

## **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**

