTB) - Hoskote
- K. Sudhakar - Chickballapur
- Shrimanth B. Patil - Kagawad
- R. Shankar - Ranebennur (elected from KPJP but merged his party into Congress)

**Banata Dal (Samaj)**

- A.H. Vishwanath - Hunsur
- K.C. Narayana Gowda - K.R. Pet
- K. Gopalajah Mahalakshmi Layout

**SIMILAR ORDERS FOR SIX PETITIONS**

"I hold that the respondents [rebel MLAs] have incurred disqualification from being members of the Karnataka Legislative Assembly under para 2 (1)(a) of the Tenth Schedule read with 191(2) of Constitution of India. Thus, they cease to be members of the Karnataka Legislative Assembly with immediate effect till the end of the term of this Assembly i.e. 15th Legislative Assembly of Karnataka."

**WHAT THE LAW SAYS**

**Section 2 (1) (a) of Tenth Schedule**

**Disqualification on ground of defection (1)** ...A member of a House belonging to any political party shall be disqualified for being a member of the House - (a) if he has voluntarily given up his membership of such political party.

**Article 191 (2) of the Constitution**

A person shall be disqualified for being a member of the Legislative Assembly or Legislative Council of a State if he is so disqualified under the Tenth Schedule.

**Criticism**

Speaker's decision to disqualify MLAs till the end of the term of the Assembly has drawn sharp criticism as legal experts argue the Tenth Schedule doesn't stipulate any time-frame for the disqualification and Sections 164 (1) (B) and 361 (B) of the Constitution of India allows for a member disqualified under Tenth Schedule to become a member of the House before the end of term of the House.

**Petition pending**

A disqualification petition filed by Bahujan Samaj Party against its lone MLA N. Mahesh for abstaining from the trust vote despite a directive from the party to vote in favour of the coalition government, is pending before the Speaker.



# Rebel MLAs to move SC

## Those from Cong. turn their ire against a senior party leader

SPECIAL CORRESPONDENT  
BENGALURU

The rebel MLAs will move the Supreme Court on Monday challenging Assembly Speaker K.R. Ramesh Kumar's decision to disqualify them. They are expected to leave Mumbai for New Delhi and later return to Bengaluru.

One of the disqualified MLAs A.H. Vishwanath told *The Hindu* that the morale of the rebels was not down. "We expect a favourable decision by the Supreme Court in the next two or three days," he said. "The Speaker seems to have sided with political parties. He has not been sensitive to our issues as MLAs. He has not taken into consideration the circumstantial situation - whether the government of the day was pro-people and what were the political developments that forced us to

**Q** The entire State knows who instigated us to rebel. The same leader who spoke of toppling this government just three months after it came to power, was behind the entire episode.

MUNIRATHNA



rake this stand. This is also in violation of the Supreme Court order that gave us immunity from the whip, a petition which is still pending before the court. While reading out the order, he did not dwell upon our resignations at all," he said.

**'Cheated'**

Meanwhile, the ire of most of the disqualified Congress rebel MLAs has now turned towards their parent party.

Munirathna, speaking to TV channels in Mumbai on Sunday, alleged that most of

them were cheated by a senior Congress leader. "The entire State knows who instigated us to rebel. The same leader who spoke of toppling this government just three months after it came to power, was behind the entire episode. We will come to Bengaluru and hold a press conference and tell the State the entire tale," he said.

"No development works were happening and this forced us to rebel and topple the government. We will go with whoever promises us development," he added.