Polity & Governance · GS - II

“Delays in deciding disqualification petitions under the Tenth Schedule undermine the objectives of the Anti-Defection Law.” Discuss the role of the Speaker and the judiciary in ensuring timely decisions.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 18/10/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

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Answer Hint

Anti-Defection Law, Tenth Schedule, constitutional morality, role of Speaker, judicial review, delay in disqualification petitions, political impartiality, separation of powers, time-bound decisions, electoral accountability.

Model Answer

Introduction

The Anti-Defection Law, introduced through the 52nd Constitutional Amendment Act, 1985, seeks to prevent political defections and promote stability in elected governments. The Speaker decides disqualification petitions under the Tenth Schedule.

Main Body

Challenges Arising from Delays

1. Political uncertainty: Pending petitions can affect the composition and functioning of legislative assemblies.
2. Partisan concerns: Delayed decisions may create doubts about the neutrality of the presiding officer.
3. Weakening accountability: Prolonged proceedings can undermine the purpose of the Anti-Defection Law.

Role of the Speaker and Judiciary

The Speaker must decide petitions fairly and promptly. In Kihoto Hollohan (1992), the Supreme Court upheld judicial review of the Speaker's decisions. In 2020, the Court suggested that disqualification petitions should ordinarily be decided within three months, subject to exceptional circumstances.

Conclusion

Time-bound decisions, transparent procedures and effective judicial review can strengthen the Anti-Defection Law while respecting constitutional separation of powers.