

**The Secretary,
Jammu and Kashmir Legislative Assembly,
Srinagar .**

**Subject: Notice under Section 19(2)(c) of the Jammu and Kashmir Reorganisation Act, 2019,
read with Rule 215 of the Rules of Procedure and Conduct of Business in the J&K
Legislative Assembly, to move a Resolution for the removal of the Hon'ble Speaker.**

Sir,

Apropos the subject cited hereinabove, we, members of the Legislative Assembly, hereby give notice of our intention to move the following Resolution:

RESOLUTION

“That this House, having regard to repeated departures from the Rules of Procedure and Conduct of Business, established parliamentary precedents, and mandatory constitutional limitations in the conduct of proceedings; and having regard to the consequent loss of confidence in the impartial discharge of the constitutional responsibilities of the Chair, hereby resolves, as per powers vested under Section 19(2)(c) of the Jammu and Kashmir Reorganisation Act, 2019 read with Rule 215 of the Rules of Procedure and Conduct of Business in the J&K Legislative Assembly, to declare, Jenab Abdul Rahim Rather, as removed from the office of the Hon'ble Speaker of the Jammu and Kashmir Legislative Assembly.”

BRIEF BACKGROUND/GROUNDS FOR REMOVAL

The motion is necessitated by sustained breaches of constitutional and procedural discipline by the Chair, specifically:

GROUNDS FOR MOTION/REMOVAL

1. Constitutional transgression and disregard of binding constitutional position

Whereas Hon'ble Speaker has permitted the House to entertain and repeatedly deliberate upon matters that seek, directly or indirectly, to revisit, alter or question constitutional questions already authoritatively determined by the Constitution Bench of the Hon'ble Supreme Court of India in In Re: Article 370 of the Constitution. The Chair has thereby permitted proceedings which disregard the binding constitutional framework and seek to urge the Union Parliament to undertake action contrary to, or inconsistent with, the settled constitutional position and its legislative ambit.

2. Repeated violation of Rules, precedents and parliamentary conventions

Whereas Hon'ble Speaker has repeatedly permitted matters to be taken up in disregard of the Rules of Procedure and Conduct of Business, established parliamentary practice, precedents and conventions. And that matters which are presently sub-judice and barred from consideration/discussion/admission are being brazenly allowed to be tabled and listed in business. Such conduct undermines orderly parliamentary procedure and risks converting the House from a forum for constitutionally permissible legislative business into an arena for political posturing and partisan advocacy.

3. Serious erosion of confidence in the impartiality and institutional neutrality of the Chair.

The repeated and selective exercise of the powers of the Chair raises a serious and legitimate question regarding the Speaker's impartiality, consistency and institutional neutrality. The Chair is expected to be predictable in the application of the Rules and even-handed towards all sides of the House. Repeated departures from these principles undermine confidence in the Hon'ble Speaker as the custodian of the dignity, Rules and constitutional propriety of the Assembly.

STATUTORY AND PROCEDURAL DIRECTION

* Disqualification from Presiding: Upon receipt of this notice, in accordance with Section 20 of the Jammu and Kashmir Reorganisation Act, 2019 read with Rule 216 of Rules of Procedure and practices and precedents, and settled legal position, as elucidated and relied upon again and again, the Hon'ble Speaker should not preside over any sitting of the Assembly while the resolution has been successfully moved by the 'quorum' for his removal is under consideration.

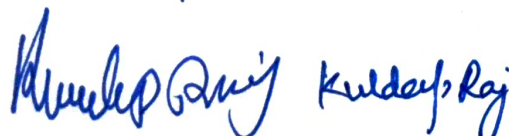
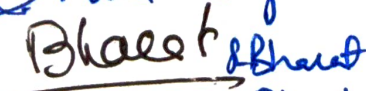
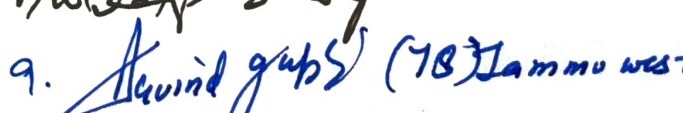
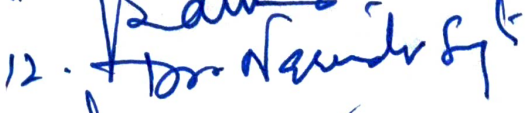
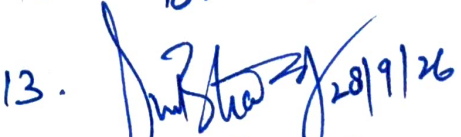
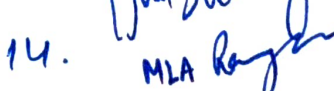
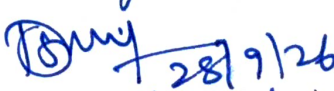
* Inclusion in List of Business: It is requested that this notice be formally taken on record and scheduled in the List of Business immediately.

Yours faithfully,

Signatures of Members of the Legislative Assembly:

Date: 28-09-2026

Place: Srinagar.

1. 
28/09/26
(R.S. PATHANIA)
MLA
Moved by.
2. 
Shaukat Ali
79 (J.N.)
3. Ch. Vikram Randhawa.
73-Bahu.
4. 
Kuldip Raj
5. 
Randhir Singh
6. 
Bhagat
Bhushan
8. 
Nalendra Singh
9. 
Avind Gupta (78) Jammu west
10. 
SHAKTI PARIHAR
MLA Doda west
11. 
V. Singh
12. 
Dr. Navinder Singh
13. 
D. Singh 28/9/26
14. 
MLA Rajan
15. 
D. Singh 28/9/26
M.A. Basohli

16. SATISH K SHARMA
MLA - Bilaspur, ~~Sol~~

17. Prof. Ghanshyam Ram Bhargava

18. MLA Sachet Singh ~~Singh~~

19. Dr. Dr. Manoj - Manoj

20. Raju Jaiswal Rishi

21. Balraj Singh Mahesh Singh

22. Jadhav Sethi ~~Sethi~~

23. M. B. V. MLA, Akhnoor (RI)

24. Dr. Ramesh Chandra Ramesh

25. Adv. Vijay Kumar

26. Ravi Gupta Ravi Gupta

27. Sunil Singh Sultana Sunil