

23-02-2021

Governance.

Role of money

Electoral Bonds

It defeats the fundamental principle of transparency in Pol. finances.

features →

- ① The Bonds would be issued in the multiples of 1000, 10,000, 1 lakh, 1 crore.
only the Pol. Party registered under RPA Act, 1951 and secured not less than 1% votes in Lok Sabha and legislative assembly will be eligible to receive electoral Bonds.

It would be valid for 15 days
from the date of issue. currently,
issued by SBI. The donor and

the party details will be available
with the banks but the Pol. Party
would not be aware of "who donor
is"

Issues

① It would facilitate co-operate
funding (influencing policy making).
loyalty to the ruling party and
open the way for legitimising bribery

and corruption. (In 2017-18 a total of

2.20 cr of bonds were issued,

out of this 95% went to B.J.P.

97% of the bonds purchased were

in denomination of Rs 10 lakh

and Rs 1 crore. AIC to ADR

Pol. Party has received a total
of electoral bond worth 6,000 cr
till ~~Jan~~ Jan 2020 !!
BJP got 60% of the bond and
Congress got 31%.

(2) The govt. at any point of time
can look for the names of the
anonymous donor through illegal means
(fear aspect)

Election commission has write letter to
the centre saying that the changes
made in the laws relating to Pol.
funding will have serious repercussions
on transparency.

It had also said that changes in FCRA, would allow unchecked foreign funding in Indian election, which would lead to Indian Policy influenced by foreign Party.

Election Commission, has said that citizens/voters do not have or should not have interest in how, and from where, and ~~who~~ from whom Pol.

Party gets their money (killing the essence of RTE Act). He said that there appears to be no larger Public interest overriding the right to privacy of the donor and recipient concern.

State funding of Elections

Indra Seet gupta committee, 1998 - It

endorse state funding of elections and

it put two limitations -

(a) state fund should only be given

to national and state parties and

not to independent candidates.

(b) state funding, should only be given in kind (in form of certain facility)

Law commission, 1999

Its reports concluded that state

funding of election is desirable

so long as the pol. parties are

Prohibited from taking funds from other sources.

It concurred with indrajit gupta committee, only partial state funding is possible given the economic condition of country.

(2nd ARC) → also recommends

Partial state funding of elections for the purpose of reducing illegitimate and unnecessary funding.

[NCEW] → did not endorse

State funding of election.

Law Commission Report, 2015 (electoral

reforms] → supports the current

system.

Positives →

- ① It would reduce the role of money
- ② It could contribute to the growth of democracy by helping party that would otherwise decline due to resource shortage.

concern →

- ① It creates a level playing field only if it blocks other funding channels (undisclosed private funding still might be there).
- ② Additional burden on the state.

Sweelen, Canada and to some extent Japan does show effective public spending and does reduce

dependency on private entity, but
we need to understand that it is
more of transparency that lead to
this effect.

Misuse of caste, Religion
for electoral gains

section 12.3(3) of RPA Act defines
corrupt practices ~~as~~ → appeals made
by a candidate or his agent ~~as~~
to vote or refrain from voting on
the ground of his religion, race,
caste, community or language.

Abhiram Singh Case, 2017 the
court ruled politician cannot
use religion, caste to seek votes.
These would amount to corrupt
practices under electoral laws.
Election is a secular exercise.

Regulation of Pol. Parties

More than 1600 parties are registered
with election commission of India.
However, only few contest election, ECI
should be allow to deregister such
parties which do not contest two
consecutive elections.

Intra party Democracy

There should be mandatory, secret,
ballot voting for all elections for all
intra party post and selection of

candidates by registered members
overseen by election commissioner of
India.

Majority System

2 round system → Egypt, France

Single transferrable voting system → Australia

→ Pacl news

→ issue of non-serious candidate

→ Misuse of govt. machinery

Problem with election
System in India

~~Totaliser system~~ machine

Totaliser machine

Introduction of totaliser machine

for counting of votes increases the

secrecy of voting by counting votes at
14 booths together against the current
poll

Practice of announcing the booth wise results. A19 to election commission, the identification of area-wise voting trend could encourage candidates and pol. parties to target areas, where they got less votes.

The pol. parties says boothwise performance of candidate is imp. for booth management.

Simultaneous elections

↳ one nation, one election

During the ^{first} ~~1st~~ 4 General elections, there were simultaneous polls throughout the country, but this cycle was disrupted with the premature dissolution of Lok Sabha in the late 60's.

Also, centre has been misusing
the Art. 356, frequently
The idea of simultaneous elections has
been discussed by ECF, since 1982.

The law commission report 1999 and parliamentary
standing committee on Personal, Public
Grievances, law and justice in its
79th reports suggested to hold
simultaneous elections for long term
good governance.

(Positives) →

- ① It is a solution to prevent country
from being in constant election
mode (In 3 years (2014-16) the
country witness 1 General elections
15 state elections).

② It will also ensure better implementation of policy. (uninterrupted years of govt.)

③ key leaders holding imp. govt. posts.
are tied for months in campaigning
across the countries leaving the
functioning of govt. in the hands
of bureaucracy.

① It is a solution to prevent country from being in constant election mode (in Spain, 2011) the country without a general election (2 state elections).