

SC DIRECTIVE IRKS RAJYA SABHA

Relevant for: Indian Polity | Topic: Parliament - structure, functioning, conduct of business, powers & privileges and issues arising out of these

United stand:Rajya Sabha Chairman M. Venkaiah Naidu also made a remark on the SC's views on Speakers' powers.PTIPTI

Union Law Minister Ravi Shankar Prasad on Thursday spoke out against the Supreme Court's directive to the Speakers of the Assemblies and Parliament to decide on de-qualification of lawmakers in three months. He said the ruling was avoidable, and "we need to have institutional respect" for the legislatures.

His view was endorsed by Congress member Anand Sharma, who said the ruling amounted to a transgression.

The court has said it twice that a Speaker should be substituted with an independent tribunal to decide on disputes over disqualification. The latest ruling came on January 21 on a petition filed by Congress legislator Keisham Meghachandra Singh against the Manipur Assembly Speaker over disqualification of Minister T. Shyamkumar, who joined the BJP after contesting the election on Congress ticket.

"With the greatest respect to the honourable Supreme Court, those sweeping comments against the presiding officers were surely avoidable. We need to have institutional respect for all institutions of the country. The presiding officers of the legislatures are equally important functionaries in the constitutional process," Mr. Prasad said in the Rajya Sabha.

Agreeing with the Law Minister, Mr. Sharma said, "I agree with the honourable Law Minister on this. This is a serious matter. It is a transgression. The Constitution is clear in its scheme of things and the division of powers."

DMK raises subject

They were speaking after DMK member P. Wilson mentioned at Zero Hour that the "inordinate delay" in disposing of complaints under the anti-defection law defeated the very purpose of it. The Constitution (Fifty-second Amendment) Act, 1985, was to curb defections. "A political party goes before the electorate with a particular programme and puts up its candidate on certain promises. Such a person who gets elected cannot change his affiliation for extraneous reasons," Mr. Wilson said. He argued for a mandatory time frame to decide on defection cases.

Chairman Venkaiah Naidu said it was an important issue, and parties should come together to suggest an alternative.

The DMK has moved the Supreme Court, alleging that the Tamil Nadu Assembly Speaker did not act on a petition for disqualification of 11 AIADMK lawmakers who voted against Chief Minister Edappadi K. Palaniswami during a 2017 confidence vote. The 11 lawmakers included Deputy Chief Minister O. Panneerselvam.

Subscribe to The Hindu digital to get unlimited access to Today's paper

Already have an account ? [Sign in](#)

Find mobile-friendly version of articles from the day's newspaper in one easy-to-read list.

Enjoy reading as many articles as you wish without any limitations.

A select list of articles that match your interests and tastes.

Move smoothly between articles as our pages load instantly.

A one-stop-shop for seeing the latest updates, and managing your preferences.

We brief you on the latest and most important developments, three times a day.

*Our Digital Subscription plans do not currently include the e-paper ,crossword, iPhone, iPad mobile applications and print. Our plans enhance your reading experience.

To continue enjoying The Hindu, You can turn off your ad blocker or Subscribe to The Hindu.

[Sign up for a 30 day free trial.](#)

END

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com

CrackIAS