

SC's Push for Further Electoral Reforms

What is the issue?

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- Supreme Court has recently mandated candidates aspiring to contest elections to also disclose their source of income in addition to other aspects.

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- This is in line with plethora of court directives in the same domain.

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What are the significant aspects of the verdict?

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- Pronouncing the verdict on a petition filed by the NGO, Lok Prahari, SC ordered one more directive for further refining the electoral process.

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- Adding to the growing body of judicially inspired electoral reforms, the SC has asked for the additional disclosure of income source by aspiring candidates.

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- The Centre has been asked to legislate on the same, along with the mandating the disclosure of wealth of the candidates, their spouse and dependants.

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- Further, SC has vouched for a permanent mechanism to investigate any disproportionate increase in the assets of lawmakers while in office.

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- The court has also stressed that non-disclosure of assets and their sources would amount to “corrupt practice” under Representation of People Act, 1951.

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- As the order might be perceived as judicial overreach into the lawmaking arena, the court has asked the parliament to legislate on its directives.

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What forms the basis for a judicial intervention?

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- The act of voting is an expression of free speech, and that voters are rightfully required to be informed of all relevant details.
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- This logic had nudged the demand for candidates should furnish details of any criminal antecedents, educational qualifications and assets.
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- If disclosure of assets is mandatory, it is only logical to expect that the sources of income are also revealed, to establish conformity.
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- The importance for this clause is furthered by the fact that dramatic increase of assets is seen for many candidates in every successive election.
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- Notably, previous judicial orders drove the conception of 'NOTA' and the immediate disqualification of politicians from office upon conviction.
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How does the future look?

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- Lawmakers amassing wealth through unethical means are concerns that need to be addressed through new norms.
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- The idea of a permanent mechanism to collect data about the assets of legislators and periodically examine them is laudable.
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- The court also envisions a body that would make recommendations for prosecution or disqualification based on its own findings.
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- It is now upon the Centre and the Election Commission to work out the modalities and powers for such authorities.
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- The larger message from the verdict is that a fully informed electorate and transparent candidature will be key components of future elections in India.
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Source: The Hindu

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