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ಇಲಾಖೆ / ವಿಷಯ: DEPARTMENT / SUBJECT: Speaker

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: Deccan Herald

ದಿನಾಂಕ : DATE : 6/04/2019

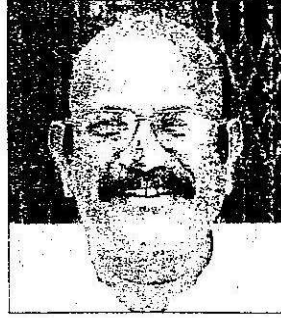
Speaker accepts Chincholi MLA Umesh Jadhav's resignation

BENGALURU: Assembly Speaker K R Ramesh Kumar on Monday accepted the resignation of 'rebel' Congress legislator Umesh Jadhav, clearing the decks for him to contest as the BJP's candidate against the grand old party's veteran Mallikarjun Kharge from Gulbarga.

"Because Jadhav's resignation is as per the format prescribed under Rule 202 of the Rules of Procedure and Conduct of Business in Karnataka Legislative Assembly and because he subsequently submitted his explanation in a certified manner, I am convinced that his decision to resign was voluntary and not under the influence of any lure," Kumar said in his order.

This has cleared the path for Jadhav to file his nomination as the BJP's Gulbarga candidate.

Jadhav, who was elected on the Congress' symbol from the Chincholi constituency, resigned on March 4. Later, he was formally inducted into the BJP and was declared as the saffron party's Gulbarga



Umesh Jadhav

candidate for the upcoming Lok Sabha polls.

Even before Jadhav resigned, the Congress had moved a petition seeking his disqualification under the anti-defection law on the grounds that he had indulged in 'anti-party' activity.

"The response given by Jadhav to the disqualification petition as well as to the clarification I had sought on his resignation are the same," Kumar stated.

Kumar explained in his order the chronology of events, including how some citizens' organisations from Chincholi urged him not to accept

Jadhav's resignation.

"Judgments of our justice system and justice itself, on many occasions, do not go together. Those holding Constitutional positions have the power to only pass orders and not establish justice. Decisions always depend on evidence. It is very difficult for morality and moral grounds to get legal protection," Kumar said.

On March 25, during a hearing on the disqualification petition as well as Jadhav's resignation, Kumar had ruled that the Schedule 10 of the Constitution, which deals with the anti-defection law, was fraught with "ambiguity, imperfectness and infirmities" and urged lawmakers to re-frame it.

The Speaker is yet to take a decision on the disqualification petition moved by the Congress against three other rebel MLAs - Ramesh Jarkiholi (Gokak), B Nagendra (Bellary) and Mahesh Kumathalli (Athani), who are said to have been lured by the BJP.

DH News Service