ANTI-DEFECTION LAW: LEGALITY VERSUS LEGITIMACY

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ABSTRACT

Anti-Defection laws is the constitutional engineering that tried to address and cater the issue of floor switching but the law that tried to protect the spirit of Indian democracy has contemporaneously become a threat to transparent governance, freedom of choice and freedom to vote. This paper traces the evolution of defection in India and in world as well as elucidate upon how the law lacks legitimacy in sense it bereft the legislator of any choice to go against party’s decision.

Keywords: Anti-Defection, Legality, Legitimacy, Legislator.
INTRODUCTION

Post world war when the world got engaged itself in settling accounts of moral versus legal acts, the jurisprudential world jolted with question of morality versus empirical reality without any moral dusting. In contemporary world the penumbra is enlarging and the fixed boundary of law is blurring on its edge. One of these grey area is the Anti-Defection Law, it was passed by both the houses of Parliament to protect parties from unnecessary disintegration and to save democracy. The initial years of Indian political sovereignty saw switching among parties as a healthy trend because they were due to ideological differences but later this trend saw a downward spiral where the switching were more for personal benefits that for the country’s betterment. Seeing the frequent disintegration within parties and the repercussions that ensued created a weak political system incapable of handling the sub-continent. The law came at the moment when switching and defection was at its peak, the law did help in restructuring the Indian polity but at the cost of absence of questioning the party’s decision at time where the party might be at the wrong side of the spectrum. The legislative intent was fulfilled at the stake of losing the say of those who chose those party members. The Anti-defection law became a tool to control members of the party.

DEFINITION

The dawn of Indian independence saw a healthy democracy and multi-party system evolved that facilitated in proper functioning of democracy. Soon the by-products of this multi-party system saw a number of defections. Defection, is a word with Latin root Defectio meaning conscious abandonment of allegiance or duty\(^1\) Earlier the term popular for defection was horse trading but now the meaning has galvanized with political color and is defined as a situation or act where a legislator who had been allotted a reserve seat of any political party defected voluntarily, renouncing association with such Party\(^2\).

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\(^1\) Merriam-Webster dictionary, Available at http://www.merriam-webster.com/dictionary/defection (last accessed on 26/07/2018)

ANTI-DEFECTION LAWS IN VARIOUS COUNTRIES

According to a research it is found that only forty one countries have anti-defection law out of one hundred ninety five. A number of defection took place in United Kingdom in 1886, 1832 and in 1904 but the situation later got stable. In Namibia, provision of defection state that: *members of the National Assembly shall vacate their seats if the political party which nominated to sit in the assembly renounces his allegiance with the party.* In Nepal, the seat of a member of a Parliament shall become vacant if the party of which he was a member when elected provides the notification in the manner set forth by law that he has abandoned the party.

EVOLUTION OF ANTI-DEFECTION LAW IN INDIA

The Constitution of India never mentioned terms like defection, political parties etc. The floor crossing phenomena was result of ideological differences rather than out of greed or power. The anti-congress wave led to the formation of many non-congress government in many states and there were large numbers of party switching games in mere span of two years, from 1967 to 1969 more than 400 defection took place. Till 1971 fifty percent of legislature had switched from one party to the other. There was a crisis in morality of democracy within Party and even the stability of democratic spirit jolted. One of the biggest mockery of democracy was the defection incident that happened in October, 1967, the media called this defection as “Aya Ram Gaya Ram” the Haryana Legislature Gaya Lal switched to United Front and returned to opposition and then

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4 Article 48 of Namibia Constitution.

5 Article 49 of Nepal Constitution.


8 Baxi Upendra, Crisis and change in contemporary India, New Delhi, Sage Publication, 1995.
switched back in November, 1967 thus he defected thrice within 14 days\textsuperscript{9}. Below is table\textsuperscript{10} from the Journal of The Indian Law Institute showing defection from March 1967 to March 1969:

<table>
<thead>
<tr>
<th>States</th>
<th>Party defections</th>
<th>Defections by independents</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uttar Pradesh</td>
<td>294</td>
<td>58</td>
<td>352</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>237</td>
<td>25</td>
<td>262</td>
</tr>
<tr>
<td>Bihar</td>
<td>161</td>
<td>41</td>
<td>202</td>
</tr>
<tr>
<td>Gujarat</td>
<td>142</td>
<td>16</td>
<td>158</td>
</tr>
<tr>
<td>Andhra Pradesh</td>
<td>73</td>
<td>57</td>
<td>130</td>
</tr>
<tr>
<td>Punjab</td>
<td>114</td>
<td>16</td>
<td>130</td>
</tr>
<tr>
<td>Haryana</td>
<td>85</td>
<td>24</td>
<td>109</td>
</tr>
<tr>
<td>Mysore</td>
<td>79</td>
<td>23</td>
<td>102</td>
</tr>
<tr>
<td>Orissa</td>
<td>61</td>
<td>3</td>
<td>64</td>
</tr>
<tr>
<td>Kerala</td>
<td>35</td>
<td>5</td>
<td>40</td>
</tr>
<tr>
<td>Rajasthan</td>
<td>25</td>
<td>6</td>
<td>31</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>19</td>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>19</td>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>Himachal Pradesh</td>
<td>5</td>
<td>7</td>
<td>12</td>
</tr>
<tr>
<td>Assam</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Jammu and Kashmir</td>
<td>3</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1562</strong></td>
<td><strong>313</strong></td>
<td><strong>1875</strong></td>
</tr>
</tbody>
</table>

The table clearly establishes the grim reality of Indian politics and democracy as an outcome of Defection.

- **Committees and their recommendations**

The menace of defection was creating lots of trouble in governance and stability of democracy. To restrict the defection growth, a committee was set up under the chairmanship of Home Minister,


Union Law Minister, and Union Minister for Parliamentary affairs eight representatives of political parties and three independent groups recognised by the speaker in the Lok Sabha.\(^{11}\)

Later a committee was appointed under the chairmanship of Y.V. Chavan by the government and the committee submitted its report in February 1969. There was subcommittee of lawyers and the committee tried to address three contention:

a. Definition of defection and the what should be the ideal size of council of ministers

b. Whether the chief minister or prime minister should be a member of lower house?

c. How defection had to be addressed?

Defector was defined as a person: “is an elected member of the legislature who had been allotted the reserve symbol of any political party can be said to have defected it, if after being elected as a member of either house of Parliament or at legislature council or legislative assembly of state or union territory, he voluntarily renounces allegiance or association with such political party provided that his action is not in consequence of the decision of the party concerned.”\(^{12}\)

The second issue of the size of council of Ministers remained unanswered and the third issue also got mixed recommendations of either forming a board of all parties or changing the provisions of people’s representation Act but no efforts were taken till 1973.

- The Constitutional Amendments

**The Constitution (Thirty-second Amendment) Bill, 1973**

The bill tried to amend various articles of the constitution and disqualification on the basis of defection was defined as a legislature voluntarily giving up his member or if he votes or abstains from voting against the direction of the party leader. The bill ignored the recommendations of the committee on defection and many within the house opposed the bill and hence the bill lapsed.

**The Constitution (Forty-eight Amendment) Bill, 1978**

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\(^{11}\) Party representatives were: Dr. Karni Singh, Shri N.C. Chatterjee, Shri Raghuvir Shastri, Shri Ambazhagan, Shri Bhopesh Gupta, Shri Madhu Limaye, Shri S.N. Dwivedy, Shri Balraj Madhok and Mr. N.G. Ranga. Other representatives were: C.K.Dahtary, Shri H.M.Seervai, Shri M.C. Setalvad, P. Venkatasubbaiah, H.N. Kunzru, Dr. Jay Prakash Narayan, Shri Mohan Kumaramangalam.

The emergency was a blotch on Indian democracy and a few congress members formed a separate party and made a coalition with junta dal. The Janta dal government tried to introduce the bill in the house but later withdrew because of opposition and defection. The bill tried to incorporate Schedule ten that had the provisions on defection.

*The Constitution (Fifty-second Amendment) Act, 1985*

Rajiv Gandhi Government introduced the bill on anti-defection in the house and the congress had an overwhelming majority hence the bill was passed by Lok Sabha on 30th January 1985 and by Rajya Sabha on 31st January 1985, after the president assent the became operational from 1st March 1985. A summary of the object and reason of the bill is:

*The bill is meant for outlawing defections... The bill seeks to amend the constitution...*

**PROVISIONS OF THE ANTI-DEFECATION LAW**

Disqualification on grounds of defection were incorporated in Article 102(2) under 10th Schedule:

(a) if he has voluntarily given up his membership of such political party;

(b) if he votes or abstains from voting in such house contrary to any direction issued by the political party to which he belongs or by any person or authority authorised by it in this behalf, without obtaining, in either case, the prior permission of such political party, person or authority and such voting or abstention has not been condoned by such political party, person or authority within fifteen days from the date of such voting or abstention.

However, if the member has taken prior permission on the particular issue, or is condoned by the party within 15 days from such voting or abstention, the member shall not be disqualified.

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13 The Constitution (Fifty-second Amendment) Act, 1985

14 Para 2 of 10th Schedule of the Constitution.

15 Para 2 of 10th Schedule of the Constitution.

16 Para 2 of 10th Schedule of the Constitution.
(c) This disqualification shall not apply in case of split i.e. 1/3rd or more of the members of a party defect. It shall also not apply in the event of a merger i.e. 2/3rd of the members or more merge with any other party.  

(d) The speaker, Deputy Speaker and Deputy Chairman are up their membership after being elected to the office.

(e) The speaker or the chairman is the person to decide questions of disqualification.

(f) all proceedings in relation to any question as to disqualification of a member of a house under the Schedule will be deemed to be proceedings in Parliament within the meaning of Article 122 or as the case may be, proceedings in Legislature of a State within the meaning of Article 212.

(g) Notwithstanding anything in the Constitution, no Court will have any jurisdiction in respect of any matter connected with the disqualification of a member of a House.

Exceptions under 10 Schedule:

A person shall not be disqualified if his original political party merges with another, and he along with other members of the old party become the member of the new political party or he, and other members do not accept the merger and they opt out in order to function as a separate group. This exception shall only operate if not less than two-third members of the party in the house have agreed to the merger.

This Act gave power to the Speaker to frame rules and thus within its power the speaker framed the Lok Sabha (Disqualification on ground of Defection) Rules, 1985. Some rules are: to

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17 Para 3 and 4 of 10th Schedule of the Constitution.
18 Para 5 of 10th Schedule of the Constitution.
19 Para 6 of 10th Schedule of the Constitution.
20 Para 6 (20) of 10th Schedule of the Constitution.
21 Para 7 of 10th Schedule of the Constitution. This para in judgment of Kihoto Hollohon v Zachilhu and others, A.I.R. 1993 S.C. 412 was held ultra vires as it excluded the jurisdiction of Supreme Court and hence it was unconstitutional in nature.
22 Para 3 and 4 of 10th Schedule of the Constitution.
communicate the speaker of any instances where a member of Party would vote or abstain from voting\textsuperscript{23}, to inform speaker of any changes in party’s structure or strength etc.

**THE PURPOSE OF ANTI-DEFECATION LAWS**

The Anti-Defection Law aimed at removing the use of money for power or to destabilise the government for sake of self-driven goals. Further it was seen as an attempt to strengthen the democracy by making the representatives responsible for their actions. This would ultimately construct a responsible government. Another aspect of the law was to make representatives more responsible to the voters who voted out of loyalty for the party also if there is a law that restrict defection then the government won’t have the fear of losing floor because of certain sycophants. This law tried to ensure loyalty towards the party on whose symbols the member got elected. Punitive measures in the legislation were laid down against member defecting party. Thus the law provided safety measures to protect both the government and the opposition against the instability that arose due to defection.\textsuperscript{24} It also restricts larger parties from gaining control of government by misusing their powers on members of smaller parties with promises of being part in power sharing or some other profits.\textsuperscript{25}

**COMMITTEES FOR ADDRESSING THE LOOHOLES IN THE LAW**

*Dinesh Goswami Committee on electoral reforms*

This committee submitted its report in 1990 and recommended that in case of disqualification, the president or governor should decide the matter instead of the speaker and the president as well as governor must consult with the election commissioner. It recommended disqualification on two

\textsuperscript{23} Lok Sabha (Disqualification on ground of Defection) Rules, 1985.


grounds: when a member gives up voluntarily his membership or when he votes or abstains from voting according to the instructions of his party.

*Halim committee on Anti-Defection law*

The committee submitted its report in 1994 and asserted on the ambiguity of the words “voluntarily gives up” and “political party”.

*Law commission recommendations on Anti-Defection Law- 170th report*

This report was chaired by Justice BP Jeevan Reddy. This report recommended on expanding the defection laws on merger and split. Also one very crucial point was raised that is the issuance of whip. The report recommended that whip should be issued occasionally and in cases where the government is in danger.

*National Commission to Review the working of the Constitution Report*

This report reiterated the 170th Law commission report of including merger and split under Defection. All the defectors should be barred from holding any parliamentary position or any office in state legislature. This report also commented on the size of council of ministers and recommended it to be within 10%. In cases where defectors votes with the intentions to bring the government down, then those votes must not count to save the party and the government. The petition regarding defection should be entertained by the Election commissioner not the speaker.

**THE CONSTITUTION (NINETY-FIRST AMENDMENT) ACT, 2003**

This amendment omitted the provisions regarding splits (Ninety-first Amendment Act, 2003) form tenth Schedule. Further the amendment provided that if a member of either parliament or state legislature is disqualified under Para 2 of tenth Schedule shall be disqualified to be appointed a

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26 Submitted in year 1999.


minister or hold any post during his disqualification.\(^{29}\) Another change was regarding size of council of ministers. The Act limited the size of 15\% of the total members of lower house.\(^ {30}\)

**JUDICIAL ASPECTS ON ANTI-DEFECTION LAW**

In *Kihoto Hollohan v Zachilhu*,\(^ {31}\) the issue was raised that whether the right to freedom of speech and expression is curtailed by the tenth Schedule. The fact of the case was regarding disqualification of some members of the Nagaland Assembly on the ground of defection under tenth Schedule. The Supreme Court opined that the Provisions did not curtail their freedom of speech and expression. The court also found that there were legal infirmities in the law, firstly the bill was never ratified by the requisite number of state assemblies before the president’s assent. Secondly, the sole authority of speaker in judging the disqualification of any member could get problematic. Thirdly, the provisions debarred the judicial review in para 7. Hence the Supreme Court struck down para 7 of the Act.

Another issue was raised in *Kihoto Hollohan v Zachilhu*\(^ {32}\) case was whether only resignation can constitute as “voluntarily giving up” of the membership and this was addressed in case of *Ravi S. Naik v Union of India*\(^ {33}\) where the honourable Supreme Court opined that the word “voluntarily giving up” must be construed in a wider sense. Other issues that Supreme Court resolved were:

- If a person claims that a member is disqualified then it is he who has the burden to prove the disqualification of the member under para 2 of Defection law.
- In situation arising out of para 3 that is in the case of merger, the burden of proof is on the person claiming the split from original party.

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\(^ {30}\) Section 3, The Constitution (Ninety-first Amendment) Act, 2003. Provided that the number of ministers in a state shall not be less than 12.


\(^ {32}\) *Ibid*

Similarly in case of *Keshav Gogoi v Speaker, Assam Legislative Assembly*, it was to supplement the kihoto case where the court held that judicial review cannot be exercised in initial stage where the speaker or the chairman has to decide or are deciding upon the question of disqualification of any member nor would court interfere in the interlocutory order. But the court power cannot be curtailed.

In case of *G. Vishwanathan v Speaker, Tamil Nadu Legislative Assembly* a question arose whether a member can be said to voluntarily giving up his membership if after being expelled from his original party, he joins another party? The court answered that mere expulsion from original party does not take away the membership rather he is simply an unattached member of the house. The rationality of the judgment was based on the fact that there is no provision of “unattached” member.

In *Dr. Kashinath G. Jhalmi v Speaker, Goa Legislative Assembly* the court had to address the proposition that can a speaker review his own decision on disqualification of any member? The answer was in negative as speaker has no power to review because the Schedule is silent on this hence no such interpretation is possible.

The issue of status of an independent candidate joining a party was addressed in *Jagjit Singh v State of Haryana* the Court opined that in case of an independent member joining a party is to ascertain whether he has given up his independent character on which he was elected. When such candidate gives support without giving up his independent character then he cannot be disqualified.

**LEGALITY VERSUS LEGITIMACY**

The intent behind every law is to preserve the social, legal and political morality and to ensure stability but sometimes law trespasses the moral or constitutional line and it becomes important to understand the loopholes of such laws. The judicial intervention to protect the morality and

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legitimacy of any legislation tries to tailor the edges of the impugned legislation and the same treatment was done upon the Anti-Defection laws but is it still legitimate and moral?

The very purpose of defection got defeated

The constitutional engineering was needed to instil the confidence in the political system of nation but there are certain areas where the law has certain loopholes that need to be addressed. The period in between the 1985 to 2003 saw mass splitting and merger. The coalition government came into picture in 1989 (except during the period of 1977 and 1979) then in 1990 Chandra Shekhar formed a coalition government that lived a short life of less than a year. Then came the government of congress (I) along with other party under the leadership of P.V. Narsimha Rao. This government terminated in 1996 where B.J.P. government formed but that was for 13 days only. A glance at the formation and coalition of government from 1989 to 2009, total 10 coalition government were formed as large number of split and merger took place and all for the power to govern.\textsuperscript{38}

Below is the graph\textsuperscript{39} that shows there is less deterrent effect on politicians and no moral values could be inculcated in them, the hunger for power never cares for the ways to gain that power.


\textsuperscript{39} Research conducted by PRS India group. Available at www.prsindia.org, Accessed on 12th January 2018.
Merger has been a major setback for stability of government as more and more party try to topple the government by trading in masses. The figure above clearly indicates that the government formed post the legislation coming into force witnessed a phase of coalition governments where stability still remained a major issue. So the lofty ambition of the legislation of creating a stable government remained a distant dream.

The Act failed to check corruption

India is one of the biggest democracy in the world and it had witnessed all colours of political turmoil and prosperity but the present situation does not give a satisfactory image, the more the
nation is taking steps to protect the political system the more failure it is getting. The various forums that conduct research and then allot ranking has shown how even after the legislation, India is not faring well in political sphere.

The above chart shows India raking on transparency index where currently it ranks at 81. The aim of Anti-Defection was to curtail corruption but even after being in force for more than two decades, India could not secure a better place in world Transparency Index. Corruption is rampant and defection law has ultimately failed in assuring a corrupt free and stable political system. A classic case of failure of the law in checking bribery is P.V. Narasimha v State\(^{40}\) where political ethos were compromised by bribing members of other party to sustain a no confidence motion.\(^{41}\)

_Dissent is healthy for any democracy_

Dissent does not mean disobey or disloyalty. Moral policing by any legislation serves no bigger purpose. Every human has right to choose and dissent against the opinion of majority but suppression of such opinion is not just unconstitutional but also immoral. Our founding fathers

\(^{40}\) P.V. Narasimha v State, (1998) 4 S.C.C. 626

\(^{41}\) The question in the case arose was that does Article 105 of the Constitution confers any immunity on a member of parliament from being persecuted in a criminal court for an offence involving offer or acceptance of a bribe and the court opined that no immunity on a member of parliament involved in bribery case.
had debated on various topics and had there been a law barring them to speak for fear of punitive measures along with disqualification, what would have been the social, legal and supreme document of this nation. If one glances over the contemporary political life of India The Women Reservation Bill is still pending in the house, despite the fact that all the party want but none back it in the house because of lots of internal censorship of members.

If one looks around the situation at global level, there is no punitive measures for dissenting opinion. In United State, the landmark case of Bond v Floyd\(^{42}\) reflects the aspect of that certain rights are grundnorms and they cannot be taken away as for free political participation such rights are necessity.

It’s a known fact that right to freedom of speech and expression also includes right not to speak and any sanction imposed upon such right violates the principles of natural justice.

**The questionable sole authority of speaker and chairman**

In U.S. case of Powell v McCormack\(^{43}\), the court opined *no branch is supreme and it is the duty of the court to ensure that all branches conform to the constitution* but the anti-defection law has made it the sole authority of speaker or chairman under rule 6 of the tenth Schedule to decide upon the question of disqualification. This power is wider in scope as rightly said by Mr. Unnikrishnan that by making the Speaker the sole repository of all judgment, you are allowing him to play havoc\(^{44}\). The problem in their situation is that the speaker is nominated by the ruling party and so where he is psychologically biased towards them and thus his decision will be tainted by the colours of his party’s will.

The speakers do not have to meet the Educational qualification and this might create problem in understanding the case and they might fail in their decisions. Multiple committees recommended

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\(^{42}\) Bond v Floyd, 385 U.S. 116 (1966)

\(^{43}\) Powell v McCormack, 395, U.S. 486 (1969)

\(^{44}\) Anjali Gupta, Analysing the Anti-defection, Available at http://iclrq.in/editions/apr/1.pdf, Accessed on 12th January 2018.
that the power should be vested in election commission\textsuperscript{45}, president or governor\textsuperscript{46} and not speaker as chances of bias is greater.

\textit{The Schedule hits Article 14}

The Schedule allows mass defection in name of split or merger but in case of individual candidate he falls under the defection law and will be disqualified. On what basis was this classification made and what is the nexus of such classification. The rule of intelligible differentia and the nexus between them lacks in this case. The independent candidate and the merger or split (collection of candidates) are two different groups doing the same act but the treatment is different. One gets punished whereas the other group escape from the clutches of the arbitrary law. In Law commission recommendations on Anti-Defection Law- 170th report\textsuperscript{47}, the recommendation was to bring merger into the purview of defection but the same was rejected.

\textit{The law does not give fair chance to the member in question}

The Schedule is silent on part of the rights of the representative in question. What course of action he can avail? Even the Supreme Court held that until and unless the speaker does not pass any order till then court cannot interfere but the time in between the member becomes a pawn in the dictatorial world of politics what all he can do is wait for the fate to work because he has no power to question the action undertaken.

\textit{Party loyalty versus freedom of choice}

Every parliamentarian enjoy certain rights and this law is in conflict with certain aspects of those laws. One of the Right is

\begin{quote}
(1) Subject to the provisions of this constitution and to the rules and standing orders regulating the procedure of Parliament, there shall be freedom of speech in Parliament.
\end{quote}

\textsuperscript{45} National Commission to Review the working of the Constitution Report, 2002.

\textsuperscript{46} Dinesh Goswami Committee on electoral reforms, 1990.

\textsuperscript{47} Submitted in 1999.
(2) No member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in parliament.

Whip is any instruction by a political party to vote or abstain from voting according to the party line. This provision was inserted for consensus amongst members for the functioning of government but if any member is barred to vote or forced to vote then this vitiates the law of the land. How can a member function well if he is apprehensive about his actions which might bring punitive measures just for speaking his mind? In the recommendations of Law commission recommendations on Anti-Defection Law- 170th report it was said to use the whip only occasionally for saving the government. In United Kingdom there is a system of “free vote” and all the members are allowed to vote irrespective of what their political parties wishes him to do, though violation of three line whip is of serious nature but that does not lead to loss of membership.

The will of voter

What if a voter is voting for a candidate and not for any party, in such cases where should the loyalty of the representative should lie. What if the representative has a valid dissent and that is for the benefits for voters. He or she is the representation of such voters and this defection law is taking away his promise to the voters because in any case he has to act according to the party’s will but this is not what democracy stands for. John Locke talked about the popular sovereignty but where does this law reflect the popular voice. It is necessary for the system to have certain stability but the cost that this Schedule is demanding is huge.

RECOMMENDATIONS

1. The power to the party whip should be reduced and in serious cases like when the issue is of no confidence motion then only these should be issued. Individual free participation should not be

48 Article 105 of the Indian Constitution.

49 Whip is of three types: one line is non-binding, two line is for seeking attendance, three line is a Directive one and every member must be present and vote or abstain from voting. Any violation is punishable in nature in India.
curtailed and the punishment in form of disqualification must stop, this was also recommended by various law commission.

2. The law somewhere restricts the competitive politics where if the measures taken by members are fair then the law forces them to restrict in such situations hence this must stop.

3. The law must be clear regarding the punishment levied upon the independent candidate and not in case of split.

CONCLUSION

European countries do not require as much party reforms as India needs. What India can learn from these nations is that moral policing or political engineering cannot yield what is expected or dreamt of rather that creates more staleness and less chances of innovation. The enthusiasm and the passion for the work lacks because lots of rules have crippled their free will and now the main purpose of being in parliament is to show loyalty to the party instead of loyalty to the people. No party had ever vowed for eternity but they definitely vowed for serving the people who voted for them but the sycophant culture is on rise and less possibility seems in future when India’s rank in democracy index will improve.