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Resignation can't be escape route for MLAs: Speaker

BENGALURU: Karnataka Assembly Speaker K R Ramesh Kumar has strongly defended his decision to disqualify three legislators under the anti-defection law, and is expected to decide the fate of 14 others in another 4-5 days.

In an interview with Tamil channel Thanthi TV, Kumar maintained that Ramesh Jarkiholi, Mahesh Kumathalli and R Shankar cannot contest the by-election to become members of the incumbent 15th Legislative Assembly from which he disqualified them.

"What does term of the House mean? It means the term of the 15th Assembly ends in May 2023. And what is disqualification? Is it to contest another election? No," Kumar said in the interview that was aired Saturday night.

Kumar said MLAs cannot use resignation as an escape route. "You commit a mistake and then you resign to escape punishment. No. You've made a mistake, I won't accept your



K R Ramesh Kumar

resignation," he said, even as he is yet to adjudicate on 14 MLAs who have tendered resignation, but are facing disqualification under the anti-defection law.

"Each case is different. I'm studying each one. Maybe I'll take another 4-5 days," he said.

'Courts to decide'

When it was pointed out that disqualified MLAs contested bypolls in Tamil Nadu and that the Election Commission had clarified that they could do so, Kumar did not concur.

"The Election Commission is not a clerical branch. It has Constitutional obligation. It's not for them to say. It's for the courts to decide. They're not lawmakers. I disagree with them...their understanding of law may be wrong," he said.

"Can a legislator who takes

mandate of people quit whenever he feels like? People vote for five years, not to vote again after two years," he said.

Stating the need for strengthening of the anti-defection law, Kumar said MLAs should face disqualification for a period of six years period like under the Representation of the People Act.

Delay justified

Kumar also justified the time it took for former chief minister H D Kumaraswamy's confidence motion to be put to vote. Kumar was accused of abetting the delay.

"On July 18, a point of order was raised by the Congress Legislature Party leader. We had a discussion on July 19 and July 22. We had the vote on July 23. Shouldn't we use three days to debate the future of a state? Is that delaying? Just because someone is in a hurry, I can't succumb. I gave reasonable time of 2.5 days," Ramesh Kumar said.

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