

AN ANALYSIS OF THE ANTI DEFECTION LAW & THE WAY AHEAD

GS II-Parliament and State Legislatures – structure, functioning, conduct of business, powers & privileges and issues arising out of these;

1. Anti-defection has largely failed to meet its objective in the recent past and it is the time for reconsideration? Critically discuss.

Why this question:

- ✚ The recent political instability that have arisen in the states of Karnataka and Goa has brought the Anti-Defection law again in the limelight.

Key demand of the question:

- ✚ Write the key provisions of anti-defection law and the objective of its enactment. Write the recent issues that has been arising and write how the law fails to address it. Write few solutions and quote few recommendations of concerned committees for it and conclude with way forward.

Directive word:

Critically Discuss

- ✚ Essentially this is a written debate where we have to use our skill at reasoning, backed up by carefully selected evidence to make a case for and against an argument, or point out the advantages and disadvantages of a given context.
- ✚ So we should talk over, write about, consider or examine by argument or from various point of view; debate; present the different sides but we have to give reasons for both for and against arguments.
- ✚ Whenever it is asked to discuss critically, just remember that you have to write both pros and cons and give a fair, unbiased or value loaded judgement. It should always give a feeling of closure.

Structure of the answer:

Introduction:

- ✚ Write what is defection. Write why it is rampant in Indian politics and why it has risen to limelight recently.

Body:

- ✚ Write what is anti-defection law.
- ✚ Write its objective and its important provisions.
- ✚ Write the reason for its enactment and the scenarios it served.
- ✚ Write the recent issues that has been arising in the recent period.
- ✚ Write why it has been failing its objectives.
- ✚ Write the shortcomings in the law.
- ✚ Write the various solutions recommended by various committees like law commission, Dinesh Goswami committee etc.

Conclusion

- ✚ Conclude with way ahead.

