



# DAILY PT POINTERS

17<sup>th</sup> January, 2024



# HEADLINES OF THE DAY

The Hindu: Page 5\_History (GSI)

Tamil Nadu Governor revives 'saffron' controversy on Thiruvalluvar Day



- Prime Minister Narendra Modi commemorated Thiruvalluvar Day today, honoring the memory of the great Tamil sage, Saint Thiruvalluvar.
- Thiruvalluvar was a celebrated Tamil poet and scholar and is best known as the author of 'Tirukkural', a collection of couplets on matters like ethics, politics, economics and love.
- Tirukkural is considered one of the greatest works in Tamil literature

# HEADLINES OF THE DAY

The Hindu: Geography (GSI)-Page 7



Mount Marapi, which means 'Mountain of Fire'

Marapi is one of the most active volcanoes on Sumatra island

The Indonesian archipelago sits on the Pacific Ring of Fire, where the meeting of continental plates causes high volcanic and seismic activity.

- 

## Do you know ?

Indonesia, which straddles the so-called "Ring of Fire", is home to more than 100 active volcanoes.



### Understanding the Tenth Schedule

On what basis has the Speaker of the Maharashtra Assembly refused to disqualify the MLA? What is the history behind the anti-defection law? How can anti-defection laws be made stronger and impartial?

**EXPLAINER**  
**Rangarajan, R**  
The story so far:  
The Maharashtra Assembly Speaker has refused to disqualify 40 MLAs of the Eknath Shinde faction after recognising it as the real Shiv Sena. He held the appointment of whip by this group as valid. He also did not disqualify 14 MLAs of the Uddhav Thackeray group due to technical reasons under the Tenth Schedule.



Rebel party Maharashtra Chief Minister Eknath Shinde with supporters during celebrations of the Shiv Sena MLA disqualification case verdict, in Thane, on January 11, 2023.

**Why was the Tenth Schedule made?**  
The defections of legislators during the 1960s and 70s from their parent parties created political instability in many States, bringing down elected governments. Therefore, to ensure the stability of elected governments, the 52nd constitutional amendment introduced the 'anti-defection' law through the Tenth Schedule in 1985. This Schedule provides that a member of a House of Parliament or State legislature who voluntarily gives up the membership of their political party or votes against the instructions of their party in a House are liable for disqualification from said House. This instruction with respect to voting is made by the 'whip' of a party. A 'whip' is a member of the 'legislature party' in a House who is appointed as such by the respective 'political party'. The 'political party' is the entire organisation of a party including the legislators, while the 'legislature party' is only the members of a political party in a House of Parliament or State legislature.

The Tenth Schedule originally provided for two exceptions that would not render the members liable for disqualification. First, one-third members of the 'legislature party' splitting to form a separate group (para 3). Second, merger of their 'political party' with another party that is approved by two-third members of its 'legislature party' (para 4).

However, considering the need to strengthen the 'anti-defection' law, para 3 was omitted in 2003.

**What are the issues involved?**  
With the deletion of para 3, there have been instances of two-third members of a legislature party 'practically' defecting but claiming to be the original political party in order to escape disqualification. There have also been instances where more than two-third members of a State 'legislature party' of a national political party merged themselves with another political party to escape disqualification. This happened in September 2018, in Rajasthan, when all six Bahujan Samajwadi Party MLAs merged themselves with the Congress Party and in September 2022, in Goa, when eight

as its whip. However, the UET faction claimed that they were the original political party and that Sant Prabhakar of its faction will continue to be the whip.

The Speaker has now recognised the Eknath Shinde faction as the real Shiv Sena and held the appointment of whip by this group as valid. This was based on the strength of members of the Shinde faction and the party's 1999 constitution. The Speaker based on this ruling refused to disqualify 40 MLAs of the Shinde faction. He also refused to disqualify 14 MLAs of the UET group as the whip instructions from Bharat Gogawale could not be physically served on them.

**What are the reforms needed?**  
The Supreme Court in *Sauq Ali versus Election Commission of India (2021)*, laid down the three-test formula for determining which faction is to be recognised as the original political party by the Election Commission. These are aims and objects of the party; its affairs as per the party's constitution that reflect inner party democracy; and majority in the legislative and organisation wings.

The first test is subject to competing claims by rival groups. But it is lack of inner party democracy that results in most of these defections. In fact, the Election Commission in February 2023, recognised the Eknath Shinde faction as the real Shiv Sena, solely based on votes polled by legislators supporting Eknath Shinde in the Maharashtra Assembly elections of 2019. An authoritative Supreme Court judgment in these matters and setting up of an independent tribunal to decide on disqualification of members will reduce the ambiguities surrounding the Tenth Schedule. The real reform required is institutionalising internal democracy through regular inner party elections in our political parties with strict monitoring by the Election Commission.

**What happened in Maharashtra?**  
In June 2022, a faction of the Shiv Sena headed by Eknath Shinde moved with 37 of the 55 MLAs and claimed to be the real Shiv Sena. It appointed Bharat Gogawale

as its whip. However, the UET faction claimed that they were the original political party and that Sant Prabhakar of its faction will continue to be the whip.

The Speaker has now recognised the Eknath Shinde faction as the real Shiv Sena and held the appointment of whip by this group as valid. This was based on the strength of members of the Shinde faction and the party's 1999 constitution. The Speaker based on this ruling refused to disqualify 40 MLAs of the Shinde faction. He also refused to disqualify 14 MLAs of the UET group as the whip instructions from Bharat Gogawale could not be physically served on them.

#### THE GIST

The defections of legislators during the 1960s and 70s from their parent parties created political instability in many States, bringing down elected governments. Therefore, to ensure the stability of elected governments, the 52nd constitutional amendment introduced the 'anti-defection' law through the Tenth Schedule in 1985.

The authority to decide on the disqualification of members is vested in the Speaker of the House.

The Supreme Court in *K. M. Singh versus Speaker of Manipur (2020)* recommended that Parliament amend the Constitution to vest these powers in an independent tribunal headed by judges.

- The 10th Schedule to the Constitution, popularly referred to as the 'Anti-Defection Law,' was inserted by the 52nd Amendment in 1985.
- It was enacted to curb frequent floor-crossing by legislators. It provides for the disqualification of elected legislators from the legislature in instances where they voluntarily switch parties or vote against the party's direction.

### Do you know?

The Supreme Court in *K. M. Singh versus Speaker of Manipur (2020)* recommended that Parliament amend the Constitution to vest these powers in an independent tribunal headed by judges.

# HEADLINES OF THE DAY

Indian Express : Welfare Schemes (GS2)-Page 1

## Every fourth beneficiary added under PM-Kisan over past 2 months is a woman

The new beneficiaries were added to the scheme under the Viksit Bharat Sankalp Yatra (VBSY), the Centre's flagship initiative to raise awareness on its schemes.



- PM Kisan is a Central Sector scheme with 100% funding from Government of India.
- It has become operational from 1.12.2018.
- Under the scheme an income support of 6,000/- per year in three equal installments will be provided to all land holding farmer families.
- Definition of family for the scheme is husband, wife and minor children.
- State Government and UT administration will identify the farmer families which are eligible for support as per scheme guidelines.
- The fund will be directly transferred to the bank accounts of the beneficiaries.

Indian Express: Governance-page 14

## What is 'prior approval', and why is it needed before investigating public officials accused of corruption?

Justice Bose held that prior approval was necessary, which the CID did not have when it opened the inquiry. Justice Trivedi held it was necessary to seek approval only to investigate offences committed after 2018, the year this requirement was introduced.

- The Supreme Court delivered a split verdict in former Andhra Pradesh Chief Minister [Chandrababu Naidu](#)'s plea to quash an [FIR](#) in the alleged skill development scam case. Justices Aniruddha Bose and Bela M Trivedi disagreed on whether the AP CID was required to seek 'previous approval' from the state government before conducting an inquiry into the allegations against Naidu.
- In 2003, the Delhi Special Police Establishment Act, 1946, which governs agencies like the CBI, was amended. Under Section 6A, it was required to seek approval from the central government before investigating alleged offences under the Prevention of Corruption Act (PCA), 1988, if the employee in question held a rank higher than joint secretary.
- The Supreme Court struck down this requirement in 2014. Four years later, the PCA was amended and a similar provision was introduced as Section 17A. Under this section, if a public servant commits an offence under the Act while discharging their official duties, investigators must receive approval from the central/ state government, or a competent authority to open an inquiry or investigation.

# HEADLINES OF THE DAY

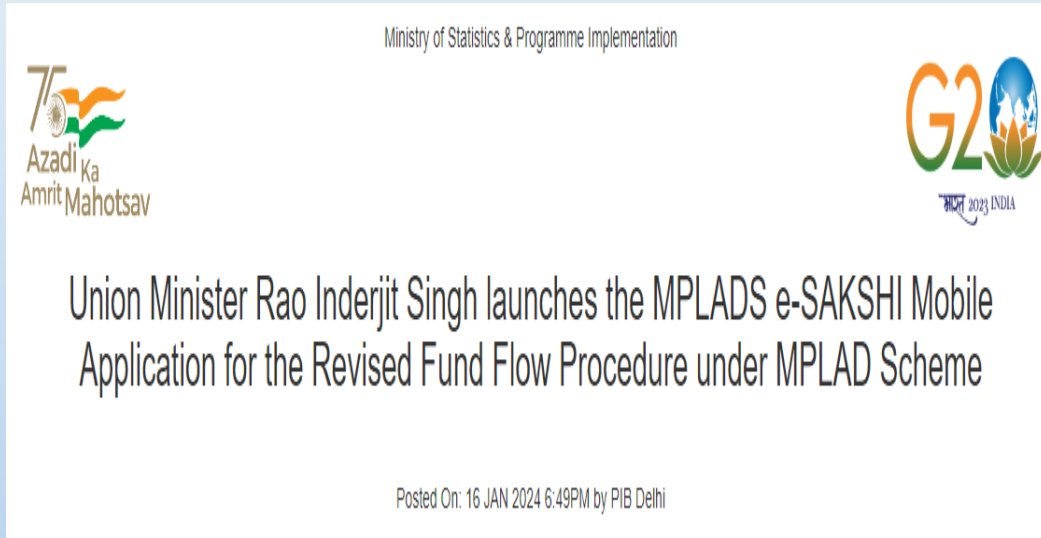
**Pib: S&T**



- The Department of Science and Technology (DST), Govt. of India is organizing the 9<sup>th</sup> edition of IISF and its autonomous organization National Innovation Foundation-India is the coordination and implementation body of IISF 2023.
- The aim of this science festival is to celebrate the achievements of India in the frontier areas of science and technology. The festival also aims to acknowledge the achievements of science enthusiasts and inculcate scientific temper among young students and spread the same among the Indian citizens. The central theme of IISF 2023 is “Science and Technology Public Outreach in Amrit Kaal”.
- IISF is the largest science festival which brings together and connects all the segments of society. This has been organised since 2015 and the IISF 2023 is the ninth edition of the series.

# HEADLINES OF THE DAY

## Pib: Governance



- The MPLADS is a Central Sector Scheme fully funded by Government of India. The objective of the scheme is to enable MPs to recommend works of developmental nature with emphasis on the creation of durable community assets in the areas of drinking water, primary education, public health, sanitation and roads, etc. primarily in their Constituencies.
- The annual MPLADS fund entitlement per Member of Parliament (MP) constituency is Rs.5 crore, released in two instalments of Rs.2.5 crore each, subject to the fulfilment of conditions as per the MPLADS Guidelines.
- The Rajya Sabha Members of Parliament can recommend works in one or more districts in the State from where he/she has been elected.



# HEADLINES OF THE DAY

**Air: Culture (GSI)**

Prez Murmu to attend golden jubilee  
celebrations of Karbi Youth Festival at Diphu,  
Assam



The Karbi Youth Festival is the oldest and biggest ethnic festival of Northeast India, celebrated primarily by the Karbi and other ethnic communities inhabiting the areas administered by the Karbi Anglong Autonomous Council (KAAC).

## Do you know?

- The **Karbis** linguistically belong to the Tibeto-Burman group. The original home of the various people speaking Tibeto-Burman languages was in western China near the Yang-Tee-Kiang and the Howang-ho rivers and from these places they went down the courses of the Brahmaputra, the Chindwin and the Irrawaddy and entered India and Burma.
- The Karbis, along with others entered Assam from Central Asia in one of the waves of migrations.