

## Apex court puts office of profit law under scanner

The Supreme Court Tuesday began probing the constitutional validity of the controversial changes in the law on office of profit which the Congress-led government brought about allegedly to shield 40-odd parliamentarians.

'The amendment in the Act was brought to protect 40 MPs from disqualification. The desire of bringing an amendment with retrospective effect raises an important question of propriety,' said senior counsel Harish Salve, opening his argument before a bench of Chief Justice K.G. Balakrishnan.

Appearing for Trinamool Congress MP Dinesh Trivedi, Salve said, 'Like everybody supporting a government becomes a minister, the amendment to the law on office of profit makes anyone supporting the government become chairman of an office.'

He termed the amendment 'a mala fide exercise of power by the government to protect some big faces supporting the government.'

Besides the Trinamool Congress, the Consumer Education and Research Society, a voluntary organisation, has challenged the amendment to the Parliament (Prevention of Disqualification) Amendment Act on office of profit.

Both petitioners have alleged that the changes in the law were made with retrospective effect solely to protect about 40 sitting MPs.

When the law was passed, all those members were facing disqualification proceedings before the Election Commission.

Salve contended before the bench that the law was amended with undue haste, without seriously addressing any of the concerns raised by erstwhile president A.P.J. Abdul Kalam, who had May 31, 2006 returned the bill to parliament for reconsideration.

'How often does the president in this country send a bill for reconsideration? In recent times, it has happened only on two occasions,' said Salve terming the law as 'a brazen defiance of the constitution'.

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