

16 February 2023

Anti Defection Law

❖ Context

- Recently, Former Maharashtra Chief Minister said in the Supreme Court that the “**artful**” **dodges legislators employ to subvert the Tenth Schedule (anti-defection law)** to bring down governments in crucial States.
- He also said that the “**sweeping discretion**” **available to Speakers** in deciding cases of disqualification of legislators **need a relook** by a larger Bench of seven judges.

❖ About Anti-Defection Law:

- The anti-defection law was **passed in 1985 through the 52nd Constitutional Amendment Act.**
- It added the **Tenth Schedule** to the Indian Constitution.
- This provision **prevents elected members from joining another political party** due to reward of office or other similar considerations.
- It **lays down the process by which a legislator may be disqualified** on grounds of defection.
- The decision on questions as to disqualification on ground of defection are referred to the **Chairman or the Speaker of such House.**
- The decision of the presiding officer **can be challenged in a court of law.**
- The law **does not specify a time frame** in which such a decision has to be made.

- In 2021, the Supreme Court observed that anti-defection **cases should be decided by Speakers in three months’ time.**

❖ Grounds of Disqualification:

- If an elected member from a party **voluntarily gives up the membership of his party.**
- If a member **votes against the directive of the party** or ignores the whip.
- An independent member joins a political party after getting elected.
- A **nominated member joining a political party after six months** of getting nominated.

❖ Exceptions

- The **law will not be applicable if 2/3rd members of a party** have given their consensus for merging with another.
- **On being elected as the presiding officer** of the House, if a member voluntarily gives up the membership of his party or rejoins it after he ceases to hold that office, he won’t be disqualified.

❖ Significance

- The anti-defection law has **provided stability to elected governments across the country.**
- It has **prevented ruling parties from indulging in horse trading** that was seen before the law.

Countervailing Duty (CVD) and DGTR

❖ Context

- Recently, The **commerce ministry recommended imposition of countervailing duty** on imports of a chemical, used in making personal care products such as shampoo, soap and detergents, from Indonesia, Malaysia and Thailand as it was impacting the domestic industry.

❖ Key Highlights:

- **Directorate General of Trade Remedies (DGTR)** said that imposition of the definitive countervailing duty on imports of 'saturated fatty alcohol' is required to offset subsidisation by these countries and injury to domestic players.
- Last year in February, the directorate initiated the probe into alleged subsidisation by Indonesia, Malaysia & Thailand on exports of the chemical.
- ❖ **Countervailing Duty (CVD)**
 - Countervailing duties or CVDs are **tariffs on imported goods.**
 - They are **imposed to offset subsidies** given by the exporting country's government.
 - CVDs **help offset any negative domestic impacts** that producers of the same good might experience due to foreign competition, who in this case, would receive a subsidy to export the same good.
 - The **WTO only permits countervailing duties** to be charged after the importing nation has conducted an in-depth investigation into the subsidized exports.

❖ Dumping & Anti Dumping Duty (ADD)

- **Dumping** is said to occur **when the goods are exported by a country to another country at a price lower than the price it normally charges in its own home market.**
- This is an **unfair trade practice** which can have a distortive effect on international trade.
- **ADD is a protectionist tariff** that a domestic government imposes on foreign imports that it believes are priced below fair market value.
- It is **permitted by the WTO for a period of five years** from the date of imposition unless revoked earlier.
- It **can be extended further.**
- ❖ **Directorate General of Trade Remedies (DGTR)**
 - The directorate is an investigation arm of the Commerce ministry. **It deals with anti-dumping duty, safeguard duty, and countervailing duty.**
 - **It was established in 1998** as the Directorate General of Anti-Dumping & Allied Duties.
 - It was **renamed in 2018** as the **DGTR.**
 - It **provides trade defence support to the domestic industry and exporters** in dealing with increasing instances of trade remedy investigations instituted against them by other countries.

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The Missing Deputy Speaker

❖ Context

- The Supreme Court issued notices to the Centre and five states Rajasthan, Uttarakhand, Madhya Pradesh, Uttar Pradesh, and Jharkhand over the failure to elect a Deputy Speaker.

❖ Key Highlights:

- A Bench led by Chief Justice of India (CJI) sought responses on a PIL that contends that not electing a Deputy Speaker to the Lok Sabha is “**against the letter and spirit of the Constitution**”.
- The post has been lying vacant in the five state Assemblies as well, which were constituted between four years and almost one year ago, (**Shariq Ahmed v. Union of India and Ors**).

❖ What Does The Constitution Say About The Deputy Speaker?

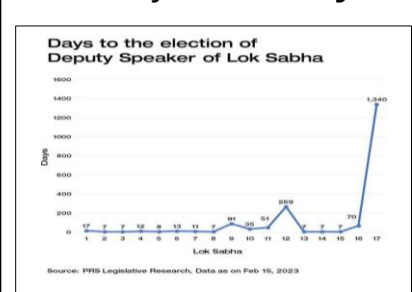
- **Article 93** says “The House of the People shall, as soon as may be, choose two members to be Speaker and Deputy Speaker...and, so often as the office of Speaker or Deputy Speaker becomes vacant, the House shall choose another member”
- **Article 178** contains the corresponding position for Speaker and Deputy Speaker of the Legislative Assembly of a state.

❖ Is it Mandatory to have a Deputy Speaker?

- Constitutional experts point out that both Articles 93 and 178 use the word “**shall**”, indicating that the election of Speaker and Deputy Speaker is mandatory under the Constitution.

❖ How Soon Must The Deputy Speaker Be Elected?

- As soon as may be”, say Articles 93 and 178. But they **do not lay down a specific time frame**.



- The election of the **Deputy Speaker** usually takes place in the second session and is generally not delayed further in the absence of genuine and unavoidable constraints.

- **Rule 8 of The Rules of Procedure and Conduct of Business** in Lok Sabha says the election of Deputy Speaker “shall be held on such date as the Speaker may fix”.

- Once elected, the Deputy Speaker usually continues in office for the entire duration of the House. **Under Article 94 (Article 179 for state legislatures)**, the Speaker or Deputy Speaker “shall vacate his office if he ceases to be a member of the House”.

- **They may also resign to each other**, or “may be removed from office by a resolution of the House of the People passed by a majority of all the then members of the House”.

❖ Do The Powers Of The Speaker Extend To The Deputy Speaker As Well?

- **Article 95(1)** says: “While the office of Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker”.

- It has been repeatedly held that no appeal lies to the Speaker against a ruling given by the Deputy Speaker or any person presiding over the House in the absence of the Speaker.

❖ What Is The Position Of The Union Government?

- **The Treasury benches** have maintained there is no “immediate requirement” for a Deputy Speaker as “bills are being passed and discussions are being held” as normal in the House.

- **A Minister argued that** “there is a panel of 9 member’s senior, experienced, & selected from different parties who can act as chairpersons to assist the Speaker to run the House”.

❖ Can The Courts Intervene In Cases Of A Delay:

- **In September 2021**, a petition was filed before the Delhi High Court, which argued that delay in the election of the Deputy Speaker violated Article 93 (**Pawan Reley v. Speaker, Lok Sabha & Ors**). However, there is no precedent of a court forcing the legislature to elect the Deputy Speaker.

News in Between the Lines

Aubrites



❖ Context

- Researchers have confirmed that a meteorite that crashed in two villages of Gujarat is a **rare aubrite** that originated from an extremely reduced differentiated parent body in our solar system.

❖ Key Highlights:

- **Aubrites “are coarse-grained igneous rocks** that formed” in oxygen-poor conditions, and thus “contain a variety of exotic minerals that are **not found on Earth**”. For example, the mineral heideite was first described in the Basti meteorite.
- This is only the second recorded crash of an aubrite in India. **Worldwide, aubrites** have crashed in at least 12 locations since 1836.
- **Meteors** are pieces of some solid object in space that broke away, descended onto a planet or moon, and managed to reach the surface. Once on the surface, **they are called meteorites**.
- Aubrites are a type of meteorite; scientists are not yet sure of their origin, although some signs indicate that they could be from the asteroid 3103 Eger or from the planet Mercury.

Face to Face Centres

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Marginal Cost of Fund-based Lending Rates (MCLR)



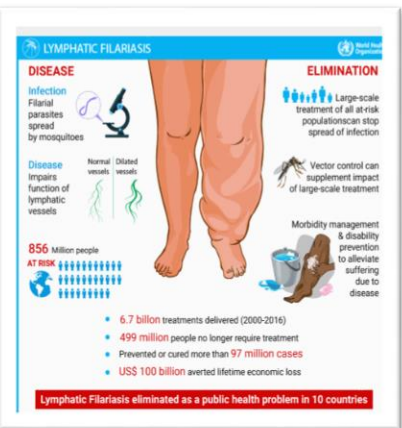
❖ Context

- Following the 25 basis points (bps) **hike in repo rate** by the Reserve Bank of India, **multiple lenders have raised their marginal cost of fund-based lending rates (MCLR)** by up to 15 basis points.
- It will result in higher equated monthly installment (EMI) for borrowers.

❖ About MCLR

- It was introduced on **April 1, 2016**.
- It **replaced the base rate structure**, which had been in place since July 2010.
- MCLR is the **minimum interest rate below which banks cannot lend**.
- Any change in the repo rate impacts the interest rate for borrowers.
- Banks review their MCLR of different maturities every month on a pre-announced date with approval from their boards.
- Previously, when RBI reduced the repo rate, banks took a long time to reflect it in the lending rates for the borrowers.
- **MCLR is calculated based on four components** : The marginal cost of funds, Negative carry on account of cash reserve ratio, Operating costs and Tenor premium.
- The RBI in October 2019 introduced the **external benchmark linked lending rate (EBLR) system**.
 - It was aim to further **improve the transmission of repo rate** to banks' lending and deposit rates.
 - Banks now offer lending rates which are **linked to the RBI's repo rate or yields on treasury bills**.
 - Any change in repo rate immediately gets reflected in the banks' lending rate.

Lymphatic Filariasis



❖ Context

- Recently, The Union Health Ministry launched a **nationwide mass drug administration (MDA) campaign**.
- It is aimed at **ending filariasis disease transmission** through door-to-door administration of anti-filarial drugs, especially in 10 affected States.

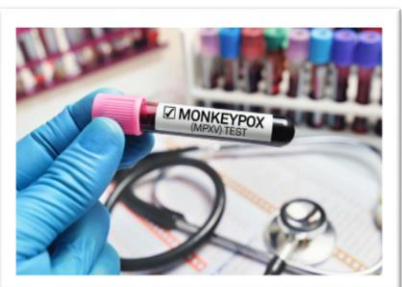
❖ Key Highlights:

- High-burden districts are- Bihar, Chhattisgarh, Jharkhand, Maharashtra, Uttar Pradesh, West Bengal, Karnataka, Odisha, Madhya Pradesh and Andhra Pradesh.
- India gears up to eliminate filaria by 2027, three years ahead of the global target.
 - The timing is perfect to resonate this target with the sustainable development goals, which aim to end all forms of hunger and disability or morbidity,

❖ About Lymphatic Filariasis:

- Lymphatic filariasis, considered globally as a **neglected tropical disease (NTD)**, is a **parasitic disease** caused by microscopic, thread-like worms.
- The adult worms only **live in the human lymph system**.
- The lymph system maintains the body's fluid balance and fights infections.
- Lymphatic filariasis is spread from person to person by **culex mosquitoes**.
- Lymphatic filariasis **impairs the lymphatic system** and can lead to the abnormal enlargement of body parts, causing pain, severe disability and social stigma.
- Lymphatic filariasis can be eliminated by stopping the spread of infection through **preventive chemotherapy with safe medicine combinations repeated annually**.

Mpox (Monkeypox)



❖ Context

- According to a statement by the **World Health Organization (WHO)**, as many as 85,765 confirmed and 1,382 probable cases of mpox (monkeypox) were reported from 110 countries since January 1, 2022.

❖ About Mpox:

- **Virus** : The monkeypox virus is an **orthopoxvirus**.
 - It is a genus of viruses that also includes the variola virus, which causes smallpox.
 - Monkeypox causes symptoms similar to smallpox, although they are less severe.
 - It was first diagnosed in humans in 1970 in the Democratic Republic of Congo in Africa.

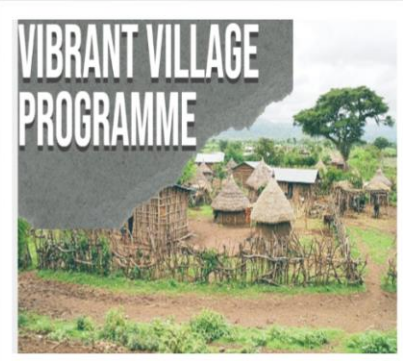
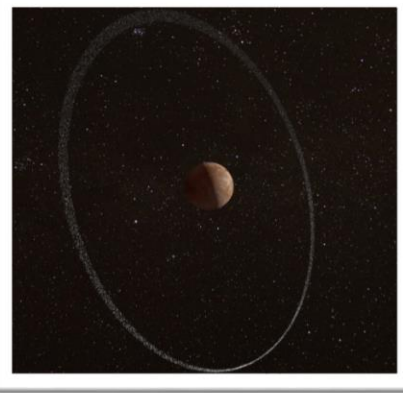
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	• Transmission : ▪ Monkeypox is a Zoonotic disease and it is transmitted from infected animals to humans. ▪ Cases occur close to tropical rainforests inhabited by animals that carry the virus. ▪ Human-to-human transmission is limited. • Symptoms and Treatment : ▪ Monkeypox begins with a fever, headache, muscle aches, back ache, and exhaustion. ▪ The incubation period for monkeypox is usually 7-14 days but can range from 5-21 days. ▪ The patient develops a rash that begins on the face and spreads to other parts of the body. ▪ There is no safe, proven treatment for monkeypox yet.
Vibrant Villages Programme 	❖ Context ➤ Cabinet approves Centrally Sponsored Scheme- “Vibrant Villages Programme” for the Financial Years 2022-23 to 2025-26. ❖ About Vibrant Villages Programme: • The scheme will fund infrastructure and livelihood development in 4 states and 1 UT along the northern land border. • It will help in achieving inclusive growth and retaining the population in the border areas. In the first phase 663 Villages will be taken up in the programme. • The scheme aids to identify & develop the economic drivers based on local natural human and other resources & development of growth centres on “Hub & Spoke Model”. • District administrations and Gram Panchayats would create Vibrant Village Action Plans. It will not overlap with Border Area Development Programme • Solar and wind energy to be given focused attention.
Ring Around A Dwarf Planet 	❖ Context ➤ Astronomers have found a ring around a dwarf planet, located in the Kuiper Belt at the solar system’s edge, called Quaoar, according to a new study. ❖ Key Highlights: • Scientists described the findings as “very strange”, saying they might force astronomers to rethink the laws governing planetary rings. • According to the study, the ring lies far away from the Roche limit -a mathematically determined distance beyond which rings aren’t supposed to exist. • It is a trans-Neptunian object known as Quaoar is roughly half the size of Pluto and orbits beyond Neptune. It also has a moon of its own, which is known as Weywot. • As the dwarf planet is too small and too distant to be observed directly, the researchers detected the ring with the help of a phenomenon called stellar occultation. • A stellar occultation occurs when, as seen from Earth, a bright star passes behind a planet. This allows astronomers or anybody on Earth to observe the sharp silhouette of the planet for a brief period of time.
Aadi Mahotsav  MCQ Quiz Daily Current Affairs Daily Pre PARE Daily	❖ Context ➤ PM to inaugurate Aadi Mahotsav on 16th February at Major Dhyan Chand National Stadium in Delhi. ❖ About Aadi Mahotsav: • The Aadi Mahotsav, which celebrates the spirit of tribal culture, crafts, cuisine, commerce and traditional art, is an annual initiative of Tribal Cooperative Marketing Development Federation Limited (TRIFED) under the Ministry of Tribal Affairs. • Since 2023 is being celebrated as the International Year of Millets, along with usual attractions like handicrafts, handloom, pottery, jewellery etc., a special focus in the Mahotsav will be on showcasing Shree Anna grown by tribals. • TRIFED was established in August 1987 under the Multi-State Cooperative Societies Act, 1984 by the Government of India as a National level Cooperative body. • The objective of TRIFED is socio-economic development of tribal by way of marketing development of the tribal products on which the lives of tribals depends heavily as they spend most of their time and derive a major portion of their income.

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