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Anti-Defection Law

Why in News

Recently, the Calcutta High Court has given West Bengal Assembly Speaker a deadline to pass an order in the **defection case** involving a Member of Legislative Assembly (MLA).

Anti-defection proceedings are also going on in other states such as Jharkhand and Rajasthan.

Key Points

- **About:**

- The anti-defection law **punishes individual** Members of Parliament (MPs)/MLAs **for leaving one party** for another.
- Parliament added it to the Constitution as the **Tenth Schedule in 1985**. Its purpose was to **bring stability to governments** by discouraging legislators from changing parties.
 - **The Tenth Schedule** - popularly known as the Anti-Defection Act - was included in the Constitution via the **52nd Amendment Act, 1985** and sets the provisions for disqualification of elected members on the grounds of defection to another political party.
 - It was a response to the toppling of multiple state governments by party-hopping MLAs after the general elections of 1967.
- However, it **allows a group of MP/MLAs to join (i.e. merge with) another political party** without inviting the penalty for defection. And it does not penalise political parties for encouraging or accepting defecting legislators.
 - As per the **1985 Act**, a '**defection**' by **one-third** of the elected members of a political party was considered a '**merger**'.
 - But the **91st Constitutional Amendment Act, 2003**, **changed this** and now at least **two-thirds of the members** of a party have to be in favour of a "**merger**" for it to have validity in the eyes of the law.
- The **members disqualified** under the law can **stand for elections** from any political party for a seat in the same House.
- The **decision** on questions as to disqualification on ground of defection are **referred to the Chairman or the Speaker of such House**, which is subject to '**Judicial review**'.

However, the law **does not provide a time-frame** within which the presiding officer has to decide a defection case.

- **Grounds of Disqualification:**

- If an elected member **voluntarily gives up his membership** of a political party.
- If he votes or **abstains from voting in such House contrary to any direction issued by his political party** or anyone authorised to do so, without obtaining prior permission.

As a pre-condition for his disqualification, **his abstention from voting should not be condoned by his party** or the authorised person within 15 days of such incident.
- If any **independently elected member joins any political party**.
- If any **nominated member joins any political party after the expiry of six months**.

- **Related Issues:**
 - **Undermining Representative & Parliamentary Democracy:**
 - After enactment of the Anti-defection law, the MP or MLA has to follow the party's direction blindly and has no freedom to vote their judgment.
 - Due to Anti-Defection law, the chain of accountability has been broken by making **legislators accountable primarily to the political party**.
 - **Controversial Role of Speaker:**

In many instances, the Speaker (usually from the ruling party) has **delayed deciding on the disqualification**.
 - **No Recognition of Split:**
 - Due to the 91st amendment, the anti-defection law created an exception for anti-defection rulings.
 - However, the amendment **does not recognise a 'split' in a legislature party** and instead recognises a 'merger'.
 - **Subversion of Electoral Mandates:**

Defection is the **subversion of electoral mandates by legislators** who get elected on the ticket of one party but then find it convenient to shift to another, due to the lure of ministerial berths or financial gains.
 - **Affects the Normal Functioning of Government:**

The infamous "**Aaya Ram, Gaya Ram**" slogan was coined against the background of continuous defections by the legislators in the 1960s. The defection leads to instability in the government and affects the administration.
 - **Promote Horse-Trading:**

Defection also promotes **horse-trading of legislators** which clearly go against the mandate of a democratic setup.
- **Suggestions:**
 - The **Election Commission** has suggested **it should be the deciding authority in defection cases**.
 - Others have argued that the **President and Governors should hear defection petitions**.
 - The **Supreme Court** has suggested that **Parliament should set up an independent tribunal** headed by a retired judge of the higher judiciary to decide defection cases swiftly and impartially.
 - Some commentators have said the law has failed and recommended its removal. Former Vice President Hamid Ansari has suggested that **it applies only to save governments in no-confidence motions**.

Way Forward

- If government stability is an issue due to people defecting from their parties, the answer is for **parties to strengthen their internal part of democracy**.

- There is an ardent **need for legislation that governs political parties in India**. Such a law should bring political parties under RTI, strengthen intra-party democracy, etc.
- Chairman/Speaker of the house, being the final authority in terms of defection, affects the doctrine of separation of powers. In this context, transferring this power to higher judiciary or to **Election Commission may curb the menace of defection**.
- In order to shield the detrimental effect of the anti-defection law on representative democracy, **the scope of the law can be restricted** to only those laws, where the defeat of government can lead to loss of confidence.

Source: IE

Republics in Ancient India

Why in News

Recently, while addressing the **United Nations General Assembly**, the Prime Minister made an important historical point that **India is not just the world's largest democracy, but also the Mother of Democracy**.

There is evidence of the existence of **proto forms of democracy and republicanism** in ancient India.

Key Points

- **Vedic Governance:** The Vedas describe at least **two forms of republican governance**:
 - **Monarchy:** The first would consist of elected kings. This has always been seen as an early form of democracy.
 - **Republics:** The second form is that of rule without a monarch, with power vested in a council or sabha.
 - The membership of such sabhas was not always determined by birth, but they often **comprised people who had distinguished themselves by their actions**.
 - There is even a hint of the **modern bicameral system of legislatures**, with the **sabha** often sharing power with the **samiti**, which was made up of **common people**.
 - The **vidhaata**, or the assembly of people for debating policy, military matters and important issues impacting all, has been mentioned more than a hundred times in the **Rig Veda**. Both **women and men** took part in these deliberations.

- **Mahabharata:**

- In Chapter 107/108 of Mahabharata's **Shanti Parva**, there is a **detailed narration** about the features of **republics (called ganas) in India**.

It states that when there is **unity among the people** of a republic that **republic becomes powerful** and its people become prosperous and they are **destroyed only by internal conflicts** between the people.

- It shows that in ancient India there were not only kingdoms (like Hastinapur and Indraprastha) but also **regions where there was no king but a republic**.

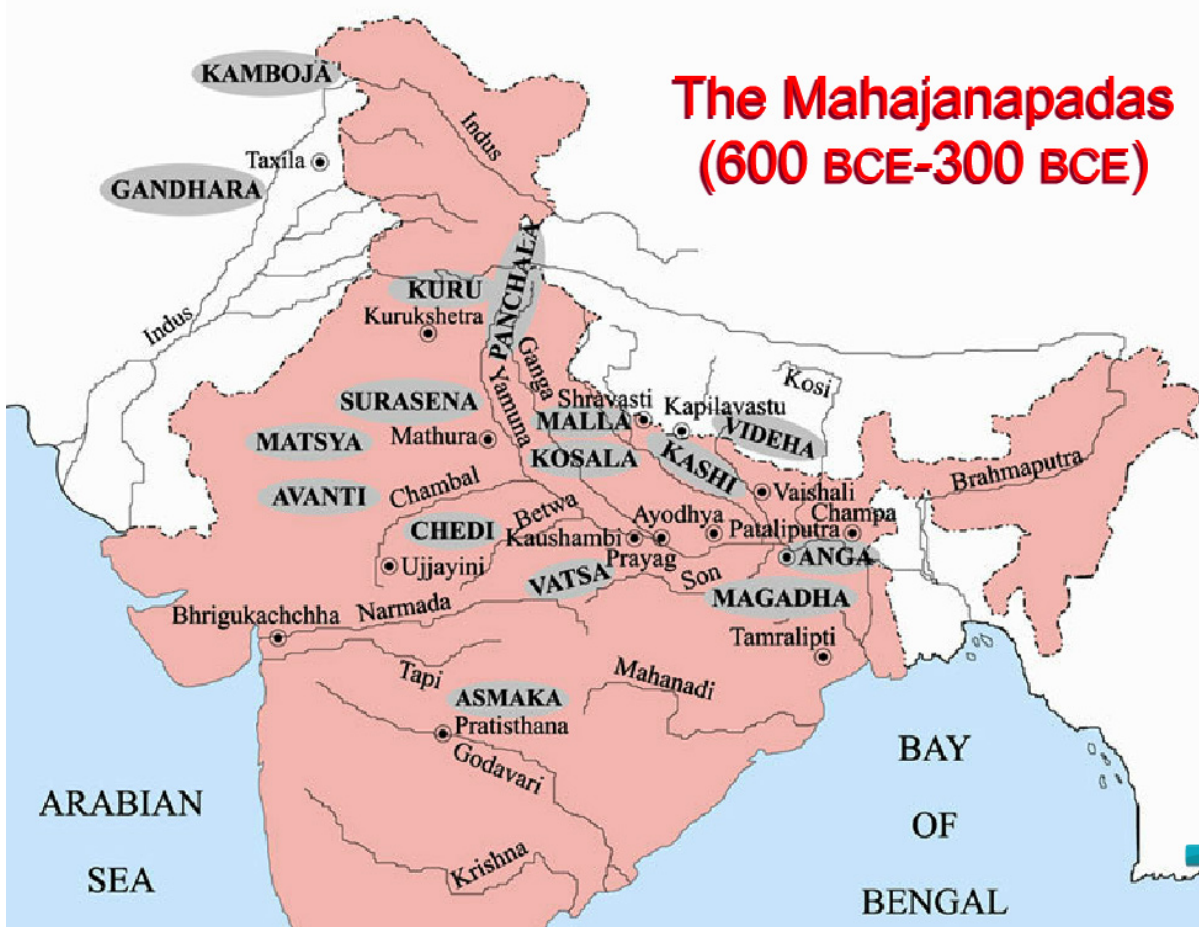
- **Buddhist Canons:**

- The **Buddhist** Canon, both in **Sanskrit** (in which much of Mahayana Buddhist literature was written) and in **Pali** (in which much of Hinayana literature was written) has extensive reference to republics in India, e.g. the **Lichchavi city of Vaishali**.

It also describes in detail Vaishali's rivalry with neighbouring Magadha, which was a monarchy. Had the Lichchavis won, the trajectory of governance may well have been non-monarchical in the Subcontinent.

- **The Mahanibbana Sutta** (Pali Buddhist work) and the **Avadaana Shatak** (a Sanskrit Buddhist text of the second century A.D) also mention that certain areas were under a republican form of government.

- Buddhist and Jain texts list **16 powerful states or mahajanapadas of the time**.



- **Greek Records:**

The **Greek historian Diodorus Siculus** writes that at the time of Alexander's invasion (in 326 B.C.), most cities in **North West India had democratic forms of government** (though some areas were under kings, e.g. Ambhi and Porus) and this is **also mentioned by the historian Arian**.

Alexander's army faced its fiercest resistance from the armies of these republics, e.g. the **Mallas**, and gained victory only after suffering huge casualties.

- **Kautilya's Arthashastra:**

- Other sources appear in the **Ashtadhyayi of Panini, the Arthashastra of Kautilya**, etc.
- **Elements of State by Kautilya:** Any state is thought of as composed of seven elements. The first three are swami or the king, amatya or the ministers (administration) and janapada or the people.
 - The king must function on the advice of the amatyas for the good of the people.
 - The ministers are appointed from amongst the people (the Arthashastra also **mentions entrance tests**).
 - As per the Arthashastra, in the **happiness and benefit of his people lies the happiness and benefit of the King**.

Source: IE

Renunciation of Indian Citizenship Simplified

Why in News

The **Ministry of Home Affairs (MHA)** has simplified the process for Indians who want to renounce their citizenship.

Earlier, the **Central Government issued a notification** granting powers related to citizenship applications under existing rules to authorities of five states.

Key Points

- **About:**

- Provisions have been made for applicants to **upload documents online**, with an **upper limit of 60 days** for the renunciation process to be completed.
- **Over 6.7 lakh Indians renounced** their citizenship **between 2015-19**.
- In 2018, MHA included a column on "**circumstances/reasons** due to which applicant intends to acquire foreign citizenship and renounce Indian citizenship" (under the Citizenship Rules, 2009).

- **Citizenship:**

- **Constitutional Provisions:**

- Citizenship is **listed in the Union List** under the Constitution and thus is under the exclusive jurisdiction of Parliament.
- The **Constitution does not define the term ‘citizen’** but details of various categories of persons who are entitled to citizenship are given in **Part 2 (Articles 5 to 11)**.

Unlike other provisions of the Constitution, which came into being on **26th January, 1950**, these articles were enforced on 26th November, 1949 itself, when the Constitution was adopted.

- **Acquisition of Indian Citizenship:**

The **Citizenship Act of 1955 prescribes five ways** of acquiring citizenship, viz, **birth, descent, registration, naturalisation and incorporation of territory**.

- **Citizenship (Amendment) Act, 2019:**

- The Act **amended** the law **to fast-track citizenship for religious minorities**, specifically Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, from Afghanistan, Bangladesh and Pakistan who entered India prior to 2015.
- The requirement for them to stay in India for at least 11 years before applying for Indian citizenship **has been reduced to five years** (by naturalisation).

- **Ways to Renounce Citizenship in India:**

- **Voluntary Renunciation:**

- If an **Indian citizen wishes**, who is of full age and capacity, he can relinquish citizenship of India by his will.
- When a person relinquishes his citizenship, **every minor child of that person also loses Indian citizenship**. However, when such a child attains the age of 18, he may resume Indian citizenship.

- **By Termination:**

- The Constitution of India provides **single citizenship**. It means an Indian person can only be a citizen of one country at a time.
- If a person takes the citizenship of another country, then his Indian citizenship ends automatically. However, this provision does not apply when India is busy in war.

- **Deprivation by Government:**

The Government of India may **terminate the citizenship** of an Indian citizen if;

- The citizen has **disrespected the Constitution**.
- Has **obtained citizenship by fraud**.
The citizen has **unlawfully traded or communicated** with the enemy during a war.
- Within 5 years of registration or naturalisation, a citizen has been **sentenced to 2 years of imprisonment** in any country.
- The citizen has been **living outside India for 7 years continuously**.

Source: TH

Loopholes in Aadhaar-Enabled Payments

Why in News

A series of recent scams have **exposed the vulnerabilities of the Aadhaar-enabled Payment System (AePS)**.

Key Points

- **Aadhaar-enabled Payment System (AePS):**
 - AePS is a **bank led model which allows online interoperable financial transactions at PoS** (Point of Sale/Micro ATM) through the Business Correspondent (BC)/Bank Mitra of any bank using the Aadhaar authentication.
 - This system **adds another layer of security to financial transactions** as bank details would no longer be required to be furnished while carrying out these transactions.
 - It was **taken up by the National Payments Corporation of India (NPCI)** - a joint initiative of **Reserve Bank of India (RBI)** and **Indian Banks' Association (IBA)**.
- **Advantages Associated with AePS:**
 - **Decongesting Banks:** Like other micro-ATM systems, it has helped to decongest banks. It can be particularly useful to migrant workers who have no ATM facility.
 - **Deepening Social Security:** It will help in deepening social services after the proliferation of cash transfer schemes from governments to vulnerable citizens.
 - **Enabling Last-Mile Service:** It will ease the payments which will be done at the doorstep instead of travelling long distances.
 - Interoperable system ensures that the customer is not tied to one bank's BC.
 - **Removing Middlemen:** The middlemen who exploited the poor and illiterate would now be eliminated.
- **Existing Loopholes:**
 - **Fraudulent BC:** Sometimes BC, leveraging the financial illiteracy of people, provides less money to the consumer but enters more money to be credited into the BC's account.
 - Manytimes, BCs deny receipts to poor people, if they demand one at all.
 - A corrupt BC can even get away with asking a gullible customer to put her finger in the PoS machine under some pretext, without giving her any money.
 - **No accounting of Fraudulent Transactions:** AePS has no record of the fraudulent BC, it only shows the transaction records.
 - This makes poor people more vulnerable, who already are facing scarcity of funds.
 - **Systemic Issues:** Failure in transactions owing to biometric mismatches, poor connectivity or weaker systems of certain banking partners, also affect the AePS.

Way Forward

- Providing financial literacy will help in reduction of cases of fraudulent BC.
- Roaming BCs should perhaps be banned, at least in states with low literacy levels.
- Better grievance redressal facilities must be made available to the victims of AePS fraud.

India's Path to Power: Foreign Policy

Why in News

Recently, a report titled “**India's Path to Power: Strategy in a World Adrift**” highlighted **several foreign policy recommendations for India** in the present context.

It underlined that **strategic autonomy, openness and inclusive economic growth** are the key guiding principles.

Key Points

- **Shift of Global Economy:** With the **rise of China and India**, and parallel **decline of European Union and US' hegemony**, the global balance of power is shifting towards Asia.
 - This gets reflected in the **growing popularity of the Indo-pacific region among western countries.**
- **Reinforcing Multipolar World Order:** There is an increasing trend towards **multipolarity** in Asia and the world. It is in India's interest to reinforce this trend.
 - In this context, India should **re-orient its foreign policy** towards mobilising the larger constituency of developing countries and emerging economies with which it has convergent interests.
 - Such interests should be advanced through **reinforcing multilateral institutions and processes.**
- **Maintaining Strategic Autonomy:** Strategic autonomy must go in parallel with the further strengthening of partnerships with the **US, Japan and Europe**, which share India's security concerns and development prospects.
 - Also, India-Russia relations will continue to be relevant in dealing with issues in the region and in responding to global challenges.
- **Keeping Up With Globalisation:** Even though in some respects, globalisation may have stalled, in the past and in the coming future, it will be **driven by rapid technological advancement.**
 - Therefore, in order to enhance its economic prospects and improve the welfare of its people, India **must maintain an outward orientation of its economy.**

- **Managing the Neighbourhood First:** If India wants to play an expanded regional & global role and become a **net security provider**, it needs to better manage the threats and opportunities emanating from neighbouring countries.
 - In this context, India should deal with the **Chinese challenge**.
This is because China acknowledges that **India is the only country in the neighbourhood** with the comparable area, population, history, manpower, and scientific and technological capabilities, who can surpass it.
 - It also asserted that **China-Pakistan collusion** demands India to adopt a politically guided strategic approach.
- **Preventing Domestic Politics Affecting Foreign Policy:** There have been several instances where many countries have cited reservations to various domestic policies of India. **Citizenship Amendment Act, 2019** is an example.
 - In this context, domestic policies should reflect inclusivity, reducing inequalities, and delivering core responsibilities of health, education and public security to all its citizens.
 - Also, there is a need to realise that **India's innate cosmopolitanism is derived from its extraordinary diversity**.

Source: IE

Heli-Borne Survey for Water Management

Why in News

Recently, the **Ministry of Jal Shakti** has launched a **Heli-Borne Survey Technology for water management** in the arid areas of Rajasthan.

Key Points

- **About:**

- Developed by **Council of Scientific and Industrial Research (CSIR)**-National Geophysical Research Institute (NGRI), it will provide information **about level, quantity, quality and information of ground water.**

The NGRI is a **geoscientific research organization** established in 1961 under the CSIR.

- The Heli-borne geophysical mapping technique of CSIR-NGRI provides a **high-resolution 3D image** of the subsurface up to a depth of 500 metres below the ground.

The main advantages of the Heliborne geophysical survey is that it is **fast, highly data dense, precise and economical.**

- This survey will be carried out in **two phases**, of which the first phase comprises an area spanning 1 lakh sq km.

This includes 65,000 sq km in **Rajasthan**, 32,000 sq km in **Gujarat** and 2,500 sq km in **Haryana**.

- It is to be implemented in collaboration with the **Ministry of Jal Shakti** as a part of **National Aquifer Mapping Project**.

- **Significance:**

- Larger areas can be covered to derive more **accurate data** to help utilize groundwater for drinking purposes.
- It will help in **water conservation, identification of new places for ground water recharging** and that too at **lesser cost** than the prevalent ones like digging tube wells using geophysics and remote sensing techniques.
- It will **help in devising new schemes** for improvement in water level in water scant areas.

National Aquifer Mapping Project

- It was initiated as a part of the **Ground Water Management and Regulation Scheme** to delineate and characterize the **aquifers** (water bearing formations) to develop plans for ground water management.
- It envisages mapping of aquifers, their characterization and development of Aquifer Management Plans to **facilitate sustainable management of groundwater resources.**

Source: PIB

Nobel Prize in Physics, 2021

Why in News

The 2021 Nobel Prize in Physics is awarded with **one half jointly to Syukuro Manabe, Klaus Hasselmann** and the **other half to Giorgio Parisi** “for groundbreaking contributions to our understanding of complex physical systems.”

- This is the **first time climate scientists** (Manabe and Hasselmann) have been awarded the Physics Nobel. Last year, the award was given for the **research into black holes**.
- The **Nobel Prize in Physiology or Medicine 2021** has already been announced.

Key Points

About:

- **Manabe and Hasselmann:**

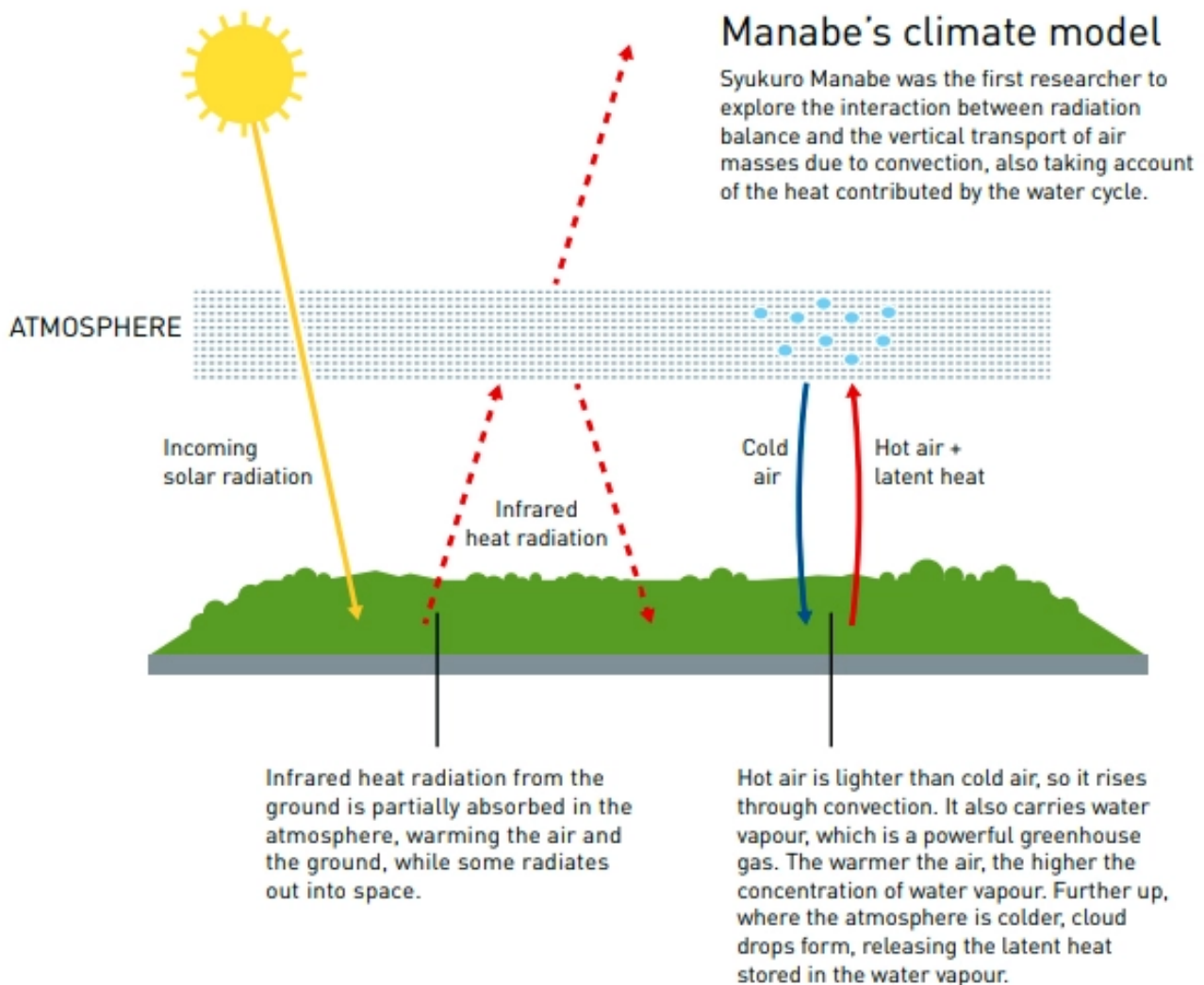
Awarded for work in **physical modelling of Earth’s climate**, quantifying variability and reliably predicting **global warming**.

Demonstrated how **increases in the amount of carbon dioxide** in the atmosphere would **increase global temperatures**, laying the foundations for current climate models.

- **Parisi:**

Awarded for “**the discovery of the interplay of disorder and fluctuations in physical systems** from atomic to planetary scales.”

He “**built a deep physical and mathematical model**” that made it possible to understand complex systems in fields such as mathematics, biology, neuroscience and machine learning.



Climate Science and Nobel Prize Recognition:

- The **Intergovernmental Panel on Climate Change (IPCC)** had won the **Peace Nobel in 2007**, an acknowledgement of its efforts in creating awareness for the fight against climate change.
- A **Chemistry Nobel to Paul Crutzen in 1995**, for his work on the **ozone layer**, is considered the only other time someone from atmospheric sciences has won this honour.

Source: IE

New Biodegradable Polymer

Why in News

Recently, scientists have developed a **New biodegradable polymer**, using **Guar Gum**, and **Chitosan**, which has high potential for packaging material.

Key Points:

- **About:**

It is a **guar gum-chitosan composite film** which is a **cross-linked polysaccharide** developed with the help of **solution casting method** (a simple technique to make polymer films). It overcomes the challenges of polysaccharides.

- **Polysaccharides** is one of the **biopolymers with high potential for use in synthesis of packaging material**.
- However, due to some drawbacks of polysaccharides, such as low mechanical properties, high water-solubility, and low barrier properties, they are not preferred.
- **Guar Gum**, and **Chitosan** are polysaccharides extracted from guar beans and shells of crab and shrimps.

- **Properties of the Film:**

- **High water stability, high mechanical strength** as well as **excellent resistance** towards harsh environmental conditions.

The fabricated cross-linked film is **not easily soluble in water**. As per scientists, it did not dissolve even after 240 hours.

- It is **highly water repellent or hydrophobic** because of its high contact angle of 92.8°.
- **Water vapor permeability is low** as compared to the film made only from chitosan.

Vapour permeability is a material's ability to allow a vapour (such as water vapour or, indeed any gas) to pass through it.

- **Significance:**

It is likely to **help effectively deal with the menace of piling non-biodegradable packaging materials**, including water and soda bottles.

Normally, Polymers have a **wide variety of industrial and commercial uses** but it is not biodegradable and hence poses a **major challenge to the environment and earth's ecosystem**.

Source: PIB
