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SC quizzes Cong, JDS on disqualification of MLAs

NEW DELHI, DHNS

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The Supreme Court on Thursday quizzed Congress and JDS on the then Speaker's orders disqualifying their 17 MLAs till the term of current Karnataka Assembly, asking if disqualification ended with the term of such a legislator or it would continue till the House was dissolved.

A bench of Justices N V Ramana, Sanjeev Khanna and Krishna Murari asked senior advocates Kapil Sibal and Devadatt Kamat, representing both the parties, as to what would happen if we don't allow them as an interim relief to contest and what would happen to their petition if elections were held and new MLAs got elected.

Both the parties said what is the point of disqualification, if the disqualified MLAs got elected again. It would go against the constitutional mo-

EC offer to postpone bypoll unprecedented: Congress

Congress on Thursday termed "unprecedented" the Election Commission offer to put-off the bypolls to 15 Karnataka Assembly seats to allow the Supreme Court to take a final decision on the petitions filed by the disqualified legislators, reports

DHNS from New Delhi. "The offer to defer the re-election process itself is unprecedented, but, Supreme Court is right because they are final and there is no appeal beyond there," Congress chief spokesman Randeep Singh Surjewala said.

ality. There has to be some punitive action, they said. Reading out Article 190(3)(b) of the Constitution, Sibal said the Speaker has to be satisfied if the resignation was voluntary and genuine and in absence of these conditionalities, he may not accept the resignations.

"Merely because resignation is filed, it does mean the Speaker will accept it, he has to conduct his own inquiry. It is

not job of the court to intervene into it," he said. Maintaining that both the resignation and disqualifications were separate proceedings, Sibal pointed out paragraph 2(1)(a) of the Tenth Schedule stipulated that the act of voluntary giving up membership of a party would be subject to disqualification if the Speaker did not find it so after going through conduct of the member.