

Freebies

- * EC told SC that it is not within its power to stop this. — offering freebie before / after election is a policy decision of political party
- * S Balaji case — poll body cannot intervene in election manifesto promises by parties.

Favour

- * Means of social welfare → promote welfare economy.
- * Supported by DPSP — A38, A39 — entions / state to frame welfare measures for citizens
- * Aids informed decision making — promises give the voters idea to expect ^{what to} what if they come to power
- * Limited influence on electoral outcome
 - Success in election depends on multiple factors & freebies cannot assure them
- (eg) 2019 general election opposition offered ₹60000/yr whereas ruling party ₹6000/yr for farmers — opposition lost
- * Equitable redistribution of wealth
 - India's top 1% hold 40% of wealth (Oxfam report).
 - Benefits of freebies mostly accrued by poor & vulnerable ⇒ reduce stark inequality

Against

* Undermine suble deupt

diversion of fund from long term deupt projects with long term

* Inefficient utilisn^{adv} of public fund

enhance
per capita income
employment opportunity
Skill deupt
Social security

- freebie budget beyond regular budget
- without reliable studies or public discnⁿ.

↓,

inefficient use of public resources

* Undermine free & fair electn (Basic structure)

- unduly influence votes
- shake roots of free & fair electn.
- disturbs level playing field
- vitiates purity of electn process

* Indicⁿ of governance failure - failure of our economic policies to create decent livelihood for vast majority Indians.

~~social contract~~

* Financial burden

↳ Severe strain on state's resources

(eg) poor health of state electricity boards

↳ Pandemic worsened states' financial health

∴ freebies → serious crisis like defaulting loan payment

* Lack accountability for not upholding

promises as it cannot be construed as corrupt practices under Secⁿ 123 of RPA Act

* Exaggerated promises without sense of responsibility or feasibility ^{eg TN candidate iPhone for every voter}
↳ becomes concern if they come to power

Individual scrutiny

S Balaji vs SOTN

↳ do not violate A14

↳ Not corrupt practice under Secⁿ 123 of RPA

↳ directed EC to frame rules.

WF

* Planned freebies - policy led elaborate social security program to help poor
↳ targeted delivery ^{eg TN Breakfast scheme}

* Make manifesto accountable - separate legisⁿ by EC

↳ take action against parties for non fulfilment of promises

* Voters awareness

* Focusing on subtle practices policies

↳ Socio economic devt

↳ Subtle livelihood oppo for people.

^{the} (eg) Bicycle for school girls reduce dropout rate

~~once~~

NK Singh, 15th FC chairman has remarked that subsidy regime in India require deep introspection

elecⁿ campaign (eg) PS - free power

short term (eg) Free cycle in rural Bihar

competitive promises

lack of assessment (eg) Dalit Bandhu of TG
10 lkn / dalit household

Fiscal burden (eg) food subsidy - largest in world

Opportunity cost

No emphasis on capability devt
(Amartya Sen.)

Part of welfare ~~eco~~ economy but lead to include devt only when targeted appropriately

Anti defect

52nd AA
10th schedule.

- VP Venkaidh Naidu - need to amend legslⁿ to check mass defectⁿ of legislators.
- * Anja Ram Ganga Ram - same day 3 parties 1962
- * Kihoto hollohan case - decision of presiding officer suby to judicial review.
- * Ravi naik case - wide interpretation of voluntary giving up membership.
- * Visvanathan vs Speaker of TN - member publicly expressing opposⁿ to party deemed to be resigned.

Committees

- * Dinesh Goswami committee
 - ↳ disqualificⁿ decided by P/A on advice of EC
 - ↳ Disqⁿ limited to
 - voluntary giving up membership
 - Votes against in NC motion
- * Law commiⁿ 170th report
 - ↳ exceptⁿ for split & merger deleted.
 - ↳ Whip issuance only when Govt in danger
- * © Review commiⁿ 2002
 - ↳ Defectors should be barred from holding public office or remunerative post for remaining term.
- * 5lecⁿ commiⁿ
 - Decision by P/A on binding advice of EC.

Issues

* Discriminating features

- b/w indept & qualifiⁿ nominated.
- b/w indir defectⁿ & group defectⁿ.

Venkaiah Naidu 'Retail is banned and wholesale is legalized'.

* Curb legislators right to dissent & freedom of conscience

↳ no differentiaⁿ b/w dissent & defectⁿ.

* No time limit ~~for~~ speaker not legally bound to take a decision within timeframe.

* No clear definⁿ of voluntary resignⁿ from party

* Discourage active democracy

↳ whip decide mp's vote.

↳ encourage passivity of elected members

* Impartiality of presiding officer questioned

↳ Impartial & obj?

↳ legal knowledge & experience

↳ Can ignore petiⁿ for disqualificⁿ

Should law be repealed?

Yes.

* Failed to plug defects even after 3 decades.

⑨ KA, MP

* Hinder representative democracy

MP can't vote acc to conscience, judgment & interest of electorate

* Weaken system of checks & balance — b/w

Exe & Legistc — constrain ability of members to hold govt accountable.

* Absence in major mature democracies

US, UK, Canada — no

Only 40 have anti defection law

Only 6 have law for Legistc to vote acc to party dictum

No

* Ensure stability of govt & policies

↳ Ensure loyalty to party & voted citizen

* Recognin of party system

↳ Promote party discipline

* Reduce corrupⁿ & horse trading,

↳ ↓ non de^{pt} exp^{re} for regular elect

* More Concentration on governance - whips

ensure that govt can initiate policy measures & structural changes without fear of members voting against -

WF

* Time frame

* Dinesh Goswami

(Keisham Meghachandra Singh VS State of Manipur)

- P/A with EC

* JLR - Kihoto Hollohanchi

- Only when stability of Govt questioned

* Time frame for presiding officer decision

* Comprehensive defⁿ for voluntary

giving up membership
Other

* Amend RPA to mandate intra party democracy

* Regulate usage of whip to ensure freedom of elected

* SC → Indep^t tribunal set up to decide defecⁿ case swiftly & impartially

* ~~Insert provⁿ that~~ Only way to prevent defecⁿ altogether is to get voters punish defector thr ballot

Speaker

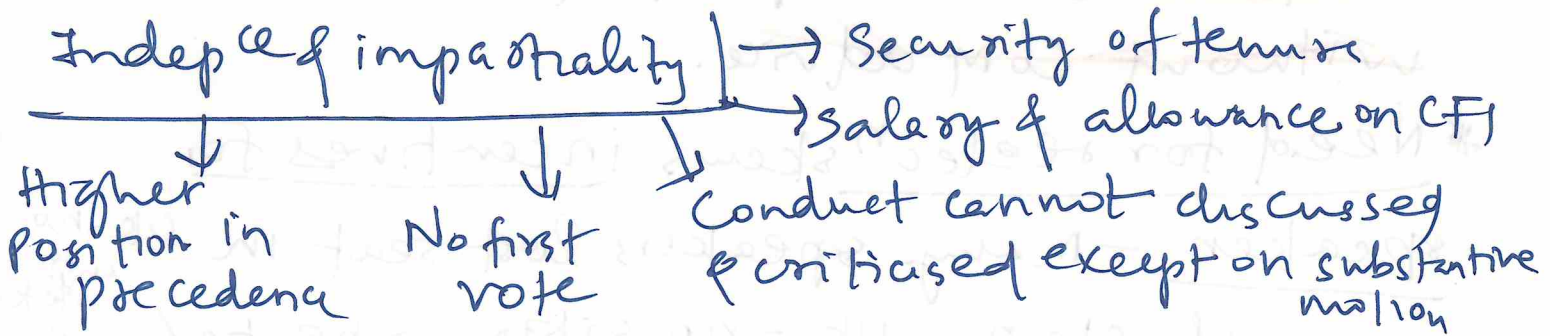
©l office under Article 93

* Kolkata HC - Speaker must take decision on disqualification under anti defect within 3 months

Role

- * Guardian of powers & privileges of LS members
- * Principal spokesman on house
- * final interpreter of provisions of ©, rules of LS & ©ry precedents
- * maintain order & decorum.
- * decides money bill or not
- * decides disqualification on defect
- * chairman of all ©ry committees of LS

Indep^e & impartiality



Issues

* Question over neutrality

↳ they contest electn from party ticket.

* Adjudicating power under 10th Schedule

↳ Ample scope of LSS's discretion.

© 2017 AP - speaker delayed defect decision of opposⁿ MLAs who joined ruling party

* Helping party in power during NC motion

(eg) 1990, Meghalaya speaker Kyndiah suspended
5 MLAs just before NC motion

* Executive during speaker with ministership

(eg) LSS Dhillon → Union minister for Shipping
1975.

* Absoluteness of speaker's decision ^{kioto hallohar}

(eg) Aadhar as money bill. ^{JLR}

* Misuse of speaker's power to suspend ^{Kericham Megha Chandor Singh vs Mani}
members ^{- time}
^{- speaker to permit to bury}

(eg) Suspension of almost all MLAs of
TN assembly 2016.

~~TN Governor suspended a minister~~ ^{ED arrested.}
~~without CoM advice.~~

* Need for reelecⁿ skews incentives for

speaker - many speakers lost seat in ^{UK - no}
general elecⁿ. ^{with defect law}
UK - no sitting speaker
has lost seat given convenⁿ not to
field candidate in speaker's constituency ^{- no power to LS}
^{UK} Once speaker always speaker

* Violⁿ of P^{ry} convenⁿs in appointment

member belonging to ruling party is elected
as speaker

healthy convenⁿ - since 11th LS LSS from
ruling & Deputy speaker from opposⁿ.

recent times, these bypassed

* No incentive for taking up mantle

UK - Speaker automatically elevated to
house of lords

India - ^{speaker} Not ^{made} member of Rs. have to contest again.

* Limits realign of needs of their
constituencies

Suggestion

* Speaker should renounce all political
affiliation.

affiliatⁿ

membership

autonomy.

* Speaker allowed to continue in next (P)

↳ VS Page committee suggestⁿ

↳ UK system

* Barred from future posts

↳ given pension for life.

* Establish new convenⁿ - speaker from party
other than ruling party

(eg) PA Sangma - unanimous electⁿ 1996.

* Amending power w.r to 10th schedule

↳ P/a ↳ EC

↳ Questioning authority
(^{Krishna} Megachand's case)

Best practice : British model

- ↳ non party man
- ↳ not to field candidate in speaker's constituency
- ↳ elevated to house of lords.

Nehru conclu

'Speaker's position, being a free and honoured position, shall always be occupied by person of outstanding ability & impartiality'

* Nabam keba case

- Speaker facing removal cannot decide disqualification

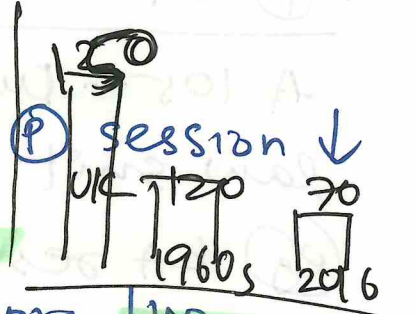
* US - Speaker's decision can be appealed to a committee

Issues in P trying

- * P should be place for policies not for politics. But recent concern regarding declining quality of political debate.

Issues

- * low productivity - No. of days P session ↓
1960's avg 120; 2016 only 70
British Ho Commons 150 US Ho Reps 140.



- * lower std of P's scrutiny
May bill pass by voice vote @ farm bill.

UAPA Am Act 2019 } not referred to P's
RTI Am Act 2019 } Committee

- * Unmodified P's privilege → rights against people
- * Falling stds of debate BNS passed when 140 MP's suspended.
↳ hasty drafting

- * Lack of recognition to prt members

Only 14 prt bills passed in entire history of P

- * Disruptions ↳ Indiscipline. ↳ taint image.

15th LS, LS working 61% & RS 66% of scheduled time
1/6th of LS & 1/3rd of RS time wasted

- * Losing power of individual MPs

↳ Anti defec'n ↳ Whip.

- * Ineffective use of Adjournment motion
Speaker refusing to give consent to adj

motion without giving reason

* Lack of research support - limited or no res. support

① LARRDIS - understaffed, no fund.
(Library & Ref, Research, Documentn, Informⁿ service)

* ① ry privilege used to curb press freedom

A 105 - curb press freedom th^r strategic law suit against public participⁿ (SLAPP)

(eg) KA resolⁿ to arrest journalist for criticising MCA

* Low female participⁿ India ^{13.6%} ~~12%~~ global ^{22.2%} avg

* Dynasty politics ⇒ ① ry seat a hereditary
20% candidates contested in 2024 election profession

* Higher exp^{re} - last 5 decade, ① ry cost gone up 100 times

* Lack of proper voting record

↳ Indiv voting record of MPs unknown
⇒ difficult to distinguish their individual progressive or conservative nature

Reason for disruption

* Discussion on controversial or sensitive matters. (eg) CAA 2019.

* Deliberate plan of ruling party to evade responsibility.

↳ max disruptⁿ found in 0 hr or 30 hr

* Hybrid system of voting mix FPTP & PR

Law commiⁿ 25% seats added to LS
filled by PR $\Rightarrow$ better repⁿ of all sections of
society

* Curbing criminalizⁿ of politics

$\hookrightarrow$ fast track courts to try criminal
politicians in time bound manner - max
1 yr.

* Ensure attendance of members PP_s ensure
at least 50% attendance by adopting
roster system

* Code of conduct - strict enforcement

* Transparency & Accountability

$\hookrightarrow$ Publicⁿ of attendance of MPs, their
participⁿ in debates

* Legislative Impact Assessment - detailed
framework for pre & post legislative IA
needed

* Productivity meter - Overall productivity
of session publicized weekly

* Bring simultaneous electⁿ to allow
unrestricted govt

* Build a better image of P

* Enact Women's reservⁿ bill 33% in P & S

* Lack of dedicated time for unlisted discussion - for raising Qs.

* Scarce resort to disciplinary power by LS/RSC.

↳ disorderly conduct members, neither deterred nor restrained.

* ↑ing no. of MPs with criminal background
↳ 37% since 2009.

* Political parties not adhering to Prty norms & disciplining their members

* Disatisfaction of MPs bcoz inadequate time for airing grievances

Suggestions

* Prescribing min no. of days to meet (NCRWC); 120 for LS & 100 for RS

* Strengthen role of opposⁿ

↳ shadow cabinet (British model)

* Investing in Prty's intellectual capital

↳ Addl budget for LARRDS

* Codificⁿ of Prty privileges

* Prty committee reforms

↳ long tenure of DRSC ↳ Promote Specializⁿ.

* Planning legislation & improving its quality

↳ dynamic not mechanical approach to legislative engineering

↳ Systematic programming of laws

* Reforms in anti defecⁿ

↳ defecⁿ applicable only during non confidence (Dinesh Goswami Com)

↳ other circumstance — indiv mp freedom of expression & voting

↳ adjudicating power of speaker in anti defecⁿ to EC

* setting up a constitution budget

↳ Instead of CAs presented to P like ordinary bills

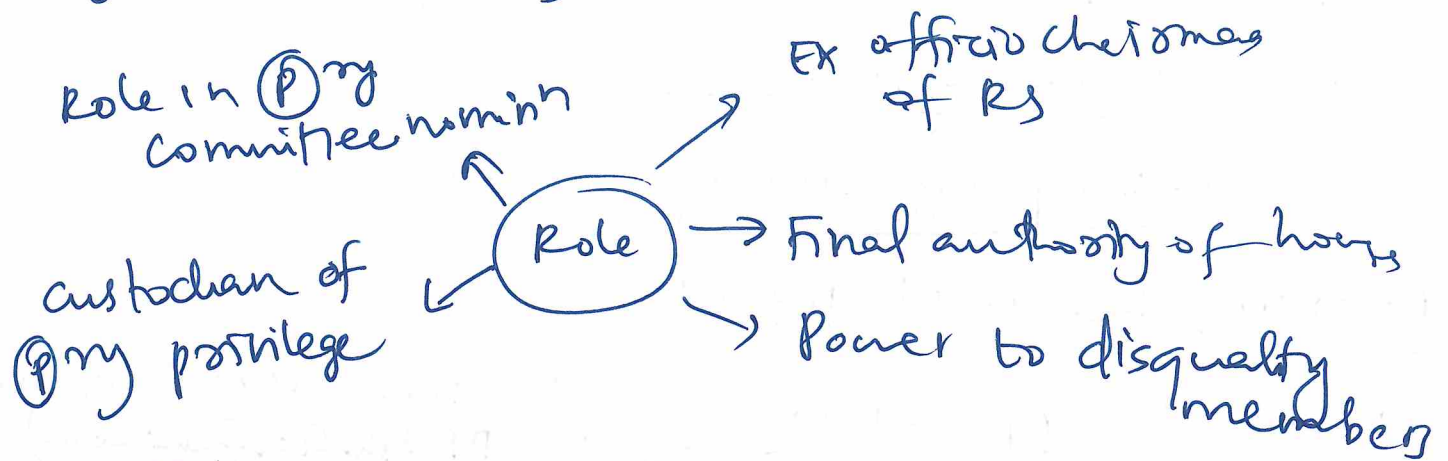
Best practice Congressional Budget office in US

↳ Indept & impartial institution devoted to conducting a technical & obj analysis of any bill.

* 'Not allowing P to fn is a form of democracy like any other form'

— Sushma Swamy.

A63 VP
50 MP signed no confidence motion
against VP (A63)



Criticism

- ① Undermine freedom of speech of opposition
Ex: expunged remarks from Opposition leaders' speech
- ② Politicizing of position
- ③ Heated exchanges Ex: Jaya Bachan MP against VP's tone
- ④ Lack of space & time for opposⁿ
Ex: 600 mins off issue
- ⑤ Failure to control decorum
1/3rd wasted time in RS.

WF ① Political impartiality

- ② Fixed time for opposⁿ
- ③ Discussⁿ encouraged on floor of house
- ④ Consensus building

62 bills passed with less than 1 hr discussⁿ in LS

Political parties

voluntary association or organized group of individuals who share similar political view and seek power thr $\odot$ l means,

Role

- ① ~~Sustain~~ Organize & mobilise voters
- ② ~~Form Govt~~ Recruit & nominate candidate
- ③ Form Govt
- ④ Hold govt accountable
- ⑤ Promote democracy

Impce

- ① Sustain democracy
- ② Simplify democratic process
Support elecⁿ $\rightarrow$ enable organized democracy
- ③ channel of communication
State $\xrightarrow{\text{PPs}}$ Civil society translating
policy preference to political action
- ④ Accountability mechanism
Competitive multiparty system
 $\downarrow$
extra $\odot$ l mean of check and balance
- ⑤ Generate public awareness thr dialogue, deliberation

⑥ Offer diverse choice — by professing diff't ideologies and candidates of diff't aptitudes

⑦ Dedicated human resource of leaders
In democracy

* Sec'n 29A(5) — only provision dealing with PPs

Concerns

① Absence of internal democracy
leadership highly oligarchic

② Conduit for corruption & black money

↳ shell parties

eg) IT exemption under Sec'n 13A of IT Act
misused

③ Restrain by anti defection law

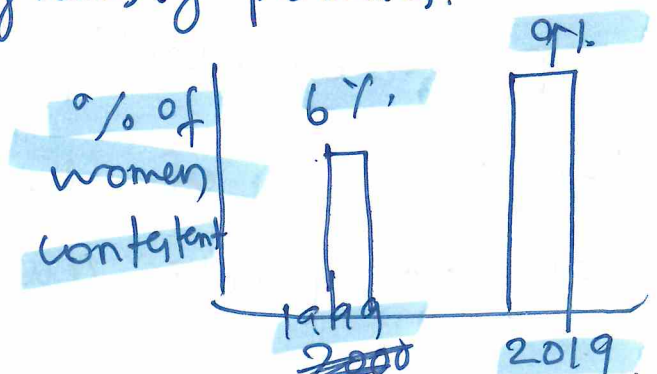
↓
restraint from conscience voting

④ Promote sectoral politics

eg) Caste or religion based PPs

⑤ Aversion of youth due to corruption, absence of int. democracy, dynasty politics.

⑥ Male dominated



⑦ Lack of ideology and values in politics.
eg Alleged hoose trading in Goa, KA, MP

⑧ Criminalizn of politics

eg 43% in LS (APR)

⑨ Limited accountability due to

- weak intraparty democracy
- Absence of effective regulation
- Outsider RTI Act

⑩ weak regulatory mechanism.

eg EC cannot deregister

⑪ Lavish spending on publicity

eg 6500 crore spend by 7 NE parties
b/w 2015 & 2020

Argentina
33% women
seats for

dynasty politics
20% candidates in
18th LS election

[WF] eg Draft PP Act 2011 passed

① Promote internal democracy

↳ Mandatory organizl electn

↳ nominating candidate by party electn

② Regulatory mechanism

eg EC power to deregister

③ Bring parties under RTI

④ Regulate expenditure

↳ ceiling on exp^{re} fixed to PPs, similar to ind. candidates. or state fund electn

⑤ Decriminalise politics

⑥ C^l status eg Germany

↳ inter party democracy

↳ mandatory source of fund public

RTI & PPs

Favour

① Public institution RT Act 13A

② Opacity in funding

2/3rd of political funding
from anonymous source
(ADR)

③ Necessary safeguard

are in place eg seems
of RTI - political strategy
of PPs can be included as
exemption

④ Improve internal
democracy

Against

① Public authority

definition in Secⁿ 2 of RPA

doesn't include PPs as
they are not created by
(P) or (C).

② Multiple custodian
of informⁿ.

↳ PP org^l structure is
not uniform for all
parties

③ Vindictive politics

PPs apprehension that
disclosure of info under
RTI would give advantage
to ruling govt

Inner party democracy

SC observⁿ that nothing in A324 or Secⁿ 29A of RPA tells ECI power to regulate internal party structure.

Outcomes of poor IPD

① Dynasty politics

20% contestants in 2024 elecⁿ thr family's seats

eg 'family constituencies' emerged

② Growing nepotism → many MPs, below age of 35 are from political families

③ Selection of poor electoral representatives

Centralised working & lack of transparency

↓
favourite party leader promoted at the cost of deserving leader

④ Fragmentation within parties

↓
frequent defection

↓
Affect steady fringⁿ of Φ democracy

⑤ Criminalization of politics

Tickets given on vague concept of winnability

↓
Candidates with muscle and money power enter politics eg 43% in LS (ADK)

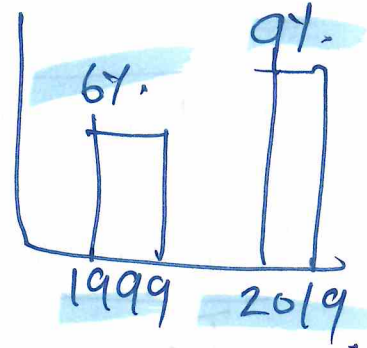
⑥ Alienⁿ of youth from politics.

As absence of internal electⁿ, the key to upward mobility

⑦ Male dominated

⑧ Lack of accountability

% of
women
candidates



Solution

① Law Commiⁿ

* Regulatory framework for PPs

* Part IIA inserted in RPA about PPs.

② Draft PPs Act

* create executive committee of pp to elect office bearers

③ Revise anti defecⁿ

anti defecⁿ only on NC motion, ~~2~~

④ Transparent working of PPs

← Dinesh Goswami C
Tarkunde G
Indrajit Gupta C

Imp^t that PPs open eyes to growing call for intra party democracy

Germany

Parliamentary Committee

* Parliamentary committee matters are dealt by rule of two houses though © mentions in various places

* Assist P

Parliamentary C

standing C
- Perm

eg Financial committee

Ad Hoc C - temporary

URPA Am } No Parliamentary committee
RTI Am }

Merits

① Good govt

↳ indepth discussion on policy issues and make suggestion to govt → ensure efficiency in legisⁿ

eg Farm bill - passed without referred to DRSC
→ withdrawn later

② Improve accountability

↳ PCs as 'mini P'

↳ detailed Parliamentary control over executive

③ Democratic participⁿ

↳ Multi party representⁿ

↳ facilitate public consultaⁿ

④ Political neutrality

↳ 'closed door' meetings of members not bound by party whip ⇒ meaningful exchange
build consensus

⑤ Engagement with experts

↳ domain expert + general public opinion



effective policy formuln

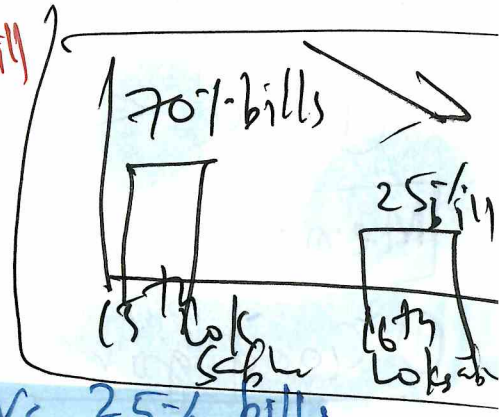
⑥ ^{PCs are} Reservoir of informn

↳ enlighten MPs

↳ improve govt

Issues

Pigeonholing bill
- US



① Declining trend $\Rightarrow$ 70% bills in 15th LS Vs 25% bills in 16th LS. (CPRS)

② Not mandatory that all bills examined by PC $\Rightarrow$ Bills passed without committee scrutinising its technical detail

③ Absenteeism $\Rightarrow$ Only 16 members of RS attended all 361 meetings scheduled in 2020

④ Bypassing thr joint committees

Bypassing SCs thr specially formed joint committees chaired by ruling party member

⑤ Dominance of ruling faction

Most committees, govt have majority
 $\downarrow$
final decision by may voting

⑥ Non binding

eg 16th LS, govt accepted only 54% of committee recommendation

⑦ Less effective → nature of post mortem

eg Public accounts committee examine expenditure after it is incurred

⑧ Short tenure - 1yr → insufficient

⑨ No periodic assessment of performance of committees

WF

Legislative
Impact
Assessment

① Mandatory scrutiny of all bills by PC
↳ amending rules for that eg US Congressional office for bills

② Nominate interested members only

③ Fix timeline to recommend & present report

④ M/o P & Affairs can coordinate with committee to organise meetings of PSC

⑤ Establish review mechanism by PSC/LSS

⑥ Extend tenure (suggested by PSC Venkaiah Naidu)

⑦ Quality Research support

⑧ Rationalise committee

Term committees to avoid overlap (NCRWC)

⑨ Global Best UK

↓
committees interact on overlapping subjects
to form quadripartite committees.

Ordinance

* A 123 → empower P.

* A 213 → 4.

SC cases

① RC Cooper Vs UOI

President's satisfactⁿ to issue 'Ord' subject to J&K.

② DC Wadhwa Case

Successive re-promulgation of ordinance violⁿ of

①. Or cannot substitute law making

③ Krishna Kumar Singh Case

Reprom of Ord → a fraud on ①

Issues

① Violates SOP

↳ executive making law thr^o ordinance

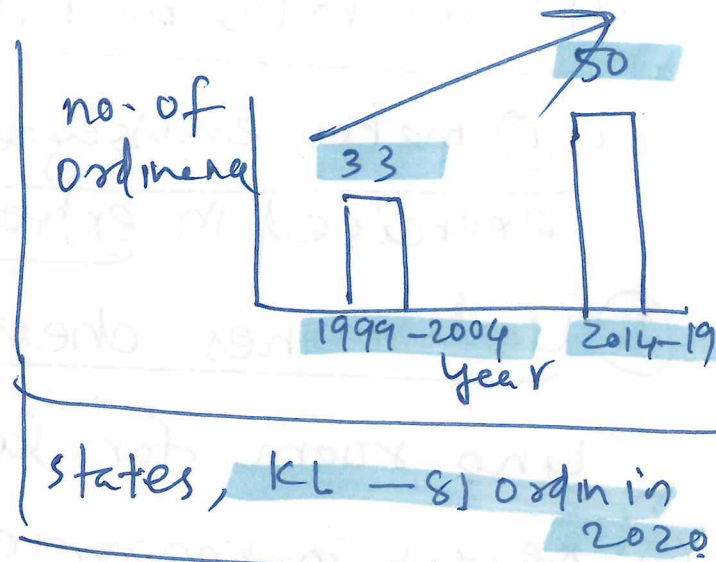
↳ undermine P^oy sovereignty

② Tool to bypass legislative

↳ to avoid scrutiny

③ Undermine judicial process

↳ re-promulgation despite repeated judicial ruling



④ Democratic backsliding - C^t Assembly debate

↳ ① makes envisaged ordinance power to be exercised in extreme situation

⑤ Undermines checks and balances

↳ no room for legislative control.

⑥ Absent in major democracies US, UK, Aus.

[WF]

① Executive must self-restraint

↳ use ordinance only in unforeseen or urgent matters

② Opposition must refrain from obstructionist behaviour so that effective debates can take place

③ Legislature and courts should check practice of seppromulgn

④ Legisre can look into extending frequency and duration of p^{ry} sessions.

Rajya Sabha

* Council of states + Upper house.
* Ind. elected.

Why essential?

federalism

① Revisionary home of laws and bills

- ↳ check and balance
- ↳ great executive accountability
- ↳ prevent hasty legislation

② Act as debating chamber

- ↳ dignified debates on issues in country

③ Institutionalize power sharing b/w centre & state

- ↳ Council of states. ^{federal}

④ Continuity of legisⁿ ensured

- ↳ not subject to dissolution.

⑤ Platform for diverse talent & expertise writers, actors, economists.

⑥ Special powers - A 249 - state list legisⁿ A 312 - All India service.

eg IES, IAS created in 1961 & 65

⑦ Glorious legacy of passing imp^t bills.

eg AIMS bill, dowry prohibition bill

⑧ Platform for small & regional parties

Issues

① Stalling legislative work

↓
Policy paralysis.

② Sincerity of nominated members questioned

eg Tendulkar — mere 24 day attendance

③ Members not accountable to people
↳ not directly elected.

④ Provision of nominated members is
undemocratic

↳ never seek vote of people, but can become ministers & PMs. US - no

⑤ Backdoor entry of politicians who have
lost general elecⁿ.

⑥ Bicameralism is not basic structure

↳ case envision P^{ry} democracy as BC

WF → directly elected by citizens
→ equal repⁿ for each state
→ Better procedure of nomination

Though thⁿ up and down, RS acted as not only
a house for 2nd thought but also a guardian
of state's rights

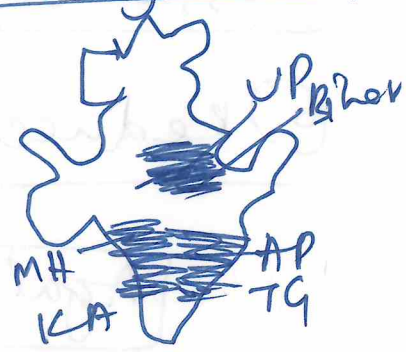
Legislative Council

- * 2021, WB passed resolⁿ for LC.
- 2020, AP abolⁿ of LC

* A 169 - (P) can create or abolish LC

- * 5/6th indirectly elected
- 1/6th (P) nominated

Only 6 states



Why LC < RS?

① RS reflect federal polity

↳ Council of states

② Council is heterogenously constituted

⇓
weak, reduces utility as effective
decision making body

RS - homogenous

- Only states, mostly elected (only 12 nominated)

Relevance of LC

① Keep an eye on hasty decision

② Ability to bring diverse voices into legisⁿ
↳ teacher, graduates

③ To formulate better and detailed discussed
legislation

④ Prevent arbitrary power of LAs

- ⑤ Avoid Cb crisis if cm candidate lost in assembly elecⁿ $\rightarrow$ Vk Tirath Singh Rawat
Stepped down as cm
- ⑥ Reduce workload on LA

Against

- ① LC has weaker position with no significant role
LC can detain bill max 4 month
 $\downarrow$
not revising body like RS.
- ② Burden on state budget
 $\rightarrow$ WB LC formulⁿ need 600-800 cr
- ③ Backdoor entry for unpopular politician
to with ambition of being min/cm
- ④ Superfluous and mischievous
LC delay bill if diff^t party policy paralysis
LC no purpose if same party

Still LC can act as a check against political impetuosity of electoral majorities in LAs.

Criminalizn of IN politics

43% MPs with criminal cases in 17th US.

↓
13% heinous crimes like rape, murder.

Why trend persist?

① Criminal-politician nexus

↓
need patronage of politician to continue
criminal activity
politician need money & muscle power
of criminal

② Judicial delay

↳ Avg 15 yrs for disposing a criminal case
↳ rate of conviction going down

③ Criminality & winnability

↓
encourage voters as it signals that candidate
capable of fulfilling promise by any means

↓
incentivise parties to field criminals

④ Passive voters

voters take little effort to read affidavit
of candidate regarding his criminal cases

⑤ vested interest & vote bank politics of

~~EC~~ Parties give ticket to tainted candidates
ADR Vs UOI

⑥ Poor governance

↳ weak laws

↳ poor conviction rate

↳ limited power of EC

Measures taken

Right to know abt candidate

Lily Thomas Case

Appeal not enough

Public Interest Found

vs UOI

PPs to publish
criminal records
of candidate.

Legislative

① RP Act 1957

↳ Sec 8 - disqualify for imprisonment
above 6 yrs

② Conduct of elecⁿ rules 1961

↳ affidavit of cases by candidate

Other

③ Special courts to try pending criminal
cases against legislators

④ Vohra Committee on crimⁿ of P

⑤ steps by EC

↳ Moral code of conduct

↳ Election expense monitoring cell

Judicial Activism

① ADR Vs Vo I case

- ↳ voters right to informed choice in electⁿ
- ↳ mandatory declarⁿ of  assets & liabilities
criminal cases.

② Lily Thomas Vs Vo I

- ↳ Sentenced not less than 2yrs disqualified

③ PULL Vs Vo I

- ↳ NOTA in EVM

Consequences of criminalizⁿ

① Undermine free & fair electⁿ

- ↳ limit voters' ability to choose a suitable candidate.

② Affect rule of law

lawbreakers ^{money muscle power} lawmakers undermine efficacy of democracy

③ Affect public servants' integrity

- ↳ rise of blackmoney circulⁿ → corruption.

④ Promote violence

- ↳ instil culture of violence.
- 1. bad example set for youth

WF

① Creating transparency in electoral politics

↳ inner party democracy

↳ Political parties under RTI

② State funding elecⁿ

↳ Control unaccounted money and muscle power of criminals in elecⁿ

③ Strengthen EC to break nexus.

④ Improve criminal justice system

↳ time bound investigation

↳ better conviction rate

↳ timely disposal of case

↳ Efficient special courts

⑤ Enhance voter awareness about grave consequences of criminals in politics.

↳ Info regarding candidate's background readily available

Vohra Committee recommendations would help address