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Cleansing of Public Life and Electoral Reforms: Public Interest Litigation

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There is no reason whatever to suppose that this means Government by judges. It means Government by Governments, but within a framework of rules, the judges being the umpires.

Sir William Wade

Abstract:

The prevalence of corruption in India today is a matter of 'National concern'. There are a number of people benefiting from the corrupt system. These are people who occupy positions in government, politics, business, bureaucracy and even educational institutions. Unfortunately, there is the growing tolerance and acceptance of corruption where active citizenry should adopt zero-tolerance to corruption, it may not be possible to meet the challenge. In a number of cases the Supreme Court has taken up the issues concerning political corruption and misuse of administrative discretion for enforcing probity in public life and accountability of public men. The Court has dealt with PILs where the trust reposed in persons holding public positions and exercising public power has been belied.

Key words: Corruption, democracy, zero tolerance, universal adult franchise, election, right to vote. NOTA, EVM, citizen, Public Interest Litigation, right to know.

I. Introduction

Democracy is the basic feature of our constitutional set up. Free and fair election would alone guarantee the growth of a healthy democracy in the country. Universal adult suffrage conferred on the citizens of India by the Constitution has made it possible for millions of individual voters to go to the polls and thus participate in the governance of the country. Democracy can function only when the people are free to vote for the candidates of their choice. An essential component of a constitutional democracy is its ability to give and secure for its citizenry a representative form of government, whose members are men and women of high integrity and morality. This could be said to be the hallmark of any free and fair democracy.DrRajendra Prasad, the Chairman of Constituent Assembly observed:

> It requires men of strong character, men of vision, men who will not sacrifice the interests of the country at large for the sake of smaller groups and areas...We can only hope that the country will throw up such men in abundance.

On 25th Nov 1949, Dr. BR Ambedkar, the architect of the Constitution observed that 'the Constitution can provide only the organs of State such as the Legislature, the executive and the Judiciary. The factors on which the working of those organs of the State depend are the

people and the political parties they will set up as their instruments to carry out their wishes and their politics'. He emphasized:

> I feel, however good a Constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad lot. However, bad a Constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot. The working of a Constitution does not depend wholly upon the nature of the Constitution. (Ambedkar: 2003)

The observations made by the Supreme Court in NidhiKaim (Vyapam case), 2017, in view of administrative corrupt practices in professional education are worth noting, 'We may well not have won our freedom, if freedom fighters had not languished in jails … and if valuable lives had not been sacrificed. Depending on the situation, even civil liberty or life itself, may be too trivial a sacrifice, when national interest is involved. It all depends on the desired goal. The preamble of the Indian Constitution rests on the foundation of governance, on the touchstone of justice. The basic fundamental right, of equality before law and equal protection of the laws, is extended to citizens and non-citizens alike, through Article 14 of the Constitution, on the fountainhead of fairness.' TheCourt rejected the claims of the appellants for individual or societal benefits where corrupt practices in professional education created crisis in education. The Court further observed that 'National character, in our considered view, cannot be sacrificed for benefits – individual or societal. If, we desire to build a nation, on the touchstone of ethics and character, and if our determined goal is to build a nation where only the rule of law prevails, then we cannot accept the claim of the appellants, for the suggested societal gains.'

Indian democracy, which is the world's largest democracy, has seen a steady increase in the level of criminalization that has been creeping into the Indian polity. As per the report of Association of Democratic Reforms (ADR) on September 25, 2018-

1) 115 LokSabha MPs (21% of the total) and 20 RajyaSabha MPs (9%) are facing serious criminal cases.

2) Out of 4,083 MLAs analysed by ADR, 891 MLAS (22%) are facing serious criminal charges.

3) There are 48 MPs and MLAs against whom the cases of for crimes against women have been filed;

4) 58 MPs and MLAs are facing cases related to hate speech;

5) 64 MPs and MLAs are facing kidnapping charges; and

6) 56 MPs and MLAs are facing cases related to murder. Many are charged with multiple offences.

The specific danger posed to the democratic processes from such elected representatives is their ability to use their power to assert influence over law-making, public officials and institutions like police and investigative agencies to their advantage.

One of the most distinctive features of recent PIL jurisprudence has been the growing concern of the judiciary to ensure that all government agencies, entrusted with the duty to discharge their functions and obligations in accordance with law, do so, bearing in mind constantly the concept of equality enshrined in the Constitution and the basic tenet of rule of law: 'Be you ever so high, the law is above you'. This is imperative to retain public confidence in the impartial working of the government agencies (VineetNarainCase: 1996).According to Dr. Justice AS Anand the corruption has spread its tentacles to every sphere of national life. It is one of the biggest threats to human rights and development. To quote him:

> Corruption inhibits enjoyment of human rights. It has become all pervasive and is eating into the vitals of the society. It directly contributes to inequalities in income, status and opportunities. It remains one of the biggest threats to 'full human development' and 'human rights for all'. It undermines the rule of law. It distorts the development process and also poses a grave threat to human security. Corruption is not a new phenomenon. What is new and worrying is the magnitude and size of corruption (Anand J:2006).

II. Citizens Fight with Corruption

The Corruption is anti-national, anti-economic development and anti-poor. According to John B Monterio this problem has the capacity to create havoc if not nipped in the bud (Monterio: 1966/20). According to the Corruption Perception Index, published in 2000 Transparency International, India's rank was 72 out of 91 countries. In 2020, India was ranked 78 out of 180 countries (CPI: 2018).The prevalence of corruption in India today is a matter of 'National concern'. What is more unfortunate, today is the growing tolerance and our acceptance of corruption as an inevitable and integral part of the civil society. Unless an alert and active citizenry adopts zero-tolerance to corruption and shuns the corrupt, it may not be possible to meet the challenge. According to Sri N Vittal, former Chief Vigilance Commissioner, Corruption is the use of public office for private gain. It logically follows that the corrupt person generally is a public servant. In the Indian law, only a public servant can be guilty of corruption under the Prevention of Corruption Act. This includes both the members of the permanent bureaucracy and also members the legislature and ministers. (Vittal: 2002).

The Central Vigilance Commission was set up by the Government in February, 1964. The CVC is conceived to be the apex vigilance institution, free of control from any executive authority, monitoring all vigilance activity under the Central Government and advising various authorities in Central Government organizations in planning, executing, reviewing and reforming their vigilance work. Subsequent to the directions of the Supreme Court for making CVC statutory body in public interest litigation filed by Shri VineetNarain known as Hawala case, 1996 the government promulgated an Ordinance in 1998 and subsequently the Central Vigilance Commission Act,2003 conferred "statutory status" to it. It also exercises powers of superintendence over functioning of the Delhi Special Police Establishment, and also to review the progress of the investigations pertaining to alleged offences under the Prevention of Corruption Act, 1988, conducted by them. Apart from

CVC, there is the Central Bureau of Investigation (CBI) at the central level and Anti Corruption Bureaus at the State Government level. Further, every department and public sector of government in India has a Chief Vigilance Officer (CVO).

III. A global war against corruption

Internationally, the world community has been concerned about the growing phenomenon of corruption and that progress on reaching the Millennium Development Goal (MDG) of reducing extreme poverty by 2015 is dependent on tackling corruption. Poverty and corruption are clearly linked, corruption leads to poverty. With a view to launch a global war against corruption, United NationsConvention against Corruption was adopted by the General Assembly on October 31, 2003, in Merida, Mexico, which was signed by 95 countries including India. This Convention deals with crucial aspects of corruption. It is a significant step towards meeting the challenge of corruption.

IV. Criminalization and corruption in politics

i) To know bio-data of a Candidatecontesting Election

The serious issues involving criminalization and corruption in politics came into consideration in landmark case, *Peoples Union for Civil Liberties v. Union of India, 2003.* The Court observed that there has been mounting corruption in all walks of public life where people are generally lured to enter politics or contest elections for getting rich overnight. It is essential by law to provide that a candidate seeking election shall furnish the details of all-

- his assets (movable/immovable) possessed by him/her, and by his family members, and
- about his involvement in serious criminal offences and
- his criminal background and
- about his educational qualifications duly supported by an affidavit.

It was observed by the Court that right of a voter to know bio-data of a candidate is the foundation of the democracy. The old dictum-let the people have the truth and the freedom to discuss it and all will go well with the government-should prevail. JJ. M.B. Shah and Dharmadhikari observed:

> Foundation of a healthy democracy is to have well-informed citizens- voters. The reason to have right of information with regard to the antecedents of the candidate is that voter can judge and decide in whose favour he should cast his vote… Exposure to public scrutiny is one of the known means for getting clean and less polluted persons to govern the country. A little man, a citizen, a voter is the master of his vote. He must have necessary information so that he can intelligently decide in favour of a candidate who satisfies his criterion of being elected as M.P.or M.L.A. (Ibid: 2376).

The court observed that the voters' right to know antecedents of the candidates contesting election to the legislatures is a fundamental right under Art. 19(1)(a). It is at par with fundamental rights under Chap. III of the Constitution. To quote:

The voters' right to know that antecedents of the candidates is based on interpretation of Art. 19(1)(a) which provides that all citizens of this country would have fundamental right to "freedom speech and expression" and this phrase construed to include fundamental right to know relevant antecedents of the candidate contesting the elections(Ibid: 2382).

ii) Right to information of the voter/citizen

The *right to know* was raised to the status of Art. 19(1)(a) for the first time in *Union of India v. Association for Democratic Reforms, 2002*, which is the forerunner to the present controversy. The right to information of the voter/citizen is sought to be enforced against an individual who intends to become a public figure and the information relates to his personal matters. The court issued direction to the Election Commission (EC) to ask a candidate seeking election to furnish the details of all his assets (movable/immovable) possessed by him/her, and by his family members, and about his involvement in serious criminal offences and his criminal background. Accordingly directives were issues by the Election Commission. By virtue of the Representation of the People (Amendment) Act, 2002, Secs. 33-A and 33-B were added in the Representation of the People Act where the constitutionality of S. 33-B was challenged in this PIL. The Court observed S.33-B as void and ultra-vires holding that the plain effect of S.33-B was to put an embargo to nullify substantially the directives issued by the Election Commission pursuant to the judgment of the Court of 2002.

It blocked the ambit of disclosures only to what has been specifically provided for by the amendment. The Parliament failed to give effect to one of the vital aspects of the information viz. disclosure of the assets and liabilities and failed to give effect to right to information as part of fundamental right. The new situations coupled with experiences drawn from the past may give rise to the need to insist on additional information not provided by law. The Court observed that the exposure to public scrutiny is one of the known means for getting clean and less polluted persons to govern the country. The information relating to the candidates will pave the way for public debate on the merits and demerits of the candidates and then the press, as a media of mass communication and voluntary organizations vigilant enough to channel the public opinion on right lines will be able to disseminate the information and thereby enlighten and alert the public at large regarding the adverse antecedents of a candidate.In Resurgence India v. Election Commission of India, 2013 the Supreme Court reiterated its view that a voter has the elementary right to know full particulars of a candidate who is to represent him in Parliament and such right to get information is universally recognised natural right flowing from the concept of democracy and is an integral part of Article 19(1)(a) of the Constitution.

iii) Negative vote: to foster the purity of the electoral process

In *People's Union for Civil Liberties v. Union of India, 2013*, the Supreme Court observed that in a vibrant democracy, the voter must be given an opportunity to choose none of the above (NOTA), which will indeed compel the political parties to nominate a sound candidate. This situation palpably tells us the dire need of negative voting. Not allowing a person to cast vote negatively defeats the very freedom of expression and the right ensured in Article 21 i.e. the right to liberty. Democracy is all about choice. This choice can be better expressed by providing NOTA button in the EVMs, it will accelerate the effective political participation in the present state of democratic system and the voters

in fact will be empowered. The Court observed that in bringing out this right to cast negative vote at a time when electioneering is in full swing, it will foster the purity of the electoral process and also fulfill one of its objective, namely, wide participation of the people.
The voting machines in the Parliament have three buttons, namely, Ayes, Noes, and Abstain. Therefore, it can be seen that an option has been given to the members to press the Abstain button. The NOTA button is exactly similar to the Abstain button. The 12 countries, viz, France, Belgium, United States of America and Brazil etc. have provided for neutral/protest/negative voting in their electoral systems. The Court directed the Election Commission to provide necessary provision in the ballot papers/EVMs and another button called "None of the above" (NOTA). The Government of India was directed to provide necessary help for implementation of the above direction. Besides, the Election Commission was directed to undertake awareness programs to educate the masses.

iv) Two years imprisonment: Lose of Membership

In landmark judgement*Lily Thomas v Union of India, 2013*, the Supreme Court strengthened the parameters of qualification by declaring Section 8(4) of Representation of People Act, 1951 as ultra vires of the constitution. The Court held that any legislator/parliamentarian convicted of a crime and awarded a minimum of two-year imprisonment loses membership of the house with immediate effect and a person, who is in jail or in police custody, cannot contest election to legislative bodies.

This is in contrast to the earlier position, wherein convicted members held on to their seats until they exhausted all judicial remedy in lower, state and Supreme Court of India. Further, Section 8(4) of the Representation of the People Act, which allowed elected representatives three months to appeal their

This case has almost changed the dimension of Indian democracy, the criminal politicians are now fearful and Indian people have increased their faith in Indian judiciary to greater heights. With conviction and vacating the seats of some of the eminent leaders like J. Jayalalithaa, Lalu Prasad Yadav, Rasheed Masood and many more Indian judiciary has proved itself that between politician and Indian Constitution, always the Indian Constitution will be upheld.

v) Trial be concluded within a year of charges

In *Public Interest Foundation v Union of India (2014),* the Supreme Court ordered that trials, in relation to sitting MPs and MLAs be concluded within a year of charges against them being framed.

vi) Legal disqualifications that prevent a person from holding office outside a party should operate within the party as well

In *Public Interest Foundation v. Union of India, 2018,* the issue that emerges for consideration before the Bench is whether disqualification for membership can be laid down by the Court beyond Article 102(a) to (d) and the law made by the Parliament under Article 102(e). It has been highlighted by the petitioners that criminalization in politics is on the rise. It is suggested that

political parties should refrain from appointing or allowing a person to continue holding any office within the party organisation if the person has been deemed to lack the qualities necessary to be a public official. Therefore, the legal disqualifications that prevent a person from holding office outside a party should operate within the party as well

It is highlighted that if members of Public Service Commission, Chief Vigilance Commissioner and the Chief Secretary can undergo the test of integrity check and if "framing of charge" has been recognized as a disqualification for such posts, then there is no reason to not extend the said test of "framing of charge" to the posts of Members of Parliament and State Legislatures as well. The petitioners pointed out that such persons hold the posts in constitutional trust and can be made subject to rigours and fetters as the right to contest elections is not a fundamental right but a statutory right or a right which must confirm to the constitutional ethos and principles.

The Court laid down directions to be implemented in true spirit and right earnestness in a bid to strengthen the democratic set-up. There may be certain gaps or lacunae in a law or legislative enactment which can definitely be addressed by the legislature if it is backed by the proper intent, strong resolve and determined will of right-thinking minds to ameliorate the situation. Important directions are as follows:
(i) Each contesting candidate shall fill up the form as provided by the Election Commission and the form must contain all the particulars as required therein.
(ii) It shall state, in bold letters, with regard to the criminal cases pending against the candidate.
(iii) If a candidate is contesting an election on the ticket of a particular party, he/she is required to inform the party about the criminal cases pending against him/her.
(iv) The concerned political party shall be obligated to put up on its website the aforesaid information pertaining to candidates having criminal antecedents.
(v) The candidate as well as the concerned political party shall issue a declaration in the widely circulated newspapers in the locality about the antecedents of the candidate and also give wide publicity in the electronic media. When we say wide publicity, we mean that the same shall be done at least thrice after filing of the nomination papers.

The Court observed that time has come that the Parliament must make law to ensure that persons facing serious criminal cases do not enter into the political stream.

vii) Disclosure of wealth of the candidates, their spouse and dependents

In LokPrahari v. Union of India,2018 the Supreme Court ordered one more directive for electoral reforms for the additional disclosure of income source by aspiring candidates. The Centre has been asked to legislate on the same, along with the mandating the disclosure of wealth of the candidates, their spouse and dependents and for establishing a permanent mechanism to investigate any disproportionate increase in the assets of lawmakers while in office. The court has also stressed that non-disclosure of assets and their sources would amount to "corrupt practice" under Representation of People Act, 1951.The court has asked the parliament to legislate on its directives.

viii) Removal of tainted Ministers from the Cabinet

In*ManojNarula v. Union of India, 2014,* the five-judge Constitution Bench decided on a public interest litigation petition seeking the removal of tainted Ministers from the Cabinet. The writ petition was filed by the petitioner assailing the appointment of some of the original respondents as Ministers to the Council of Ministers of Union of India despite their involvement in serious and heinous crimes. The case involved interpreting Articles 75 and 164 of the constitution, which deal with the advice tendered to the president and governor by the prime minister and chief minister. The president is bound to act on the advice of the prime minister, so it is incumbent upon him to assent to the prime minister's choice of cabinet ministers.

The Supreme Court held that the Prime Minister as the trustee of the Constitution was expected to act in accordance with constitutional propriety and not appoint unwarranted persons as Ministers.The Court refused to add a new disqualification in the Constitution for appointment as Ministers, saying it was the prerogative of the Prime Minister or the Chief Minister of a State to appoint Ministers of his/her choice under Article 75(1) or Article 164(1) .

The Court held that while interpreting Article 75(1), definitely a disqualification could not be added. But regard being had to the role of a Minister in the Council of Ministers and keeping in view the sanctity of oath he takes, the Prime Minister, while living up to the trust reposed in him, is expected not to choose a person with criminal antecedents against whom charges have been framed for heinous or serious criminal offences or charges of corruption to become a Minister of the Council of Ministers. This is what the Constitution suggests and that is the constitutional expectation from the Prime Minister.

V. Administrative corrupt practices in professional education

*In NidhiKaim v. State of MP on 2017,*around 634 admissions were found to be the product of organised fraud and forgery in MBBS. It was found that **a** corrupted administrative machinery including government officials, doctors, middle man, juvenile students, and their parents were involved in the scam. The examination process conducted by Vyapam for the years 2008 to 2012 during six consecutive academic sessions was vitiated. In this unethical plan the system having been manipulated, at the hands of at least 634 candidates. The seating plans were distorted, process of computer falsification was done for achieving the purpose. It was as a scam. The appellants' admission to the MBBS course, was the outcome of a well orchestrated strategy of deceit and deception, to circumvent well laid down norms. The Supreme Court cancelled all admissions. In other words all students who committed fraud and forgery at any stage, be it MBBS 3rd or 4th year or even received degree, were dragged back to their original position. The Court observed thatthe appellants, had gained admission to the MBBS course, by established fraud, which was indeed the most grave and extreme.

One of the contentions advanced by learned counsel for the appellants also was, that the appellants had acquired "knowledge" while pursuing the MBBS course. It was pointed out, that even in the present age of scientific development, it was not possible to transfer "knowledge" (intellectual property) acquired by the appellants, to those who may have been the rightful beneficiaries thereof. It was submitted, that besides the individual loss, which the appellants would suffer, the nation

would suffer a societal and monetary loss, if their admission to the MBBS course, was not preserved. A detailed reference, in this behalf, was made to the vacancies of medical doctors in the State of Madhya Pradesh, at all levels of health care. It was submitted, that all the appellants, were at a very important crossroad of life, and were under immense pressure, both parental and societal, at the relevant time, when they strayed into forbidden territory.It was therefore pleaded to preserve the "knowledge", acquired by the appellants. It was also pointed out, that if the suggested course was adopted, no one would suffer any loss.

The court rejected the claims of the appellants observing that conferring rights or benefits on the appellants, would amount to **espousing the cause of 'the unfair'**. It would seem like, **allowing a thief to retain the stolen property**. It would seem as if, the Court was not supportive of the cause of those who had adopted and followed rightful means. Such a course, would cause people to question the credibility, of the justice delivery system itself. It would surely depict, the Court's support in favour of the sacrilegious. It would also compromise the integrity of the academic community. It was observed that in the name of doing complete justice, it is not possible for this Court to support the vitiated actions of the appellants.

VI. CLEANSING OF PUBLIC LIFE

Guidelines on whistle blowers

The corruption has increased manifold in the Government Departments, but it has become difficult to tackle it. The Law Commission (2001) has recommended the need for a Whistle Blower's Act. Such an Act, if enacted will not only ensure transparency in administration but also provide a sense of security to whistle blowers. The efforts of the Government to introduce 'Public Interest Disclosure (Protection of Informers) Bill', popularly known as 'Whistle Blowers bill' could not succeed. The issue assumed significance in the light of the murder of National Highway Authority of India's Deputy General Manager SatyendraDubeyin November 2003. Two PILs were filed in the Supreme Court following the exposure of the murder by a national daily, Indian Express. Mr. Dubey wasreportedly killed because his letter to the Prime Minister's office highlighting corruption in the Bihar stretch of the Golden quadrilateral national highway project, got leaked. A bench comprising Justice Ruma Pal and J.P.V. Reddy suggested that the Central Vigilance Commission (CVC) be empowered to protect 'Whistle Blowers' for ensuring impartiality and fairplay. The Supreme Court recommended the CVC to set up a mechanism to protect those who bring to light, specific instances of corruption in the Government.

The Law Commission's 179th Report on Public Interest Disclosures and the Protection of Informers, prepared by Justice B P. JeevanRedey states thus: "Good-faith whistleblowers represent the highest ideals of public service and challenge abuses of power. They test loyalty with the highest moral principles but place the country above loyalties to persons, parties or Governments."(LCReport: 2001)In Indirect Tax Practitioners Assn. v. R.K.Jain,2010, the Supreme Court observed:

> A whistleblower is a person who raises a concern about the wrongdoing occurring in an organisation or body of people. Usually this person would be from that same organisation. The revealed misconduct may be classified in many ways; for example, a violation of a law, rule, regulation and/or a direct threat to public interest, such as fraud, health/safety violations

> and corruption. Whistleblowers may make their allegations internally (for example, to other people within the accused organisation) or externally (to regulators, law enforcement agencies, to the media or to groups concerned with the issues)."

Indirect Tax Practitioners Assn. v. R.K. Jain, 2010

Whether by writing editorial, which was published in Excise Law Times dated 1.6.2009 with the title "CESTAT President Sets House in Order - Annual Transfers for Members Introduced –Registry in Line", the respondent violated the undertaking filed in this Court in Contempt Petition (Criminal) No.15 of 1997 and whether contents of the editorial constitute criminal contempt within the meaning of Section 2(c) of the Contempt of Courts Act, 1971, were the questions which needed consideration in Indirect Tax Practitioners Assn v. R.K. Jain, 2010filed by Indirect Tax Practitioners' Association, Bangalore under Articles 129 and 142 of the Constitution of India.

The petitioner has sought initiation of contempt proceedings against the respondent by asserting that the editorial written by him was in clear violation of the undertaking given to this Court that serious complaint regarding the functioning of the Tribunal would be brought to the notice of the Chief Justice of India, and/or the Ministry of Finance and response or corrective action would be awaited for a reasonable time before taking further action. According to the petitioner, the editorial in question would not only create a sense of fear and inhibition in the minds of the members who were entrusted with the onerous task of dispensing justice, but also prevent the advocates and practitioners who appear before CESTAT from advancing the cause of their clients without any apprehension of bias/favouritism. The petitioner also pleaded that by targeting the particular member of CESTAT, the respondent had scandalized the entire institution.

The Court observed that 'the petitioner has tried to project the editorial as a piece of writing intended to demean CESTAT as an institution and scandalize its functioning but we do not find anything in it which can be described as an attempt to lower the authority of CESTAT or ridicule it in the eyes of the public. Rather the object of the editorial was to highlight the irregularities in the appointment, posting and transfer of the members of CESTAT and instances of the abuse of the quasi judicial powers.

The respondent is not a novice in the field. For decades, he has been fearlessly using his pen to highlight malfunctioning of CEGAT and its successor.At this juncture, it will be apposite to notice the growing acceptance of the phenomenon of whistleblower.

> Whistleblowers may report the misconduct to lawyers, the media, law enforcement or watchdog agencies, or other local, state, or federal agencies. In our view, a person like the respondent can appropriately be described as a whistleblower for the system who has tried to highlight the malfunctioning of an important institution established for dealing with cases involving revenue of the State and there is no reason to silence such person by invoking Articles 129 or 215 of the Constitution or the provisions of the Act.

The Court observed that 'the petition lacks bonafide and is an abuse of the process of the Court and the petition is dismissed'.

To conclude, in the discharge of its constitutional responsibility of conducting free, fair and peaceful elections in the country, the hands of the Election Commission have been strengthened by the Supreme Court of India, by its several landmark judgments, pronouncing upon the provisions of the constitution of India, and the laws relating to the elections. These judgments of the Supreme Court are the milestones for the Election Commission, its electoral machinery, Governments at the Center and in the states, political parties and the candidates contesting elections.

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