Crime in Politics

Why in news?

The Supreme Court said that it was surprised to learn that there are 2,556 criminal cases pending against sitting lawmakers (MPs and MLAs).

What are the crimes?

- The breadth of offences lawmakers were charged with covers corruption, offences under the child sexual abuse law, tax offences, murder, etc.
- There are 413 cases where the offences are punishable with life imprisonment; 174 of these involve sitting lawmakers.
- This should show how mammoth the task before the judiciary is.
- The fact is that crime in politics has gone unchecked despite many interventions by the Supreme Court.

What were the SC's interventions?

- **2017** - The SC had ordered the setting up of special courts to fast-track trial: completion within a year of framing of charges.
- Then, 12 such courts had been set up to cater for different states.
- The SC ordered High Courts to form a special bench to monitor the progress on cases against lawmakers within their jurisdictions.
- The HCs are to list all pending criminal cases involving sitting/former lawmakers, including those in which a stay has been granted.
- As per a report submitted to the apex court, there are 352 cases stayed by the HCs or SC.
- **2018** - The SC had ordered political parties to publish details of criminal candidates they fielded in polls in mainstream media.
- But, there are 233 candidates who face criminal chances were elected to the Lok Sabha in 2019, with 159 facing serious criminal charges.
- It is clear that the court's order was either not complied with or had little effect.

- **February 2020** - The SC ordered parties to list 'criminal' candidates along with details on their websites, social media and news media within 48 hours of announcing such candidates.
- The parties also had to explain the basis of selection.
- They have to file a compliance report with the Election Commission of India

(ECI).

Did the ECI do anything?

- The ECI never took action against parties for failing to do this.
- But, under the Election Symbol Order 1968, it can suspend recognition of a party for failing to comply with its lawful orders.

What is the difficulty?

- The problem is quite deep-rooted.
- The politicians are flexing power to keep themselves out of trials and parties showing little political will to confront this.
- So, there are many cases that are pending at the appearance stage, with many in which non-bailable warrants have failed to get executed.

What is needed?

- The SC has done well to instruct the HC special benches to examine the merit of stay granted in cases involving MPs/MLAs.
- These grants cannot be unconditional or of indefinite duration.
- With judiciary pulling all stops to tackle crime in politics, the onus is now on the mainline political parties and the ECI to act.

Source: Financial Express

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