Criticism over the Election Commission

Why in news?

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- The Law Ministry is in receipt of a petition from the Election Commission, seeking amendments to the Contempt of Courts Act of 1971
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- This would empower it to take action against those who would impugn its majesty, whether by disobedience or discourtesy.
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What is the background of the issue?

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- The ministry has been considering the matter for a month, though it should be summarily dismissed.
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- The EC has offered analogies, including that of its counterpart in Pakistan, which moved against Imran Khan this year.
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- Perhaps the Pakistani electoral system needs muscular intervention, but the Indian EC should not require such powers.
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What are the criticism over the Election commission?

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- The EC has built itself an admirable track record of honesty and fairness, which are key to the electoral system.
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- The Election Commission is the custodian of the secret ballot, but if it is called into question, its weapon of choice should be transparency. Punitive powers are most unseemly for a body which guarantees a level playing field

at the bedrock of democracy.
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- It had responded correctly to the politics surrounding electronic voting machines, which was turned into a national issue in month of May.
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- In response to charges that EVMs could be rigged, it had invited interested parties and the public to a hackathon.
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- In fact, if the EC had immediately invited its critics to a hacking contest, EVM politics may not have found the room to grow into a serious issue.
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- Having done that, to seek punitive powers is to lower the tone somewhat.
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- After decades in which it was seen to be perfect, the EC faces criticism and it must address it.
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- However, it does not really have to satisfy every politician.
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What should be done by the Election commission?

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- The evidences so far proved that it is sufficient to satisfy the people whom politicians represent.
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- It is they who had originally articulated the need to act against electoral malpractice, and democracy is ultimately created by them and for them.
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- It should not take much for the EC to reach out to the people and explain its processes transparently to them, or to reveal its polling data structures and technologies to specialists who can set public speculation at rest.
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- This would be far more effective in clarifying its image than any contempt proceedings.
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- The EC’s mandate is to monitor elections, which are by definition areas of contestation.
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- To ask for powers to pull up those criticising it, the EC is effectively seeking to chill the discourse and undermine itself.
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Source: Indian Express

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