Supreme Court on Criminalisation in Politics

Why in News?

A Supreme Court judgment on criminalisation in politics will be implemented in the Bihar elections in October 2020.

What is the Court decision?

- The Court has asked the political party and its leadership to publicly own up to criminalisation of politics.
- It has asked the political parties to state the reasons for such selection.
- It has also asked why other individuals without criminal antecedents could not be selected as candidates.
- If a political party fails to comply, it would be in contempt of the Supreme Court's orders/directions.
- It is also not clear what penalty would be imposed if the recent orders are not followed.

What do some earlier orders state?

- Each candidate shall submit a sworn affidavit giving financial details and criminal cases.
- Each candidate shall inform the political party in writing of criminal cases against him or her.
- The party shall put up on its website and on social media as well as publish in newspapers the names and details of such candidates.

Why did the Court pass such an order?

- The judgment notes that in 2004, 24% of the Members of Parliament had criminal cases pending against them.
- In 2019, 43% of MPs had criminal cases pending against them.
- India is the only democratic country with a free press where we find a problem of this dimension.

What is the current situation?

- Surveys show that people around the country are unhappy with the quality of governance.

- However, no matter how many parties are changed, governance does not really improve, a few exceptions apart.
- Several laws and court judgments have not helped much as they lack of enforcement.
- Politics dominates the bureaucracy, and reins in business, civil society and the media.
- Therefore, we need governance that is free of criminals.

What needs to be done?

- The affidavits of the election candidates should be monitored.
- The compliance with the SC judgment should be monitored.
- Information about these should be made available on the Election Commission website.
- This information should be widely circulated to voters using available social media tools.
- The SC has said that voters also need to be vigilant about misuse of money, gifts and other inducements during elections.
- Ensuring prosecution with public pressure may help.
- There may not be any dramatic changes in the quality of candidates.
- But all these steps are required, however insignificant they may seem.

Source: The Hindu

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