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**A Study of Potential Improvements for The Indian Anti-Defection Law**

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**ABSTRACT**

The Indian Anti-Defection Law, enshrined in the Tenth Schedule of the Constitution, was introduced to curb political instability caused by frequent defections of elected representatives. While it has had a stabilizing influence on legislative functioning, several loopholes and implementation issues have undermined its effectiveness. One of the major criticisms is the discretionary power vested in the Speaker or Chairman of the House, which often leads to delayed or biased decisions influenced by political affiliation. Moreover, the lack of time-bound adjudication, the ambiguity in defining "voluntarily giving up membership", and the loopholes allowing mass defections under the guise of mergers dilute the law's intent. Potential improvements to strengthen the law include: transferring adjudicating authority from the Speaker to an independent tribunal or the Election Commission, enforcing strict time limits (e.g., within 60 days) for disqualification decisions, and amending provisions to clearly define defection and prevent misuse of the "merger clause." Further, empowering the judiciary with early intervention rights and bringing more transparency in decision-making would enhance accountability.