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CRIMINALISATION OF INDIAN POLITICS

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Criminalisation of Indian Politics

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Abstract – Due to criminalization of politics there has been a gradual erosion of democratic values of public life. The Election Commissioner G.V.G Krishnamurthy has gone on record to mention that the case is threatening to degenerate into a government of the criminals, for the criminals and by the criminals. Political corruption, political murders, undercutting, leg pulling, by politicians has become the order of the day. This set of politicians in India within the robes of legislators have thoroughly polluted Indian politics and democracy by making it a business proposition. This reason, inter alia, the outer shell of the Indian democracy is undamaged but it appears to be moth-eaten from inside. The entry of criminals within the floor of parliament created disorder, pandemonium within the House by showing their muscle power rather than power of wit which they completely lack. The criminals terrorize and rule and created a situation even the skinny demarcation between the politicians and criminals has disappeared. This work intends to research the matter of criminalization of politics and its effect on the assorted issues and institutions referring to working of the government and socio-political lifetime of the country. Criminalization of politics could be a problem which has generated from within the governmental system and is slowly trying to paralyze every democratic institutions of this country. Criminalization of politics has crept so deep into the system that principles and ideas like Rule of law, political accountability, free and fair elections, democracy, freedom of speech and expression have lost their credence. Only a few elaborative studies are done on the topic of criminalization of Indian politics. So, it might naturally be a vital work to investigate the concept and its effect on the socio political fabric of the country. Likewise, this research work has also discussed the subsequent aspects keeping in mind the matter of criminalisation of politics in India.

Key Words – Politics, Democratic, Environment, Paramount, Criminalisation, Legislative, Corruption.

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INTRODUCTION

Without a clean political environment the event of any nation are going to be a far off dream. Politics today has become the due to reach the corridors of power which is what's creating a controversy. Within the words of the previous President of India Dr. A.P.J. Abdul Kalam, what we've in India today is political politics but what we want is developmental politics. Criminalization of politics isn't the results of any single reason but it's culmination of varied reasons and it also doesn't affect only the political environment and stability of a rustic but it affects the whole growth of the state. From this attitude this study has its importance and significance within the contemporary Indian social legal and form of government. The legislative history of corrupt practice after independence reveals that the initial provision was amended by the Parliament sixfold, i.e. in 1956, 1958, 1961, 1966, 1975 and 1989. Of these amendments except the amendments of 1961 and 1989 curtailed the scope of corrupt practices. Is because criminal background of the politicians is that the primary determinant of criminalization of politics in an exceedingly society. It's also to be mentioned at the start of the study that since it's unimaginable to check all the contested candidates

in both the Assembly elections, therefore, for effective management of the study, a sample has been drawn by following the stratified sampling. Both national and regional political parties maintain liaison between them for every other's benefits in every state of India. Though the link may differ from state to state and from party to party in and of itself.

WHAT IS CRIMINALISATION OF POLITICS

The direct entry of criminals into the political parties and legislature, including parliament through elections and therefore the use of criminal methods and tactics to influence political processes and procedures is an effort to criminalize politics of a society. The politicians are thriving today on the idea of muscle power provided by criminals. The people who constitute the electorate are in most cases reluctant to require measures that may curtail the criminal activities. Once the political aspect joins the criminal elements,' the nexus becomes extremely dangerous and which successively threatening the expansion and development of the country. Criminalization of political process is absolutely a disturbing development for the successful working of Indian democracy. The role of criminal element in

politics is on the rise due to its active participation in politics. These days' high jackers, smugglers and hardcore criminals have joined politics and a few of them successfully contested elections. In keeping with Hon'ble Justice H.R Khanna innumerable legislators in Bihar are those persons whose names are found in police records due to their nefarious activities. This effects the functioning of Indian democracy adversely. Criminalization of politics derives its roots from the defects within the sociopolitical systems. Religion, Caste, absence of political accountability and therefore the influence of varied interest groups and money do play a job in influencing the expansion of criminalization of politics and this all are possible mostly because of the very fact that individuals aren't been able to appreciate the ability of vote which went on due to variety of influencing factors. This problem is incredibly much evident from the actual fact that Indian democracy is quite 60 years old and also the percentage of electorate who goes to poll at the time of election hardly crosses 60%. During this context the role of committee of India and various laws regarding elections like Representation of Peoples Act 1950 & 1951, Conduct of Elections Act 1961 and also the correct to Information Act etc are somewhat not up to the expectation. Although the Commission has taken many steps to curb criminalization of politics, it's not yielded the required results. The Commission has to be armed with more powers than it's at the moment then only it is expected to hold out its functions effectively as desired by the Constitution of India. And, lastly the role of media is additionally very commendable in curbing the criminalization of politics. During the elections the role of media assumes way more significance and relevance due to their role of informing the general public at large about the political parties, their manifestoes and exposing their electoral malpractices. Except for many another reasons the media is additionally not been able to perform its fundamental duties. Thus, the matter of criminalization of politics and therefore the rapid declination of political ethics isn't the results of one cause but it's a culmination of assorted reasons as stated above.

ROLE OF ELECTION COMMISSION

India stands as a model for several emerging democracies round the world. While we are justifiably happy with our democracy, there are variety of areas which require to be strengthened to understand truth potential of a well-functioning democracy. Our election system, from the choice of candidates, to the style within which funds are raised and spent in election campaigns, are in dire need of great changes, during a democratic polity election plays a major role. It's through elections that the mandate for forming the govt. is set, the political leadership for controlling the state is chosen, the general public opinion on various issues is ascertained and therefore the law makers are chosen. Elections are complex events involving individual and collective decisions which directly affect, and are laid low with the whole political and human process. They open up process. They open up

channels between the polity and therefore the society, between the elites and therefore the masses, between the individual and his government. They're major agencies of political socialization and political participation. Election is that the formal process by which voters make their political choices on public issues or candidates for post. The employment of elections within the modern era dates to the emergence of representative's in Europe and North America since the 17th century. Regular elections serve to carry leaders in charge of their performance and permit an exchange of influence between the governor and also the governed. The provision of alternatives could be a necessary condition. With a view to understand the importance of free and fair election during a democracy, the researcher intends to check the role of the commission in conducting free and fair poll in India and its necessity for fulfillment of democracy. The road to politics of the criminals is that the elections. It's elections through which the political parties create nexus with the criminals by providing tickets to them. With their money and muscle power they manage to induce elected within the election and this can be how the electoral politics has been criminalized which successively criminalized the Indian politics. Therefore, within this article, it's intended to debate the entry of criminals in Indian politics through elections with the blessings of the political parties. A trial has also been made to debate the behavior of the political parties and to look at their contribution in conducting free and fair poll in India. The first concern is to research the results of criminalization of politics in conducting free and fair poll in India. It's also been proposed to debate the requirement of a brand new agenda of electoral reforms to conduct free and fair polls. One in all the foremost important features of a democratic polity is elections at regular intervals. Elections constitute the signpost of democracy. Elections gave people a government and therefore the government has Constitutional right to manipulate those that elect it. Elections are the central democratic procedure for choosing and controlling leaders. Elections provide a chance to the people to precise their faith within the government from time to time and alter it when the requirement arises. Elections symbolize the sovereignty of the people and supply legitimacy to the authority of the govt. Thus the concept of free and fair election forms an integral part of the Indian political and structure. But in spite of those express laws and Constitutional provisions the voting system of the country isn't free from defects and problems like booth capturing, criminalisation of politics, low voter turnouts and use of muscle and money power.

LEGISLATIVE AND JUDICIAL RESPONSE TO CRIMINALIZATION OF POLITICS

It has been observed that the elections in India don't seem to be free from political and criminal vices. The nexus between the political parties and therefore the criminals has become more pertinent which has posed an excellent deal of difficulty and challenge ahead of

the commission of India to carry free and fair elections in India. Within the present article, therefore, an effort has been made to analyse the role played by the Judiciary and therefore the Legislative bodies to curb criminalisation of politics in India. The Parliament of India has enacted various laws and framed rules and regulations to curb criminalisation of politics but nothing seems to have worked till now. The question of criminalization of politics came to the forefront again within the 15th Lok Sabha elections. All told of those elections there are evidences of involvement of the criminals defying the prevailing laws of elections. The Indian judiciary has always been within the epic of its stature. The role of Indian judiciary can never be denied of, ever since the independence of India the judiciary has always stood the test of your time. The Judiciary being the guardian of the Constitution is entrusted with the responsibility of safekeeping of the Constitutional ideals, and in and of itself the Judiciary has on different times showed great concern over the problems and problem concerning the rights of common men and society including criminalisation of politics. Within the present study an effort has been made to look at the varied judicial pronouncements and also the role of judiciary concerning criminalisation of politics in India. There's a crisis of legitimacy in our social group. While we've outstanding men and women publically life, a flawed electoral process is increasingly alienating public-spirited citizen from the political and electoral arena. The persons best equipped to represent people find it impossible to be elected by adhering to law propriety. On the opposite hand, someone with a criminal and corrupt record getting elected to legislatures seems to possess become the norm. The matter of criminalisation goes well beyond the political fate of few individuals. The impact of criminalisation of politics in India has reached such an alarming stage that if it continues in such an unprecedented way then within the near future the complete governmental machinery will collapse.

CONCLUSION

The present study of the nexus between the politicians and also the criminal's reveals that the nexus between the politicians and also the criminals has become very prominent altogether the states. From the study of the nexus between the politicians and also the criminals, it's found that as their relation is growing all told the Indian states, it should be said that the growing relation between them is responsible in criminalization of politics. There has been a pervasive trend towards criminalization of politics and an exceptional rise in gangsterism and mafia rule the Indian political process. Another overriding reason for criminalization of Indian politics is that political parties select and nominate those candidates who have better chance to win within the election. Generally winability of such candidates is decided by their money and muscle power. Political parties nominated and rewarded such persons with ministerial office. No organisation is exempt from this behavior. In such behaviour

'winability' of the candidate is all important whoever can spend extra money, deploy muscle power and mobilize people by unfair means have gotten tickets to contest within the election. During this vicious circle created by the political parties misgovernance and criminalisation grow and 'good' candidates are left with no chance of winning. It's to be mentioned here that the political parties give tickets to the criminals to contest the election because in most cases they're not convicted and in most cases, cases are either under investigation or just charge sheeted. The police out of fear of reprisal wanted to stay the investigations pending. On the opposite hand, the court doesn't give importance to quick disposal of such cases where powerful gangsters are involved. This reason, inter-alia the amount of criminals within the legislatures has gone up and politics of India has been criminalized. Nexus between politicians and gangsters is that the most formidable problem for the longer term of Indian politics every segment of the Indian society must get up. Manfully and fight every adverse influence, political or executive rather than leaving the longer term of the country within the hands of the criminals.

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