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ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: Other State Matters

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The State

ದಿನಾಂಕ : DATE: 11/1/2020

Nothing unconstitutional: Kerala Speaker

Assembly has the right to respond when the Constitution is challenged, says Sreeramakrishnan

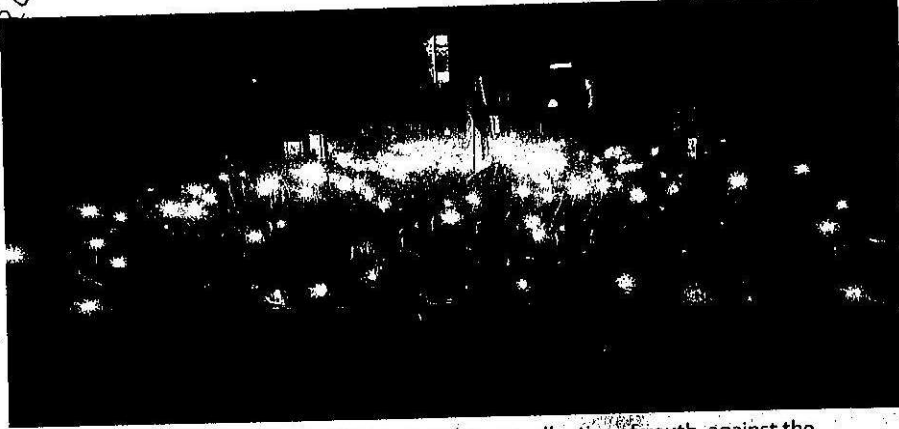
SPECIAL CORRESPONDENT
THIRUVANANTHAPURAM

There is 'nothing unconstitutional' about the Kerala Assembly's special session passing a resolution recently, demanding that the Centre rescind the Citizenship (Amendment) Act, Speaker P. Sreeramakrishnan said on Friday.

"Nowhere in the Constitution is it mentioned that a State Assembly cannot move such a resolution," the Speaker said responding to Governor Arif Mohammed Khan's comment that the resolution passed was "unconstitutional and insignificant."

The Speaker said the Assembly had upheld the Constitutional values and was duty-bound to intervene when the Constitution was under threat.

Like other democratic platforms, the Assembly had the right to respond when the Constitution was chal-



A march organised by Flashlight of Sulthan Bathery, a collective of youth, against the Citizenship (Amendment) Act in Wayanad on Friday. *SPECIAL ARRANGEMENT

lenged. He described it as the moral duty of the Assembly.

The Speaker said the Constitution was clear that there should not be any discrimination on the basis of religion. The Act had blatantly violated Article 14 and 15 of the Constitution.

The Assembly had passed

resolutions earlier also against laws passed by Parliament, the Speaker said. In 1975, the Assembly had asked for the repeal of Maintenance of Internal Security (MISA). In 2006, it sought the repeal of the Income Tax amendment that affected the cooperative department. Last year the Assembly had

passed a resolution to remove Section 194 of the IT Act.

On BJP Rajya Sabha MP G.V.L. Narasimha Rao seeking permission of the Rajya Sabha Chairman to move the a breach of privilege motion against Chief Minister Pinarayi Vijayan for moving the resolution against a law

passed by Parliament, the Speaker said one House cannot move a breach of privilege motion against another elected House.

"But, if they are insisting on the motion, they should move the privilege motion against the Speaker, Leader of Opposition, and all the legislators who had spoken on the floor of the House during the special session. We are ready to face it," he added.

On Governor's sanction

To a query on whether the Governor was kept in the dark about the resolution, the Speaker said the special session was convened to ratify the amendment on SC/ST quota in the Lok Sabha and other assemblies.

The Business Advisory Committee of the Assembly finalises the proceedings and there is no need to seek the Governor's sanction, Mr. Sreeramakrishnan said.