

Scrapping Minimum educational qualification - Rajasthan

Why in news?

\n\n

The Rajasthan government recently abolished the condition of a minimum educational qualification to contest local body elections.

\n\n

What does the 2015 act say?

\n\n

\n

- The Rajasthan Panchayati Raj (amendment) Bill, 2015, made Class X mandatory for contesting municipal elections and for contesting zila parishad or panchayat samiti elections.

\n

- To contest the sarpanch elections, an aspirant from the general category must have passed Class VIII and a SC/ST aspirant must have passed Class V.

\n

- It has also made a functional toilet mandatory in the house of a contestant.

\n

- By this, Rajasthan became the first State in the country to fix a minimum educational qualification for contesting elections to the Panchayati Raj Institutions.

\n

\n\n

What were the concerns?

\n\n

\n

- According to the 2011 Census, the literacy rate was 52% for women and 79% for men in the state of Rajasthan.

\n

- Hence, the move was ill-considered from the very beginning.

\n

- The amendment was made based on the assumption that its voters tended to be younger.

\n

- It was, however, an act of paternalism that militated against the basic assumptions of a liberal democracy.

\n

- It penalised the people for failure to meet certain social indicators, when it is the state's responsibility to provide the infrastructure and incentives for school and adult education.

\n

- It has defeated the very purpose of the panchayati raj institutions, to include citizens in multi-tier local governance from all sections of society.

\n

- Since the requirements had the effect of excluding the marginalised, it had pushed people to adopt unfair means to contest.

\n

- There have been many cases of producing fake mark sheets to fulfil the eligibility criteria by the winners, following the passage of the bill in 2015.

\n

- Also, there was no justification for insisting on educational qualification at the grassroots level when there was no such condition for elections to State Assemblies and Parliament.

\n

- Though making toilets mandatory had given a push to the cleanliness drive, many homes didn't have a functional toilets or were built only at the time of passage of the bill.

\n

- Hence, the Rajasthan government recently abolished the provisions on educational qualifications, since laws should not become hurdles for the masses to exercise their rights.

\n

\n\n

What should be done?

\n\n

\n

- This is a progressive move and will restore the right to contest to a large section of the population in the State.

\n

- The state of Haryana also made the minimum education qualification, following Rajasthan, to contest Panchayat poll as Class X for general candidates, Class VIII pass for women and Dalits, Class V for Dalit women.

\n

- The Act was also upheld that year by the Supreme Court in Rajbala v. State of Haryana case in 2015.

\n

- This shows that the temptation to expand educational eligibility requirements remains across the country.

\n

- Hence, the recent decision of the Rajasthan government recast the debate on finding ways and means by which elected bodies are made more representative.

\n

- In a liberal democracy, governments must desist from putting bars on who may contest, except in exceptional circumstances, such as when a candidate is in breach of particular laws.

\n

- To mandate what makes a person a 'good' candidate goes against the spirit of the attempt to deepen democracy by taking self-government to the grassroots.

\n

\n\n

\n\n

Source: The Hindu

\n

