

1. It is said that Model Code of Conduct over the years have become like a toothless tiger and party manifesto is merely a crude joke to the voters, to ensure reforms regarding these, ECI has taken steps from time to time, discuss why these steps have been inadequate and what could be done to ensure their proper implementation and enforcement? (150 Words)

**Answer:**

### **Draft guidelines on Election Manifesto**

The Supreme Court in its judgment in 2013 has directed the Election commission to frame guidelines with regard to the contents of election manifestos in consultation with all the recognized political parties which are as follows:

The election manifesto shall not contain anything repugnant to the ideals and principles enshrined in the Constitution.

It is expected that manifestos should also reflect the rationale for the promises and the ways and means to meet the financial requirements.

### **Challenges regarding above Reforms and Measures**

- Although the Election Commission issues the model code of conduct invoking its powers, it has no statutory support to enforce it. Because of which in the last general elections in 2014, lot of cases of hate speech and derogatory remarks came up, but all; ECI could do was to issue warnings.
- The Election Commission of India (EC) has admitted that it will not be able to scrutinize manifestos and act against political parties that have not disclosed the financial implications and fiscal burden of their promises.
- The SC had said that "although, the law is obvious that the promises in the election manifesto cannot be construed as corrupt practice under Section 123 of Representation of People Act.
- In June, the EC had said that it has no power to take action against political parties if they fail to deliver on their election promises.

**Views of Some Parties are:** Manifestos are made by a political party but implemented by a government. Hence it isn't possible to get into the financial implications of all promises. However, some parties have sought to establish the rationale for its promises in the manifesto itself.

### **Way Ahead**

The EC should be empowered to take appropriate action against paid news and pay-me-news in the context of elections. Law Commission of India Submitted Report on Electoral Reforms to the Ministry of Law & Justice in 2015 with Wide Ranging Reforms

Proposed .These critical and highly important reforms must find Political space and Political Will to implement them.

A lot will depend on how much is legislated and implemented. The political dispensation and the political environment in general has changed and that could be a reason for hope.

## PRACTICE QUESTIONS

### **Answer the following Questions**

1. What is the role that opposition plays in a democracy like India? In this context, discuss whether our Parliament can benefit from a shadow cabinet. (150 words)
2. Where there is a right, there is a remedy. In this context, discuss the nature and significance of writs in India with adequate examples. (150 words)