

## 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 charges 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**

