

## **Criminalization of Politics in India**

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### **Abstract**

This evil of Criminalization of Politics in India calls for special attention of the people because the subject revolves around the vested interests of politicians of all hues; as such the people can never hope that the politicians would take any initiative to rectify this evil. The political parties do not pay attention to inculcate noble political values and principles of citizenship in the people. They do not promote patriotism and commitment to nation-building. The use of politics or political power is not something new. Even in ancient Greece politics was used by people for personal gains or for rising to a higher stage of power. The use of politics or political power is not something new. Even in ancient Greece politics was used by people for personal gains or for rising to a higher stage of power. "Criminalization of Politics" is an apolitical buzzword in the United states used in the media, by commentators, bloggers as well as by defenders of high-ranking government officials who have been indicated or have faced criminal or ethical investigations. Criminalization of politics in India is an extremely serious problem, which has already reached dangerous levels. This evil of Criminalization of Politics calls for special attention of the people because the subject revolves around the vested interests of politicians of all hues as such the people can never hope that the politicians would take any initiative to rectify this evil.

**Key Words:** Criminalization, Democracy, bureaucracy, politicians, parliament, corruption.

### **Introduction:**

Before India's Independence the lives of commoners were far worse under Britishers rule. The benefits of the independence have reached only a few. Poor class has dominated India & the rich act fine minorities. The rich people who are those in power, getting favorable laws to suit their mow benefits These people who are in power enjoy in a 5 star hotels at tax payer's expense while more than 50 million are starving to death Our Indian Political System consists of Executive, Legislature & Judiciary which is functioning well though the corruption has spread like vast sea & acts well like the tentacles of octopus which will ruin the economy of the country, where public servants hare become more worse than Britishers. The standard business in

Political arena is nothing but criminalization in politics itself. Politicians who are elected representatives have criminal backgrounds in their past & present may work in future though. There are several charges of crime such as murder attempt to murder, robbery, kidnapping, extortion & land grubbing etc. it's not just violation of IPC sections 144 (forming unlawful assembly). It is well known that all parties take the help of criminal elements so dominate the election scene in India. The system of democracy is now changing in into the dictatorship of some. Now the democracy is in the hands of criminals who are not capable enough to hold their post in legislature. Politicians are thriving today on the basis of muscle power provided by the criminals many politicians choose muscle & financial power to gain rote hank in

the bank in the country. The elections for being a member Parliament or State Legislatures is really a costly affair; this is the root cause for corruption in India. A candidate has to spend lakhs to buy a party ticket & spend crores of rupees to win elections. The total salary of MLA/MP will be meagre compared to his election expenses. How does he recover his money back in power? Publicly through donations & secretly through illegal means. Only criminal activities can generate such large sums of untaxed funds. That's why we have criminals in politics, they have money & muscle power, so they win & help others in their party win as well.

This evil of Criminalization of Politics in India calls for special attention of the people because the subject revolves around the vested interests of politicians of all hues; as such the people can never hope that the politicians would take any initiative to rectify this evil. In this research paper, an attempt has been made to analyze the factors leading to the Criminalization of Politics in India and its impact on the democracy of India. The prevailing trend is spreading like cancer. It is nullifying all the constitutional safeguards of democracy; that is, it is spoiling bureaucracy by making it partial; it thwarts press; and even threatens judiciary; and thus is destroying the foundation of democracy. The political parties do not pay attention to inculcate noble political values and principles of citizenship in the people. They do not promote patriotism and commitment to nation-building. They do not want to unite the people of nation by stressing the importance of harmonious living. On the contrary, they perpetuate the differences among the people and make full use of those differences for creating conflicts among them.

At present we very often come across the words criminalization of politics. The meaning of the term is quite known to educated people and newspaper readers. For academic purpose a definition is to be given here. When politics or political power is used for self interest seeking persons for pecuniary gain or various other advantages such as to get special position in administration or to rise to the higher stage of administration which is normally not feasible. So criminalization of politics means to use politics or political power for nefarious gain. To gain something not legal or normal has been called crime. Here the word crime used in politics in special sense. For example an officer in administration wants to be promoted to higher post. But this is not his due. He uses politics or political power to achieve this. The person succeeds. But the matter does not stop here. The person who helped to get undue privilege will again use this person for the achievement of his purposes which are, in normal course, not due. This is the policy of give and take and this happens behind the curtain. Hence we find that political power has been or is being used by some persons for the attainment of undue privileges and when this is rampant in the arena of politics we generally call it criminalization of politics. To get undue favour through the use of political power is a crime. The term crime means an action which constitutes a serious offence against an individual or the state and is punishable by law. Hence gaining something by the use of political power is a crime and is also punishable.

The use of politics or political power is not something new. Even in ancient Greece politics was used by people for personal gains

or for rising to a higher stage of power. The misuse or abuse of political power greatly pained Greek philosopher king and introduction of communism in property and family. He meant that the members of the administrative class will have no private property and family. Plato's argument was these two will divert the attention of the members of the ruling class and will corrupt them. He also thought that if the king is a philosopher he will feel no personal attachment to property and wealth. Plato built up this model for the construction of his ideal state. Our point is the mismanagement of the contemporary city states which were democratic pained him. Rousseau (1712-1778) was a great admirer of democracy, but he was quite apprehensive of its real existence. He thought that people are corrupt and this will lead to the fall of democracy. That is why we find him saying: were there a people of gods, their government would be democratic. So perfect a form of government is not for men. Even in Rousseau's time there were great inequalities of property and wealth. Some people earned property and built up wealth through unfair means and this created inequalities in wealth and power. So wealth was used to get patronage in political arena and political power was also used to get wealthy. "Criminalization of Politics" is an apolitical buzzword in the United States used in the media, by commentators, bloggers as well as by defenders of high-ranking government officials who have been indicated or have faced criminal or ethical investigations. Most recently, the term has been applied to proceedings against President George W. Bush's advisers and the Republican Party leadership in Congress, including Tom Delay, Bill Frist, and Karl

Rove (see Plame affair). The position of their defenders, who include Robert Novak, William Kristol and Rush Limbaugh, is that the accusations against these officials lack substance and Democratic partisans seek to weaken them for political reasons, perhaps to the point of retaking congress in 2006. The position of many Democrats is that the cause of the plethora of investigations in the "culture of corruption" established by the Republicans in power, and that anyone who has broken laws or rules must face the consequences. The opponents also point out that some of the politicians denouncing the current pursuit of alleged Republican misconduct have in the past called for vigorous pursuit of alleged Democratic misconduct. The phrase was previously used by supporters of President Bill Clinton in reference to legal action against members of his administration, including Henry Cisneros. During the Watergate scandal, supporters of Richard Nixon claimed that he was guilty of nothing more than "hard-ball politics."

Elections in India have been mutilated by the evil influences of money and muscle power. This has led to criminalization of electoral politics. The criminalization of politics continues to be a big concern, with an increase in the number of MPs with criminal records. It is evidence to the undemocratic and autocratic selection and nomination of candidates by political parties. In order to ensure the win ability of candidates, parties ignored honesty to give preference to money power and muscle power. Criminalization of Politics can be visualized into two different senses. In narrow sense it refers to the direct entry and interference of Criminals into State legislatures and parliament of India, while on wider sense it refers to interference of

criminals into politics either directly or indirectly like financing any candidate, providing anti-social manpower, booth capturing, contract killing of rival candidates, providing muscle power services, as well as campaigning or canvassing for any candidate contesting elections. Since last two decades the competitive use of anti-social forces for the mobilization of party funds, for management of elections, organizing meetings and conference and even recruiting workers at lower levels from among anti-social elements has increased many folds. Approximate all political parties from national to regional taking services of criminals to win election. Earlier criminals used to lend outside supports but now they themselves have entered in the electoral arena and have become not only members of the house but even have become ministers. Thus we have a new phenomenon in Indian politics called “**Tainted ministers**”. Elections in many parts of the country have become associated with a host of criminal activities. Threatening voters to vote for a particular candidate or physically preventing voters from going to the polling booth [especially weaker sections of society like dalits, tribals and rural women] occurs frequently in several parts of the country. Since last 15 years, not a single election has conducted peacefully without use of money or muscle power and domestic violence. Sometimes rival candidates got killed growing links between many politicians and criminal/anti-social elements. The answer would be in the negative only if morals and ethics have no place in politics. It would be a sad day for politics in India, if it is accepted that moral and ethics have no place in politics in India. But fact remains a fact.

We can consider this issue in the light that even a peon would not be appointed to a government job in case he is alleged to be involved in a criminal case. There is a clear bar on any person involved in criminal activities to be appointed on a government job. As a matter of fact, every government servant has to file an affidavit that he has never been involved in criminal activities and he has no criminal case pending investigation or trial against him.

The Vohra committee appointed by the Central Government under chairmanship of Mr. M.N. Vohra to look into this problem said in its report that the mafia network was virtually running a parallel government pushing the State apparatus into irrelevance. A petty dada finds it easy to become a feared representative of the people. Mafia gangs enjoyed the patronage of local level politicians and that some gang members even got elected to the Assemblies and Parliament. Criminalization of politics in India has attained a stage, where it needs serious attention from the citizens, government and political parties as there was a steady decline in values of all sections of our society, Criminalization of politics has led to immense pressure on functioning of political institution. The worst part of picture is that “criminal record” becomes an essential qualification for entry into politics. In India Politics is not a social service anymore, instead it emerged as a lucrative profession or business. Today it is used to believe that crime is the shortest access to legislature and parliament of India. Further success rate of criminals into electoral process is alluring the young blood of country as a source of negative inspiration for them. It is now believed that the safest haven for criminals is

politics and political parties have gone overboard in associating criminals with them more because of their muscle and money power, which is supposed to ensure victory in polls. Criminalization of the political system is threatening the very roots of democracy in India.

Democracy implies rule of law and holding of free elections to ascertain the will of the people. But in quite recent times this peaceful process of social change has been much vitiated. Criminalization of Politics has become a headache for the Indian democracy. It's shameful to admit that in the world's largest democracy the cult of the gun prevails; Goondas and Criminals are hired to kill political rivals etc. In this way the entire democratic process even after committing serious is negated. What's more surprising and rather shameful is that these people even after committing serious criminal offences made their way to the Parliament and Assemblies, which is the highest governing body in the country. Thus you can imagine what will be the fate of the nation, if power is given to undeserving criminals.

Analysis of 2009 Lok Sabha: A total of 8070 candidate representing 369 parties contested in the recently held elections. Out of 369 parties, only 36 parties have been successful in sending one or more MPs into the Lok Sabha. 333 parties that contested elections did not win even a single seat. And 19 parties have 3 or less MPs in the newly formed Lok Sabha.

The entry of criminals in Parliament is causing havoc in the lives of ordinary people. More and more criminals are taking this way up the ladder. A short-term treatment is amputation. The immediate remedy is that

any charge-sheeted persons be barred from entering any Legislative Assembly or Parliament. The membership of any sitting MP/MLA who is convicted later should be suspended. If the same and find out how criminals enter our political system. Our MP's/MLA's used them to threaten their rivals and votes. With time, these scoundrels understood the importance of the brawn and themselves entered politics, like a flock of hounds turning back to attack the master. All MP/MLAs should resolve not to take their help. We must not send Gonads to Parliament. India, the largest democratic country and also home to the fair and regular elections. Elections aim at providing the power to select the one by whom we want to be governed. Looking the present statistics, are we really choosing the adroit body to govern us or the candidates are besmirch to the constitution, the elections, and the Indian freedom struggle? The country is struggling hard to make its mark as the emerging leader in terms of economy and development but the blemish to its own image is the gigantic number of abet and aberrant leaders having the heinous charges of rape, theft, dacoity, murder, extortion etc. If we quote some notorious leaders, the picture will decipher a colorfully tainted image of not just one party but several parties.

Mohammad Sahabuddin was elected to four successive terms in the Indian Parliament from 1996-2008 from Siwan constituency Bihar on RJD ticket. In 1996, Sahabuddin was named as a Minister of State for the Home Ministry in the H.D. Deve Gowda government. He is currently serving a life sentence for kidnapping with intent to murder and as many as 34 cases of serious crime are pending against him. Mukhtar Ansari won the

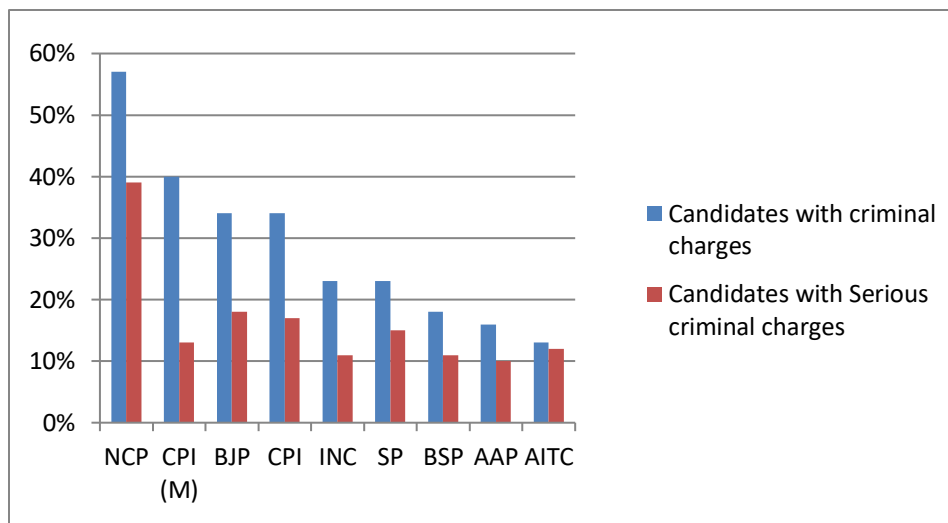
Mau seat in the Uttar Pradesh Elections, 2007 as an Independent while lodged initially at Ghazipur jail. The radical cause of increasing criminalization of politics is nexus of muscle power, money power and politics. Criminalization of politics is actually a mysterious enigma. The statutory limit is Rs15lakhs for a Lok Sabha seat, Rs3 to 6 lakhs for state legislatures and Rs 75,000 for municipal corporations. The political parties and the candidates appraise and spend a huge amount compared to the meager limits. The questions pings, who furnish such funds and donations. These funds generally come from underworld or the business bizarre. After becoming the MP or MLA they become altruist and venerate to the supporting factors before the elections and victory. The criminals and mafia thus dwell and flourish under the aegis of these MPs and MLAs. This nexus is the real shoot in arm to the criminalization of politics or in other words 'Bemired politics.' Indian politics is not a philanthropic activity instead it has become a means to accrue power by the avid and abhorrent leaders. On May 2, 2002, the Supreme Court gave a historic ruling following public interest litigation by an NGO. It ruled that every candidate, contesting an election to parliament, state Legislatures or Municipal Corporation, has to declare the following along with the applicant for his/her candidate:

- (i.) Candidates criminal charges.
- (ii.)The candidate's financial records.
- (iii.)The candidate's educational qualifications.

In the candidate fails to file any of the above three declarations, the returning officer will have the right to reject his nomination papers.

The Supreme Court has ruled that all the three declarations will have to be true. The election commission had sent a notification on June 28, 2002, to all state election officers with a view to enforcing it. The supreme courts thrust have been that the people and the voters have the right to know about the candidate's criminal record, assets and liabilities and educational qualifications. The returning officer has to publish these declarations for the voter's knowledge. In a TV show the affluent BJP leader and IAS officer Yashwant Sinha had said "people say that politics is not a good career options for amenable youngsters. If good, flawless, educated youngsters. If good, flawless, educated youngsters would not come to politics then be ready to be ruled by the aberrant leaders."

A preliminary analysis of the candidate data compiled by the Association for Democratic Reform (ADR) for the Lok Sabha and Assembly elections gives an idea of the degree to which criminalization has seeped into Indian politics. At the time of writing this report, five phases of the ongoing 2014 Lok Sabha elections have been completed. Four phases 1-5, figure 1 shows the proportion of candidate with criminal charges fielded by some major parties. Among the six national parties (the Indian National Congress (INC), the Bharatiya Janata Party (BJP), the Nationalist Congress Party (NCP), the Bahujan Samaj Party (BSP), the Communist Party of India (CPI), and the Communist Party of India (Marxist) (CPI-M), the NCP has the highest percentage of candidate with criminal candidates (57 percent) followed by the CPI (M) (40 percent). The NCP also has the highest percentage of candidates with serious criminal charges (39 percent) followed by the BJP (18 percent).



	NCP	CPI (M)	BJP	CPI	INC	SP	BSP	AAP	AITC
Candidates with criminal charges	57%	40%	34%	34%	23%	23%	18%	16%	13%
Candidates with Serious criminal charges	39%	13%	18%	17%	11%	15%	11%	10%	12%

Politics is an essential part of every one's life directly or indirectly. Politics must affect the life of everyone. In dictatorship there must be a dictator who rule over the country by his own wish and will. But in democracy the role of politics is very important. India is now the biggest democracy of the world in which public elect their representatives in the Municipal Corporation, state legislative Assembly and Parliament of India and then those elected representatives rule the country on behalf of the public of India. When any person elects any leader it is expected from him that he must serve people and put the problems of the public before the Government and then solves those problems. But this is not done and the expectations of the public totally crushed by their representatives. Now

the politics became a shelter place of the criminals. Now a large number of criminals like murders, rapists, black marketers, kidnappers are coming in the politics. They can take the tickets from political parties by their power and money and then elect by the people, when these types of persons elect then they became the authorized and empowered criminals. They can't afraid from police and Government. Their only thought is to threatened the people and earn as much money as possible. Those criminals who are hand till death or imprisoned for the whole life they become M.L.A., M.P. and ministers. Here one thing is important that when these types of persons are sitting on powerful posts then who save the public from the clutch of criminals. Those criminals became the

M.L.A., M.P. and ministers by spending lot of money. Their chief aim is to earn as much money as possible and for this purpose their followers and juniors crush the peoples and earn money and the public have to pay the price of their election. Our constitution makers selected the democracy because of the feeling that in this system the public of India can elect their representatives without any fear. They have full authority to elect the representative of their own will. These criminals sometimes became the toy in the hands of the enemies of our countries and then create danger for the National Security. Now we all wake up and decide that we don't elect any criminal in any election and boycott those criminals politically and socially and cooperate the police to arrest them.

#### **Causes of criminalization of politics:**

The most important cause of criminalization of politics is the unholy nexus between politicians and bureaucracy. Ramchandra guar (India after Gandhi) says, "in Jawaharlal Nehru's time the civil services were shielded from politics, transfer, promotions and the like were decided within the executive branch itself. From the 1970s, however, individual politicians or political parties. When the party the allied with was in power, they get the best posting. In return, they energetically implemented the partisan agenda of the politicians".

This undesirable and dangerous relationship between bureaucracy and political leaders opened the door of criminalization of politics. The great founders of Indian nation state thought of an independent bureaucracy. But within two an understanding to help each other and this led to the criminalization of politics.

The interference of politicians in the administration may be regarded as another reason of criminalization of politics. Guha's says, "in a letter to the prime minister, the retired civil servant M.N. Buch has highlighted the consequences of this politicization of the administration. The way the government is now run means that the disciplinary hierarchy of the civil services has completely broken down. A subordinate who does not measure up and pulled by his superior."

In the 1970s this started in embryonic form and today this has assumed an epidemic. Most of the politicians of modern India interface with administration in one form or another. The civil servants are becoming more and more corrupt, so also the politicians. The net result is politics is, ultimately, criminalized.

Caste and religion both are equally responsible for the criminalization of politics. In bureaucracy there are certain fixed procedures and rules in the promotion. But caste and religion both interfere in the process. Less qualified and inefficient civil servants get promotion. The quota system is fully responsible. It has been found that a minister of a particular caste or religion will distribute favor to the members of his own caste and religion. In many states of India this found.

The system of party government is also responsible for the criminalization of politics. On the eve of general election the leaders of the party give promises to the electorate. The purpose is to win the election. If the party luckily comes to power, the members of the ruling party try to implement the promises. The dark side of this situation is the party in power does not consider the feasibility and



rationality of the action or promises unreasonable and impractical ways and techniques are adopted. This is a cause of criminalization of politics.

In post-independent India strong public opinion against corrupt practices has not developed. Each person knows system or practices are corrupt. But there is nobody to protest against it. Rather, he thinks that this is the system and he accepts it. This tendency has finally opened the door of the criminalization of politics. But if anybody objects to the corrupt practice he is either penalized or deprived of his due.

Un-development, illiteracy, poverty and prismatic nature of Indian social system are collectively responsible for the criminalization of politics. The shrewd and self interest seeking politicians in collaboration with corrupt civil servants about various types of unfair means to satisfy their greediness and ill motives. The Indian society is in transition. From various sources the government of India is getting funds for development.

The Government also spends huge amount of money through Five Year Plans. A large amount of money is laundered by politician and bureaucrats. There is a close alliance between the two and this has led to the worst type of criminalization of politics.

We again remind Plato. He thought that for an ideal state the citizens must be dealt and for that purpose he thought establishing values, morality and idealism in the society. We have forgotten Plato and also the importance of values morality, ethics etc. This has downgraded the importance of moral values, ethics honesty etc.

People generally think of immediate pecuniary gains and give top priority to all these. We, therefore, think that decline of general values has led to the criminalization of politics. The ghost of Machiavelli has returned. But people have forgotten that Machiavelli's suggestion was made in the background of the pitiable condition of Italy.

Many political parties of India fielded candidates who had criminal cases against them. Some of these candidates also won in elections. Two points may be made here. One is the parties fielded the candidates who had criminal background. It means that the parties do not give due importance to this black spot.

The simple implication is that the criminal activities of candidates are not important. The other is that the voters have helped these candidates to win. While exercising franchise it is the duty of the voters to take information about the candidates. We, therefore, conclude that both voters and parties are equally responsible for the criminalization of politics.

Corruption and crime both have engulfed out MPs. They raise questions in parliament in exchange of money. A few years ago our parliament was in storm on this issue.

1. Political Culture of India
2. A banal remark has been in frequent use in Indian politics since last few years that **“innocent until proved guilty.”** This has become a boon for the criminal-politicians because investigations can always be manipulated and notorious judicial delays ensure that even the worst criminals are not convicted for decades
3. Lack of ethics or values in Indian politics, generally all major or minor political parties in India Used to play blame game, instead of finding a

collective solution of the problem. Let me tell you the significance of ethics in politics of India by mentioning “**Omar Abdullah episode**” happened recently in J&K legislative assembly. On 28<sup>th</sup> July 2009, Jammu & Kashmir Chief Minister Omar Abdullah resigned on moral grounds from the post after a senior PDP leader alleged that he was involved in the Srinagar sex scandal. There was high drama in the Assembly when Abdullah said he would step down and not return till the allegations were proved wrong. Members of his party, National conference, surrounded him and tried to physically stop him from leaving. Congress in-charge of state Prithviraj Chavan had tried to stop Abdullah and asked him not to resign. Most noticeable thing during this whole episode was reactions which, came from political lobby of India. Many senior and prominent politicians in Indian politics declared Omar Abdulla an emotional fool and immature fallow because he resigned on the civil or moral grounds. It clearly shows that resigning on moral grounds in India considered as an act of foolishness. Does it mean that Railway Minister [Lal Bahadur Shastri] during Nehru regime, who gave his resignation on moral grounds after a rail accident, was an emotional fool? We all know the moral of story.

4. Politics of coalition [an emerging trend in India]
5. Week civil society in India
6. According to my opinion the problem of criminalization of politics is very much interlinked with all other major

problems prevailed in India like illiteracy, poverty, corruption, lack of awareness and sense of responsibility as an Indian citizen

7. Inadequacy of laws to cater this problem
8. Lack of initiative in mango peoples [Aam Aadmi]

### **Recommendations/Efforts by government in this issue:**

To check the rot, several committees and commissions have been appointed for electoral reforms and to look into the gravity of matter. It seems that establishing committees/commissions becomes a routine activity of Indian government or we say that it is a new trend in vogue! These committees have suggested several measures like T.N. Seshan in 1992 [then chief election commissioner of India] aimed at eradicating criminalization of politics. With the efforts of election commission in India, now declaration of all charges pending against a political aspirant becomes obligatory through an affidavit along with nomination form. There is a limit [virtual] on election spending during campaign etc. The concept of "judicial Activism" is also worth mentioning in this issue. But still a lot has to be done to stem the rot. However, law alone cannot clean the electoral system.

**Representation of People Act challenged in the Supreme Court:** In an event that could bring a landmark change in Indian politics and governance, the Supreme Court asked the Centre to respond to a proposition that the law allowing Members of Parliament (MP) and Members of Legislative Assemblies (MLA) to continue despite being sentenced to more than two years' Jail term upon conviction in a

criminal case was discriminatory and encouraged criminalization of politics.

The PIL which was filed by an advocate Lily Thomas contended that an anomalous situation existed under the Representation of People Act, where one provision debarred a person from contesting election for six years on conviction in a criminal case with two years imprisonment while the other allowed MPs and MLAs to continue if they filed an appeal within three months of the judgment of conviction.

Senior Advocate Fali S. Nairman, who appeared as amicus cure in the PIL cited several judgments of the apex court on this point and said that in one case, it had held that **the presumption of innocence of a person ended after a trial court convicted him of an offence.**

For the survival of the healthy democracy as per Will of our freedom fighters, Constitution madders and public at large following suggestions are being recommended:

**Promoting Intra-Party Democracy and Transparency:** Whether by design or by omission, our Constitution does not provide for the constitution and working of the political parties, though they are at the heart of a parliamentary democracy. A parliamentary democracy without political parties is inconceivable. Yet the Constitution (except the Tenth Schedule which was inserted only in the year 1985) does not even speak of political parties whereas article 21 of the German Constitution (Basic Law for the Federal Republic of Germany, 1949), which Constitution was also enacted almost simultaneously with our Constitution, provides for the establishment and working of the political parties. The Article reads thus:

Article 21 (Parties) (1) the parties shall help form the political will of the people. They may be freely established. Their internal organization shall conform to democratic principles. They shall publicly account for the sources and use of their funds and for their assets. Thus is the party doesn't allow candidate with criminal records to contest in the election just imagine, how fair and free would be the democratic process in India.

**Fast Track Courts for Politicians with Criminal Records:** many criminals are just allowed to contest in the elections just because they are not convicted and under the trial of court. This practice can be avoided if special arrangements are made for speedy trial of the politicians with criminal records. Because it needs to be understood that such people should not be allowed to sit in the highly esteemed house of parliament, which decides the fate of the country.

**Stricter Laws:** stricter laws need to be implemented to prevent criminals from contesting the elections. And once convicted he must be barred from contesting any election for the next 10 years or so. Plus parties with more no of criminals must be blacklisted and disciplinary action must be taken.

The fairness and transparency in appointment of the Election Commissioner. Such appointment should be made amounts political persons having decent reads during service.

Appointment of Lokpal should be made passing the Lokpal Bill having all the powers to investigate and punish the corrupt persons from the lowest cadre to top cadre i.e. from Lokpal to Prime Minister.

The persons against whom the charge-sheet has been submitted for the offence punishable with more than seven years should not be permitted to contest the election without prior permission of the High Court.

High penalty must be imposed upon the political parties, who give ticket to the criminal persons to contest the election.

Negative voting may be permitted by amending the law as no one can be compelled to cast his vote to the person to whom he dislikes.

There must be restriction of the number of seats from which one may contest. One must be permitted to contest the election from only one sheet.

**Vote Bank:** A brand of politics encourages leaders to vote on the basis of narrow communal considerations, often against their better judgment, it is considered inimical to democracy. It can happen only in India, where vote-bank politics scores decisively over national interest and issues relating to India's sovereignty. These political parties and independent candidates have astronomical expenditure called vote buying and other illegitimate purposes through these criminals or so called Goons. Politicians link them in their respective constituencies & it develops political crime. People do not know why they compromise the majority of voters of this country. Therefore majority of the voters are purchasable. We all have also witnessed that the political parties are given cabinet post because of their muscle and money power fetches critical votes to them. There is a possible vote bank including those who are accused robbers and murders.

**Loop holes in the functioning of Election Commission:** EC is the body of federal authority responsible for administering till the electoral processes it's the Republic of India, it should take adequate measures to break the nexus between the criminals and the politicians. The forms prescribed by the Election Commission disclosing their conventions, cases pending in the courts and so on in the nomination papers is a step if it is applied in the right direction properly in this way uses facts to inform the people of the history of the candidate and qualifications too, but not prohibit from casting their votes, regardless, in favour of a criminal. Common people hardly understand the rules made by the Election Commission. Bridging this gap is not only essential for rooting out the undesirable elements from politics. People should be guided to make intelligent choices of their kind in choosing their right, favourable candidate.

**Criminalization is a fact of Indian electoral politics today:** The voter's political parties and the law and order machinery of the state are all equally responsible for this. There is very little faith in India in the efficacy of the democratic process in actually delivering good governance. This extends to accepting criminalization of politics as a fact of life. Toothless laws against convicted criminals standing for elections further encourage this process. Under current law, only people who have been convicted at least on two counts are debarred from becoming candidates. This leaves the field open for charge sheeted criminals, many of whom are habitual offenders or history-sheeters. It is mystifying indeed why a person should be convicted on two counts to be disqualified from fighting elections. The real problem lies in the

definitions. Thus unless a person has been convicted, he is not a criminal. Mere charge-sheets and pending cases do not suffice as bars to being nominated to fight on election. So the law has to be changed accordingly. Thus Criminalization of politics and corruption in public life has become the biggest threat to India, the world's largest democracy.

### **'What to do-?'**

1. All Political parties instead of blaming each other should evolve a code of ethics among themselves by consensus and not give ticket to such criminal elements [Stop nurturing crime in politics]
2. The Election Commission has made various recommendations regarding partial state funding of polls which should be given a serious thought by government
3. Steps should also be taken to ensure transparency in the funds of political parties; if it requires framing new laws then government should not hesitate in going ahead
4. Government should adopt an integrated approach towards this problem
5. The candidate should not be allowed to contest election if charges are framed against such person by the court [does not matter whether charges are major or minor]
6. Vigilant public opinion is also required to put pressure on government

7. People have to be sensitized about the malaise of the electoral process. Only then, free and fair poll can be conducted, which will lead to strengthening of democracy in India.
8. Youngster along with civil societies and voluntary groups can spread awareness on mass level so that people can choose educated, sincere, dedicated, transparent and deserving candidates as their political representatives
9. I will strongly recommend and urge to youngsters for being a part of country's politics instead of leaving country to augment brain-drain. Youngsters must come forward to make a drastic and positive change in Indian Politics.
10. Contribution of candid and responsive media may be last but certainly not least

### **Conclusion:**

Criminalization of politics in India is an extremely serious problem, which has already reached dangerous levels. This evil of Criminalization of Politics calls for special attention of the people because the subject revolves around the vested interests of politicians of all hues as such the people can never hope that the politicians would take any initiative to rectify this evil. The prevailing trend is spreading like cancer. It is nullifying all the constitutional safeguards of democracy; that is, it is spoiling bureaucracy by making it partial; it thwarts press; and even threatens judiciary; and thus is destroying the foundation of democracy. So the people should wake up at once and force the political parties to mend their ways. The political parties do not pay attention to inculcate noble political

values and principles of citizenship in the people. They do not promote patriotism and commitment to nation-building. They do not want to unite the people of nation by stressing the importance of harmonious living. On the contrary, they perpetuate the differences among the people and make full use of those differences for creating conflicts among them. The British followed the policy of 'divide and rule'; after India became independent, our politicians have become past masters of the art of creating groups and inciting them against one

another. They want to fish in the troubled waters and when the water is placid. They trouble it to achieve their selfish ends. The corner-stone of democracy is objective discussion of the public issues by the people. The representatives of the people are expected to encourage such discussions, generate valuable ideas and take decisions in the larger interests the people. But even the democratic forums like legislative assemblies and Parliament are not used for sincere discussions

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