

# EC HAS VAST POWERS TO ACT AGAINST CRIMINALISATION OF POLITICS: EXPERTS

Relevant for: Indian Polity | Topic: Elections, Election Commission and the Electoral Reforms in India Incl. Political Parties

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Legal and political experts on Thursday said the Election Commission could do more to stop the criminalisation of politics, during a discussion on the implementation of the Supreme Court's February 2020 directions to political parties on publicising criminal antecedents of candidates.

Retired Supreme Court judge Madan B. Lokur said during the webinar organised by the Association for Democratic Reforms (ADR) that with the assumption that political parties would not cooperate, the EC and the judiciary would have to play their parts. He said the EC had "vast powers", including under Article 324 of the Constitution.

"All kinds of things are possible if the EC applies its mind to it. It has the power to say that persons accused of crimes cannot stand for elections," Justice Lokur said. He said it was his guess that the EC had not brought it to the Supreme Court's notice that parties had not complied with the order. He added that the role of the judiciary was also important as cases remain pending for years.

Sukhendu Sekhar Roy, an All India Trinamool Congress MP, said he carried the "stigma" of having a pending case since 2010. He said the EC should issue show-cause notices to parties if it finds the reasons they give for selecting a candidate with criminal antecedents "not in consonance with the intent or purport" of the SC's order.

Former Chief Election Commission O.P. Rawat, however, said he did not agree with the suggestion that the EC should use its plenary power. Citing the SC, he said the EC had "no locus standi to enter the political process per se". He said the investigation and trial of cases should be expedited and there should be an effort to disseminate information to voters.

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