Polity & Governance · GS - II

Examine the role of the anti-defection law in ensuring political stability and legislative accountability in India. Discuss its limitations.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 06/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Constitutional basis, Tenth Schedule, 52nd Constitutional Amendment, 91st Constitutional Amendment, party discipline, legislative accountability, Speaker's role, judicial review, need for reforms.

Model Answer

Introduction

The anti-defection law, incorporated through the 52nd Constitutional Amendment Act, 1985, added the Tenth Schedule to the Constitution to curb political defections and promote stability in legislatures.

Role in Political Stability

The law provides for disqualification of legislators who voluntarily give up party membership or defy their party whip in specified circumstances. The 91st Constitutional Amendment Act, 2003, removed the one-third split exception and retained the two-thirds merger provision. These measures discourage opportunistic defections and protect elected governments from destabilisation.

Limitations

However, the law can restrict legislators' freedom to express dissent and weaken independent debate. The Speaker's role in deciding disqualification petitions may raise concerns about impartiality. Delays in decisions can also undermine the law's effectiveness.

Way Forward

An independent adjudicating authority, time-bound decisions and limiting whips to matters involving government stability can improve its functioning.

Conclusion

The anti-defection law remains important for legislative stability, but reforms are necessary to balance party discipline with democratic accountability.

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