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**News:** Legislator facing disqualification can't attend floor test: SC

- Allowing an MP or an MLA who is facing disqualification under the anti defection law to participate in a floor test caused by his own doings will defeat the very purpose of the Tenth Schedule.
- Permitting a legislator, whose actions caused a split in the party and who is liable to be disqualified for defection, to attend a trust vote would amount to “legitimising” a “constitutional sin”, Supreme Court quoted.

## **Trust Vote / Floor Test**

- A floor test is a constitutional mechanism used to determine if the incumbent government enjoys the support of the legislature.

### **Process**

- This voting process happen in the state's Legislative Assembly or the Lok Sabha at the central level.
- Technically, the chief minister of a state is appointed by the Governor.
- The appointed chief minister usually belongs to the single largest party or the coalition which has the 'magic number'. The magic number is the total number

of seats required to form a government, or stay in power. It is the half-way mark, plus one. In case of a tie, the Speaker casts the deciding vote.

- However, at times, a government's majority can be questioned. The leader of the party claiming majority has to move a vote of confidence.
- If some MLAs remain absent or abstain from voting, the majority is counted on the basis of those present and voting. This effectively reduces the strength of the House and in turn brings down the majority-mark.
- The voting process can happen orally, with electronic gadgets or a ballot process.
- The Governor can also ask the Chief Minister to prove his or her majority in the House if the stability of the government comes into question.
- No – confidence motion is directly opposite to the floor test. It is moved by an opposition member to check whether the government enjoys the majority or not. Had passed, the motion will bring the government down. It is also passed by a simple majority.