

## Supreme Court Order on Electoral Bonds

### Why in news?

The Supreme Court recently ordered the political parties to submit to the Election Commission details of contributions through electoral bonds.

### What is the case about?

- During 2017-18, the BJP earned Rs 200 crore from electoral bonds and the Congress Rs 15 crore.
- The Association for Democratic Reforms (ADR) had recently said this based on an analysis of the parties' tax returns and contribution statements submitted with the Election Commission.
- No other national party declared any contributions through electoral bonds, according to details released by ADR.
- Citing lack of transparency, the ADR then challenged the electoral bond scheme in the Supreme Court.
- It was considered that the time available was too limited for an in-depth hearing.
- So in its interim order, the Court asked political parties to disclose to the EC in sealed covers, details of the donations they have received through anonymous electoral bonds.

#### AS DECLARED BY NATIONAL PARTIES, 2017-18

Party	Known sources	Unknown sources		Total
		Electoral bonds	Other	
BJP	484	200	353	1027
Congress	79	15	105	199
BSP	41	0	10	51
NCP	3	0	5	8
Trinamool	5	0	<1	5
CPI	1	<1	<1	1+
<b>Total</b>	<b>613</b>	<b>215</b>	<b>474</b>	<b>1293</b>

*Figures in Rs crore (rounded off); all national parties barring CPM.*

*Source: Association for Democratic Reforms, January 2019*

### What are the concerns raised?

- The petitioners, the ADR, questioned the anonymity-based funding scheme on the grounds that it promotes opacity.
- It opens up the possibility of black money being donated to parties through shell companies.
- It empowers the ruling party which alone is in a position to identify the donors and, therefore, well placed to discourage donations to other parties.

Click [here](#) to know more on the concerns.

### **How effective will the order be?**

- The Supreme Court order will not alter the influence of electoral bonds on the ongoing polls (general elections 2019).
- Hence the order is a belated response to the serious concerns raised about the opaque electoral bonds scheme.
- The order, unfortunately, preserves the status quo, and the possible asymmetry in political funding and its effects would stay as it is.
- The influence such donations would have had on the electoral outcome remain undisturbed.

### **Why is it welcome though?**

- The only positive thing is that the names would now be available with the EC (but in sealed envelopes) until the court decides if they can be made public.
- There is a concern that a disproportionately large segment of the bonds purchased by corporate donors has gone to the BJP.
- This donor anonymity may end if the court decides that the EC should disclose the names at the end of the litigation.
- The court also notes that the case gives rise to weighty issues which have a significant bearing on the sanctity of the electoral process in the country.

**Source: The Hindu, Indian Express**

