

Question number

What is Anti-Defection Law? There is a dire need to reform the law. Critically analyse.

Candidates must not write on this margin

Anti-defection law was enacted to prevent political defections & provide stability to the governments. It was enacted in 10th Schedule by the 52nd constitutional amendment.

Anti-Defection law features

1. Elected members must vote in accordance with party whip.
2. Any dissent with whip will lead to disqualification from house
3. In case of split of at least 1/3rd of members of party, law is not valid.

Challenges

1. The speaker is the adjudication authority, ^{who} ~~which~~ is a party elected person.
2. Because of being a party member

सम्प्रीतियों को हानिर में नहीं लिखना चाहिए

म की संख्या लिख

there is possibility of Bias &

3. A/c to Basic structure of Constitution, adjudication of authority must be independent
4. But as post of speaker is dependent on confidence of house, so it is against basic structure of constitution.
5. Internal democracy of party is ~~paralyze~~ paralyzed

Law: Benefits

1. Helps in smooth functioning of government.
2. Provides stability to the government of the day.
3. Prevents political opportunism
4. Helps in clearing crucial Bills & fulfill party promises
5. Promotes discipline among party elected members

The whip should be made compulsory for only floor testing only as recommended by law commission.

Also, the president (or governor) must be the adjudication authority on binding advice of election commission.

Anti-defection law has provided stability to governments but with few small changes it will also promote internal ~~democracy~~ democracy.