

**DRASTIC, BUT NECESSARY:****ON SUPREME COURT STRIPPING MANIPUR MINISTER OF HIS OFFICE**

**Speakers must realise that deliberate inaction on defection matters is no more an option**

The Supreme Court's order stripping a Manipur Minister of his office and barring him from entering the State Assembly may appear drastic and unusual, but is quite a reasonable and necessary course of action. T. Shyamkumar was elected as a Congress candidate, but defected to the BJP to join the Biren Singh Cabinet. In a landmark judgment in January, which put an end to the deliberate inaction of Presiding Officers on petitions for disqualifying defectors, a Bench headed by Justice Rohinton F. Nariman had ruled that courts have the power to fix a time-frame for Speakers to dispose of petitions under the anti-defection law. In the Manipur case, the court had given a reasonable period of four weeks — the defection complaint is pending since 2017 — but the Speaker failed to comply with it. On March 4, he had promised a decision within 10 days, but on March 18, he again sought time. It is in this background that the court invoked its extraordinary powers under Article 142 of the Constitution to take the sort of measures that would kick in if the defector concerned had been disqualified. The order is interim in nature, and the next hearing is on March 30. This means that the Speaker can still decide the matter, but a strong message has been sent out that courts will no more aid them in their attempts to protect defectors from the consequences of their floor-crossing.

The possible objections to the order keeping the Minister out are two-fold: that it goes beyond the court's power of judicial review, and that any intervention in a matter under the Tenth Schedule of the Constitution (the anti-defection law) can be made only after the Speaker's final decision. However, it ought to be borne in mind that it was out of respect for the Speaker's powers that the court refrained from deciding the matter itself, though there was ample evidence that the Speaker had failed to discharge his duty. His obvious reluctance to decide the matter even within an extended deadline necessitated the latest course of action. In any case, as pointed out in the January verdict, a 2007 precedent (*Rajendra Singh Rana*) is available to show that 'failure to exercise jurisdiction' is a stage at which the court can intervene. The order is a natural follow-on measure after the earlier decision opened a window for judicial intervention whenever Speakers refuse to act on legitimate complaints that some members had incurred disqualification. It is quite disappointing that the Manipur Speaker did not meet the court's deadline even after it was made clear that inaction is no more a legal option for him. This only underscores the importance of the other limb of the court's earlier judgment recommending that Parliament consider creating a new mechanism to replace the 'Speaker' as the adjudicating authority under the Tenth Schedule.

**Meanings of difficult words:**

- ❖ **drastic** (adjective) – extreme, serious, forceful.
- ❖ **strip of** (verb) - dispossess, deprive, deny/remove, take away from (rank, power, etc.,).
- ❖ **deliberate** (adjective) – intentional, purposeful, pre-planned wilful/wanton.
- ❖ **inaction** (noun) – inactivity, negligence, disregard.
- ❖ **defection** (noun) – desertion, absconding, decamping.
- ❖ **bar** (verb) – block, ban, forbid/prohibit.
- ❖ **defect** (verb) - change allegiances /loyalties/sides; abscond, desert.

- ❖ **landmark** (noun as modifier) – historic, milestone, watershed.
- ❖ **put an end to** (phrase) – block, thwart, end/stop.
- ❖ **presiding officer** (noun) – The Speaker (of the Legislative Assembly).
- ❖ **defector** (noun) – betrayer, turncoat traitor.
- ❖ **dispose of** (verb) - get rid of, do away with, get rid of (or) hand over, deliver up, transfer.
- ❖ **Anti-defection law** (noun) – The 10th Schedule to the Constitution, popularly referred to as the ‘Anti-Defection Law,’ was inserted by the 52nd Amendment in 1985. The grounds of disqualification are specified in Paragraph 2 of the 10th Schedule. A member would incur a disqualification under paragraph 2 (1) (a) when he “voluntarily gives up his membership of a party” and under 2 (1) (b) when he/she votes (or abstains from voting) contrary to the directive issued by the party.
- ❖ **comply with** (verb) – abide by, adhere to, conform to.
- ❖ **sought** past and past participle of **seek** (verb) – ask for, request, appeal for.
- ❖ **invoke** (verb) – cite, refer to, adduce.
- ❖ **sort of** (phrase) – to some extent, somewhat, somehow, slightly.
- ❖ **kick in** (phrasal verb) – come into effect.
- ❖ **interim** (adjective) – provisional, transitional, temporary.
- ❖ **send out** (phrasal verb) – give out, announce, deliver/release.
- ❖ **consequence** (noun) – outcome, ramification, repercussion.
- ❖ **floor-crossing** (noun) - it means to change sides; to leave one political party and join another.
- ❖ **objection** (noun) - opposition, disapproval, disagreement.
- ❖ **keep out** (phrasal verb) – exclude, deny access to, prohibit.
- ❖ **two-fold** (adjective) – having two parts/elements.
- ❖ **go beyond** (phrasal verb) – to do more than (required).
- ❖ **ought to** (modal verb) – must, should.
- ❖ **bear in mind** (phrase) – take into account, heed, remember, consider.
- ❖ **out of respect for** (phrase) - because of the respect for.
- ❖ **refrain from** (verb) – stop oneself, abstain, desist from, hold back.
- ❖ **ample** (adjective) - sufficient, adequate abundant.
- ❖ **discharge** (verb) - carry out, perform, conduct, do.
- ❖ **reluctance** (noun) – unwillingness disinclination, hesitation.
- ❖ **necessitate** (verb) – require, need, demand.
- ❖ **point out** (phrasal verb) – identify, recognize, draw attention to, mention.
- ❖ **precedent** (noun) – model, exemplar, example, pattern; previous /instance prior instance.
- ❖ **jurisdiction** (noun) the power to make legal decisions.
- ❖ **follow-on** (adjective) - follow up, subsequent, tracking.
- ❖ **window** (noun) – opportunity, chance, opening.
- ❖ **legitimate** (adjective) – valid, reasonable, reliable.
- ❖ **incur** (verb) – suffer, experience, bring upon oneself, be subject to.
- ❖ **underscore** (verb) – underline, emphasize, highlight.
- ❖ **limb** (noun) – part, section.
- ❖ **mechanism** (noun) – procedure, process, method/technique.
- ❖ **adjudicate** (verb) – judge, give a verdict on; decide, settle/resolve.

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## **WAITING FOR RAJINI:** **ON THE SUPER STAR'S POLITICS**

**Rajinikanth's aspirations are far above the efforts he is willing to put in as a leader**

Two years after declaring himself worthy of filling the perceived political vacuum in Tamil Nadu, Rajinikanth appears confused and doubting. Not only has he ruled himself personally out of the electoral race, but mandated his followers to show “a wave of resurgence” among the people for him to launch a party. By placing such an impractical condition a year before the Assembly elections, he has lent credence to the charge that he is a reluctant political player with a big gap between aspiration and effort. He expects people's endorsement for his three-point strategy for an alternative model of politics. He envisages heading a party but appointing a young, visionary and knowledgeable person as Chief Minister; fielding young candidates, 65% of them aged below 50; and disbanding the party organisation structure after the election retaining only a minimal set of office-bearers, apparently to prevent party leaders from fighting for the spoils of power. Separating party leadership from elected office is not novel as the founders of the Shiv Sena and Pattali Makkal Katchi have shown. But this model, far from promoting abstinence as practised by Mahatma Gandhi or Jayaprakash Narayan, will result in creating extra-constitutional authorities. Though Rajinikanth insisted that there will be no parallel power structure, he had no qualms in saying he would replace the Chief Minister — a job legitimately belonging to legislators — should the need arise. Clearly, he wants to retain power in the very act of renouncing it.

Rajinikanth's indecisiveness perhaps could be attributed to his reading of the ground situation and refusal to accept anything short of a spectacular victory. This goes against the essence of his stated goal to usher in political reforms to cleanse the system. At the dawn of 2018, he was confident of utilising the space created by the political exit of Jayalalithaa and M. Karunanidhi. Down the line, the AIADMK and DMK have filled the leadership vacuum. In fact, Rajinikanth has conceded that star power could at best make him a vote divider. He has also concluded that it is a “now or never” opportunity to oust the Dravidian giants. Referring to Gandhiji's and Swami Vivekananda's transformational moments in Tamil Nadu, he says he wants a 1967-like ‘revolution’, when C.N. Annadurai led a regional party to power for the first time. What he fails to realise is that these personalities had drawn people to participative democracy, and not expected their supporters to deliver political power to them in a neat package. If he desires to lead, Rajinikanth should show the way and not expect others to propel him to power to fulfil an as yet unarticulated political agenda.

### **Meanings of difficult words:**

- ❖ **aspiration** (noun) – hope, desire, ambition.
- ❖ **put (someone) in** (phrasal verb) - appoint (someone) to fulfill a particular role.
- ❖ **perceive** (adjective) – viewed, regarded, considered.
- ❖ **vacuum** (noun) – gap, space, absence, lacuna (after the loss of an important person).
- ❖ **resurgence** (noun) – revival, reawakening, resurrection.
- ❖ **impractical** (adjective) - unrealistic, unfeasible, idealistic.
- ❖ **lend credence to** (phrase) - to make something (opinion/idea) seem correct.
- ❖ **charge** (noun) - accusation/citation, blame, attack.

- ❖ **reluctant** (adjective) – unwilling, disinclined, unenthusiastic.
- ❖ **endorsement** (noun) – support, backing, approval.
- ❖ **envisage** (verb) – foresee, predict, forecast.
- ❖ **visionary** (adjective) – talented insightful, far-sighted.
- ❖ **disband** (verb) - break up, dissolve, disperse.
- ❖ **office-bearer** (noun) – official/officer; a person who holds a position of authority/responsibility in an organisation.
- ❖ **apparently** (adverb) – seemingly, evidently, it appears that.
- ❖ **spoil** (noun) - benefits, advantages, perks.
- ❖ **novel** (adjective) – new, different, unfamiliar.
- ❖ **far from** (phrase) – not, not at all, nowhere near.
- ❖ **abstinence** (noun) – self-restraint, self-denial; refraining.
- ❖ **extra-constitutional** (adjective) - not authorized by a constitution.
- ❖ **insist (on)** (verb) – ask for, request, press/push for.
- ❖ **parallel** (adjective) – similar, coexisting, matching.
- ❖ **qualm** (noun) - doubt, concern, second thought.
- ❖ **legitimately** (adverb) - legally, fairly, truly.
- ❖ **in the very act of** (phrase) - in the nick of the time.
- ❖ **renounce** (verb) - give up, relinquish, abandon/reject.
- ❖ **indecisiveness** (noun) - inconclusiveness, irresoluteness, hesitance.
- ❖ **perhaps** (adverb) – maybe, possibly.
- ❖ **attribute** (verb) – connect with, associate with.
- ❖ **reading** (noun) – interpretation, understanding, analysis.
- ❖ **ground situation** (noun) - ground reality, practical condition/situation; the real/practical experience , what is actually happening.
- ❖ **short of** (phrase) – less than.
- ❖ **usher in** (phrasal verb) – start, begin, initiate/introduce.
- ❖ **cleanse** (verb) – rid, clear, free, purify, purge (something unpleasant/bad).
- ❖ **down the line** (phrase) – at an unspecified point; at some stage.
- ❖ **concede** (verb) – accept, agree, acknowledge, recognize.
- ❖ **at best** (phrase) – simply, merely, only, nothing but.
- ❖ **now or never** (phrase) - something has to be done now, very quickly (as another chance will never be available again).
- ❖ **oust** (verb) - remove, topple, unseat, overthrow.
- ❖ **personality** (noun) famous person.
- ❖ **participative democracy** (noun) – a form of government in which the citizens themselves have the opportunity to make decisions about public policy
- ❖ **propel** (verb) - motivate, spur, drive, prompt.
- ❖ **as yet** (phrase) - so far, thus far, still, until now.
- ❖ **unarticulated** (adjective) - not mentioned, unexpressed, undeclared, unstated.

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