

CIWP

CURRENT ISSUES WRITING PRACTICE

PRE-TEST MATERIAL FOR CIWP – E

Anti-Defection Law

Why in News?

The political crises in Manipur and Rajasthan, for the time being, have been averted but it has again raised the issue of defection. Toppling the governments and nullifying the verdict of the people, because of the lure of individual gains, has become common.

It is here that the effectiveness of the anti-defection law and possible reforms comes into question. The anti-defection law is supposed to deter MLAs from defecting from their political parties. They can lose their seats in the legislature for defying their party.

Connectedness to the Syllabus

Essay: UPSC may ask candidates to write an essay on Political Ethics, public Mandate, Anti-Defection Law and the related issues.

GS II: Comparison of the Indian constitutional scheme with that of other countries; Parliament and State legislatures—structure, functioning, conduct of business, powers & privileges and issues arising out of these.

Articles Link:

<https://www.prssindia.org/theprsblog/anti-defection-law-explained>

<https://www.thehindu.com/news/national/other-states/congress-leaders-raise-concerns-over-anti-defection-law/article32192777.ece>

<https://indianexpress.com/article/explained/why-anti-defection-law-has-failed-its-purpose-6552568/>

<https://indianexpress.com/article/opinion/columns/anti-defection-law-indian-politics-democracy-p-b-sawant-6552246/>

<https://www.financialexpress.com/opinion/anti-defection-law-time-to-revisit-or-repeal-mp-rajasthan-political-crises-expose-its-limitations/2032402/>

<https://indianexpress.com/article/opinion/editorials/rajasthan-manipur-biren-singh-kalraj-mishra-ashok-gehlot-sachin-pilot-6552301/>

<https://theprint.in/theprint-essential/heres-what-the-anti-defection-law-challenged-by-sachin-pilot-in-rajasthan-hc-says/467396/>

<https://www.hindustantimes.com/analysis/why-the-anti-defection-law-has-failed-to-deliver/story-JtDhIEFHZ8VPpnNBD7Fv9J.html>

<https://www.hindustantimes.com/analysis/the-anti-defection-law-has-failed-it-is-time-to-scrap-it/story-BCTMzgsgLiqHzrOxqSucCM.html>

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<https://timesofindia.indiatimes.com/india/rajasthan-political-crisis-what-is-anti-defection-law-how-it-impacts-sachin-pilot/articleshow/76999988.cms>

Maps and Images:

The Anti-Defection Law, explained

Definition:

Anti Defection Law is contained in the 10th Schedule of the Constitution and was introduced through the 52 amendment.

Conditions for disqualification:

- If a member of a house voluntarily gives up membership of his political party. If a member votes or does not vote in accordance with the whip.
- Member won't be disqualified if prior permission is taken or is condoned by the party within 15 days from such voting or abstention.
- If an independent joins a political party after the election.
- If a nominated member joins a party 6 months after he or she becomes a member of the legislature.

Power to disqualify:

1. Decision to disqualify is taken by the Speaker of the House
2. If complaint is against the Speaker, then member of the House elected by the House will decide.

Exception:

A member shall not be disqualified if his party merges with another. He and other members of the old party become members of the new party or he and other members do not accept the merger and opt to function as a separate group.

The exception would come into force only if not less than two-thirds of the members of the party in the House have agreed to the merger.

<https://www.oneindia.com/india/explainer-what-is-the-anti-defection-law-and-how-does-it-work-2917587.html>

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The anti-defection law came into being with the **inclusion of the Tenth Schedule in the Constitution in 1985, through the 52nd Amendment Act**

According to the law, if a member of Parliament or state legislature **gives up his membership of a political party or votes or abstains from a vote contrary to the directions of his party, he can be disqualified**

The 1985 Act allowed for one-third or more of the **elected members of a party to**

merge with another party without being disqualified

Since an amendment in 2003, the **minimum number required for a merger is two-thirds of the elected members of a party**

The law has been criticised for impinging on the **rights of elected representatives to take a position different from their party's**

The law has not been very **effective in curbing defections**

<https://5thvoice.news/legalnews/NzM4Ng==/The-constitutional-validity-of-the-Tenth-Schedule>

Video Links of Anti-Defection Law:

RSTV (English): https://www.youtube.com/watch?v=Rw0M_IHS87A

RSTV (English): <https://www.youtube.com/watch?v=5I8VMZ4z59s>

RSTV (English): <https://www.youtube.com/watch?v=fCZBZmnEJVA>

100th Anniversary of Malabar Rebellion

Why in News?

The Malabar rebellion, also called Mappila revolt, continues to be a contested event even nearly after hundred years, when it took place. It has now grabbed the headlines after a film project on one of the rebel leaders, Variyankunnathu Kunjahammed Haji, was announced.

The rebellion was a remarkable event that saw people in southern Malabar, wages an armed struggle against the British for nearly six months beginning August 1921. In sociologist D N Dhanagare's words, "gross neglect of the basic tenurial security, the deterioration of landlord-tenant relations and the political alienation of the poor peasantry were the important formative conditions" of the rebellion. According to Dhanagare, three different political movements merged to trigger the rebellion — one of these, the tenancy movement, was rooted in local agrarian grievances (particularly in south Malabar); the other two were the Khilafat (Caliphate) movement and the Non-Cooperation movement, launched jointly by the All-India Khilafat Committee and the Indian National Congress.

Connectedness to the Syllabus

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Essay: UPSC may ask candidates to write an essay on Pre-Independence Agrarian and communal revolts and its impact on the present-day Indian polity.

GS I: Modern Indian history from about the middle of the eighteenth century until the present- significant events, personalities, issues.

GS I: The Freedom Struggle — its various stages and important contributors/contributions from different parts of the country; Salient features of Indian Society, Diversity of India.

Articles Link:

<https://www.thehindu.com/news/national/kerala/the-hindu-explains-why-is-there-a-controversy-over-a-film-project-on-the-protagonist-of-1921-malabar-rebellion/article31935304.ece>

<https://www.thehindu.com/news/national/kerala/an-artefacts-link-to-a-rebellion/article31948690.ece>

<https://www.outlookindia.com/newsscroll/1921-malabar-rebellion-once-again-set-to-stir-malayalam-cinema/1874621>

<https://indianexpress.com/article/opinion/columns/dont-strip-malabar-rebellion-off-its-layers-6490428/>

<https://eduindexnews.com/2020/07/20/malabar-rebellion-looking-100-years-back/>

Drug Abuse in India

Why in News?

More people are using drugs, and more illicit drugs are available than ever. The COVID-19 crisis has exposed our fragility, with health systems strained and social safety nets stretched to the limit. The economic downturn caused by the global pandemic may drive more people to substance abuse or leave them vulnerable to involvement in drug trafficking and related crime. We have been here before. In the global recession that followed the 2008 financial crisis, drug users sought out cheaper synthetic substances and patterns of use shifted towards injecting drugs, while governments reduced budgets to deal with drug-related problems.

All over the world, the risks and consequences of drug use are worsened by poverty, limited opportunities for education and jobs, stigma and social exclusion, which in turn helps to deepen inequalities, moving us further away from achieving the Sustainable Development Goals (SDGs).

Connectedness to the Syllabus

Essay: UPSC may ask candidates to write an essay on Drug abuse and its impact on the national security.

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GS I: Role of women and women's organization, population and associated issues, poverty and developmental issues, urbanization, their problems and their remedies; Effects of globalization on Indian society.

GS II: Welfare schemes for vulnerable sections of the population by the Centre and States and Bodies constituted for the protection and betterment of these vulnerable sections; Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources; India and its neighborhood- relations.

GS III: Linkages between development and spread of extremism; Role of external state and non-state actors in creating challenges to internal security; Challenges to internal security through communication networks, role of media and social networking sites in internal security challenges, basics of cyber security; money laundering and its prevention.

Articles Link:

<https://scroll.in/article/968439/in-punjab-the-coronavirus-lockdown-has-unwittingly-driven-drug-addicts-to-seek-help>

<https://www.thehindu.com/news/national/kerala/childline-proposals-for-checking-drug-abuse/article32142740.ece>

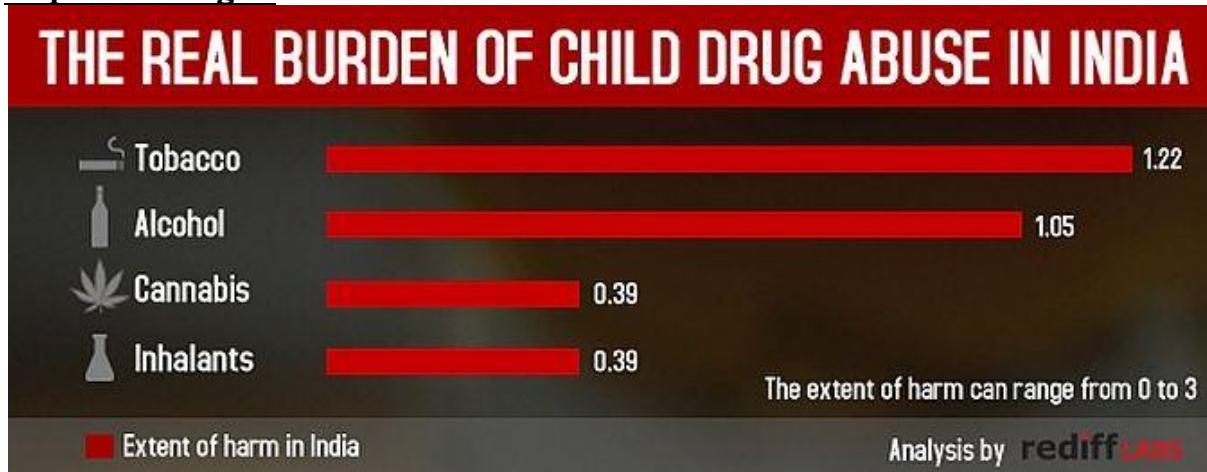
<https://www.thehindu.com/news/national/other-states/is-india-a-hub-for-international-drug-peddling-madras-high-court-asks-centre/article32106389.ece>

<https://indianexpress.com/article/cities/chandigarh/punjab-police-busts-drug-cartel-operating-across-11-states-6522623/>

<https://www.outlookindia.com/newsscroll/hc-seeks-info-on-drug-peddling/1896997>

<https://www.thehindu.com/opinion/op-ed/drug-abuse-amidst-pandemic/article31917900.ece>

Maps and Images:



<https://www.rediff.com/news/report/rediff-labs-measuring-the-real-burden-of-child-drug-abuse-in-india/20150402.htm>

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<https://www.iilsindia.com/blogs/drug-abuse-constitution-india/>

Video Links of Drug Abuse in India

RSTV: <https://www.youtube.com/watch?v=8VkJWj-bFbl>

DW: <https://www.youtube.com/watch?v=Y1SVgy1koTM>

Brain & Behavior Research Foundation: The Biology of Addiction:
<https://www.youtube.com/watch?v=NQBoNcr8qIk>