

A Study of Political Criminalization in India

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Abstract: *It is clear from the current political system that every political party has no impure in politics given the ability to get elected and the importance of numbers in the political equation of power. In fact, the responsibility of preventing the criminalization of politics lies with the political parties, as there is nothing untouchable for the political parties or leaders for power, they go to any extent to gain political power. Therefore, it is wrong to expect political criminalization from the political party and political leadership to stop. Today, during the election period, many NGOs challenge time to time again not to elect candidates with a background of political crime, but they do not get a proper response from the political party or the public. Finally, looking at the process and nature of political crime, even after this case goes to the highest judicial system of the country, considering the principle of equal opportunity and natural justice, candidates with criminal background cannot be prevented by law, because there is no such provision in the law. The general public has been disappointed by the court's decision. Given the nature of the Indian political system as a whole, how can the infiltration of political criminalization in Indian politics and the support given to it by the political party and the people in the political system, curb the criminalization of politics? Even if it is made mandatory to publish the information of crimes against the candidates or put them at polling booths, the results of the elections itself show us how much it has benefited, so there is a need for Parliament to pass strict laws regarding political criminalization in India.*

Keywords: Politics, Democratic, Paramount, Criminalisation, Legislative, Corruption

I. INTRODUCTION

Criminalization of politics is a constant and hotly debated topic in Indian politics. This topic is mainly discussed during the election period and after the candidates with criminal background are elected. Today, the hierarchy of the country's politics is from the Lok Sabha to the Gram Panchayat at the village level. Today, in order to win elections, every political party nominates candidates who have serious criminal convictions in many places with the view of winning the elections. In the elections, gangsters are entered into the party in a big way and put up in the elections. Once a candidate with a criminal background is elected as a representative, his criminal background gets suppressed, he gains political prestige. Due to the political positions obtained by him, pressure is created on the political system and the administration. In other words, it is seen today that the work of creating white collar political representatives is being done through political criminalization. Crime in politics has increased on a large scale in the country of India which is rich in democracy. In order to maintain their position in politics and remain in power, political parties take the help of people with criminal background, using all kinds of politics like sam, daam. The terror of people with a background of political crime is so great that common people and political parties do not come forward to file cases against such people. Sometimes, even if a crime is registered against a person with a political criminal background, they are not punished to the extent that they should be punished. They are either not prosecuted, even if they are, they are not punished. Because for many years these people's representatives have been charged with crimes, but the rate of punishment for them is negligible. So how will we prevent the criminalization of politics? This is the biggest question facing the Indian democratic system today. On the whole, looking at the nature of today's Indian political system, due to the shelter given to political criminals in the political system, it is seen that we ourselves are doing a lot of political criminalization in the real sense.

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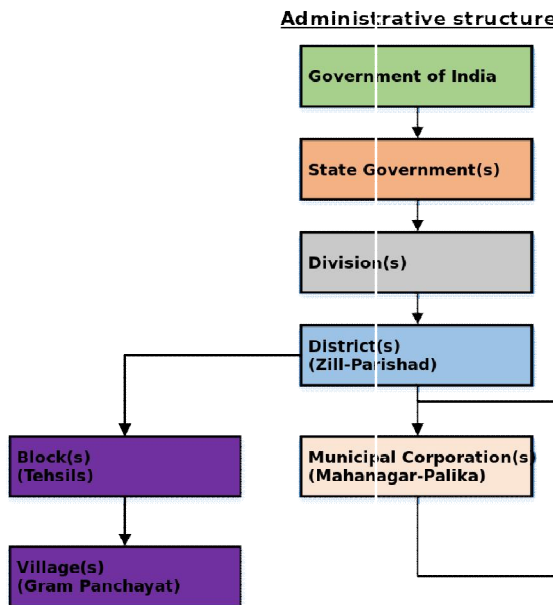


India at a Glance:

India is one of the oldest civilizations in the world with a kaleidoscopic variety and rich cultural heritage. It has achieved all-round socio-economic progress since its Independence. As the 7th largest country in the world, India stands apart from the rest of Asia, marked off as it is by mountains and the sea, which give the country a distinct geographical entity. Bounded by the Great Himalayas in the north, it stretches southwards and at the Tropic of Cancer, tapers off into the Indian Ocean between the Bay of Bengal on the east and the Arabian Sea on the west. Lying entirely in the northern hemisphere, the mainland extends between latitudes 8° 4' and 37° 6' north, longitudes 68° 7' and 97° 25' east and measures about 3,214 km from north to south between the extreme latitudes and about 2,933 km from east to west between the extreme longitudes. It has a land frontier of about 15,200 km. The total length of the coastline of the mainland, Lakshadweep Islands and Andaman & Nicobar Islands is 7,516.6 km.

- States & union territories of India: 28 States; 09 union territories
- Population: India's population, as on 1 March 2011 stood at 1,210,193,422 (623.7 million males and 586.4 million females).
- Population Growth Rate: The average annual exponential growth rate stands at 1.64 per cent during 2001-2011.
- Birth Rate: The Crude Birth rate was 18.3 in 2009.
- Death Rate: The Crude Death rate was 7.3 in 2009.
- Life Expectancy Rate: 65.8 years (Males); 68.1 years (Females) in the period 2006-2011.
- Sex Ratio: 940 females per 1000 males according to 2011 census

Administrative Structure of India



Crime in India – 2021

Crime is a manifestation of numerous complex factors. The causes of criminal behavior lie in social processes and structures. People commit crimes due to the process of socialization that does not develop a strong sense of right or

wrong, and ever-increasing desires serve as strong motivations to turn to crime to satisfy these desires. The origins of crime can be traced to the interaction of various social, economic, demographic, spatial and institutional factors. From 1981 to 2021, the percentage of crimes and offenses registered under IPC is increasing day by day, it is evident on the basis of the following table.

Table 1: At a glance - IPC Crimes over the years 1981 - 2021

At a glance - IPC Crimes over the years 1981 - 2021

S. No.	Year	Total IPC Crimes			S. No.	Year	Total IPC Crimes		
		Crime Incidence	Crime Rate	Charge-sheeting Rate			Crime Incidence	Crime Rate	Charge-sheeting Rate
1	1981	1385757	200.8	61.3	22	2002	1780330	169.5	80.0
2	1982	1353904	192.0	65.3	23	2003	1716120	160.7	80.1
3	1983	1349866	187.4	67.3	24	2004	1832015	168.8	79.8
4	1984	1358660	184.7	67.9	25	2005	1822602	165.3	80.7
5	1985	1384731	184.4	70.2	26	2006	1878293	167.7	80.6
6	1986	1405835	183.5	71.1	27	2007	1989673	175.1	80.1
7	1987	1406992	180.1	72.4	28	2008	2093379	181.5	79.8
8	1988	1440356	180.8	70.7	29	2009	2121345	181.4	78.4
9	1989	1529844	188.5	72.3	30	2010	2224831	187.6	79.1
10	1990	1604449	194.0	70.2	31	2011	2325575	192.2	78.8
11	1991	1678375	197.5	71.3	32	2012	2387188	196.7	78.8
12	1992	1689341	194.7	72.2	33	2013	2647722	215.5	79.5
13	1993	1629936	184.4	72.5	34	2014	2851563	229.2	79.6
14	1994	1635251	181.7	74.1	35	2015	2949400	234.2	77.7
15	1995	1695696	185.1	74.3	36	2016	2975711	233.6	72.9
16	1996	1709576	183.4	76.9	37	2017	3062579	237.7	70.7
17	1997	1719820	180.0	77.5	38	2018	3132955	236.7	68.1
18	1998	1778815	183.2	77.8	39	2019	3225597	241.2	67.2
19	1999	1764629	178.9	78.0	40	2020	4254356	314.3	75.8
20	2000	1771084	176.7	78.4	41	2021	3663360	268.0	72.3
21	2001	1769308	172.3	78.6					

(Source: Crime in India 2021 Statistics Volume I)

Total of 60,96,310 cognizable crimes comprising 36,63,360 Indian Penal Code (IPC) crimes and 24,32,950 Special & Local Laws (SLL) crimes were registered in 2021. It shows a decline of 5,04,975 (7.6%) in registration of cases over

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2020 (66,01,285 cases). Crime rate registered per lakh population has declined from 487.8 in 2020 to 445.9 in 2021. During 2021, registration of cases under IPC has declined by 13.9% whereas SLL crimes have increased by 3.7% over 2020. Percentage share of IPC was 60.1% while percentage share of SLL cases was 39.9% of total cognizable crimes during 2021.

Major decline was seen in the cases registered under Disobedience to order duly promulgated by Public Servant (Sec. 188 IPC) from 6,12,179 cases in 2020 to 3,22,115 cases in 2021 and under 'Other IPC Crimes' from 10,62,399 cases in 2020 to 4,96,535 cases in 2021. Similarly under SLL category, major increase was under cases registered under Prohibition Act (State) from 5,62,215 cases in 2020 to 6,78,998 cases in 2021. This has resulted in an increase of 1,16,783 cases in SLL during 2021 as compared to 2020.

During 2021, total of 58,10,088 IPC cases (21,42,907 cases pending from previous year + 36,63,360 reported during the year + 3,821 cases reopened for investigation) were under investigation, out of which total of 37,64,632 cases were disposed of by police including 27,20,265 cases which were charge sheeted, resulting in the charge sheeting rate of 72.3%. (Crime in India, 2021)

Politics and Criminalization

Even though India is proud to be the largest democracy in the world, the number of people with criminal background in Indian politics is increasing today due to the penetration of criminalization in Indian democracy. If we do not correct this fundamental flaw of allowing criminals to become people's representatives in the Indian democratic system, then the youth of the country will not have faith in Indian politics and democracy in the future.

It is not enough for India to be the largest democracy in the world. So he should develop as a role model. As we take leadership at many levels globally, we have to erase the stigma of political criminalization that has plagued Indian democracy while presenting itself as a model democracy for India and a global moral compass. pose a serious threat to the system. Today's elected criminals wear the political mask of leadership and they expect people to take them as role models, so today's youth should look up to this leadership as their role model? So the answer is definitely no. Therefore, it is necessary for today's youth to wake up when they see the criminalization of politics in Indian democracy.

In view of this increasing extent of criminalization of politics, the psychological role of gaining political control over the state machinery, the vow of social service adopted to gain control over the political system, the money obtained through different means to control politics in the name of social service, therefore, money from social causes, politics from money, corruption from politics and vote bank politics were achieved through political criminalization. are starting to go So today we see political parties deliberately turning a blind eye to this matter. Since numerical strength is important in politics, every political party can be seen consecrating people with criminal background into politics for their political gain, from the point of view that we should increase our numerical strength. On the whole, when those with a criminal background take shelter of political parties, the same political parties are seen to support these criminals by pointing fingers at the loopholes in the legal system.

In October 1993, Union Home Secretary N.N. The Vohra (committee) report of the committee presented by Vohra referred to several observations made by official agencies like CBI, IB, & RAW, which tried to comment on the nexus between criminal gangs, police, bureaucracy and politicians while expressing their consensus on political crime.

With a view to reforming the electoral process, the Supreme Court ruled in 2002 that educational qualifications, criminal background and financial status of every candidate contesting elections should be disclosed. In this regard, even if the candidate contesting the election declares his property, educational qualification and the nature of the crime through self-affidavit, he has not yet been banned from contesting the election. Also, as per the Supreme Court's 2005 ruling, MPs and MLAs who have been sentenced to two years or more of imprisonment under the law will be disqualified from contesting elections.

In 2014, the Supreme Court accepted the recommendations of the Law Commission and directed that criminal charges against sitting MPs and MLAs should be completed within one year of their determination. has done The Supreme Court has since issued several directions, asking the Center to set up a monitoring committee to look into the reasons

behind the delay in investigation in these cases. Given the nature of the Indian judiciary, the number of pending cases in India is a matter of serious concern. A 2022 Supreme Court judgment observed that there is no bar to giving tickets to candidates with criminal background.

As politics has become a means of reaching the corridors of power today, politics and power are closely related. Political crime is used to gain prestige in politics by effectively using muscle power, money, power to gain power. Intimidation of voters through political criminalization, intimidation of opposition candidates, booth capturing, bogus voting are all used to some extent to win elections. As a result, many types of controversies are now arising in politics as political criminalization is working to contaminate the democratic environment. Overall, the criminalization of politics is so deeply entrenched in the Indian political system that principles and ideas like rule of law, political accountability, free and fair elections, democracy, etc. They have lost faith in freedom of speech and expression. Therefore, it is the need of the hour to empower the judiciary through the Election Commission and speedy judicial process through a time-bound justice delivery system. To that end, it is the responsibility of the Parliament and the conscious electorate to show their collective will to prevent criminals from entering politics, Parliament or the Legislature to save democracy and democratic principles and a country governed by the rule of law.

Percentage of crimes declared by candidates in their affidavits in Lok Sabha elections 2009, 2014, 2019:

National Election Watch (NEW) and Association for Democratic Reforms (ADR) have analyzed the self-sworn affidavits of candidates who contested the 2014, 2019 Lok Sabha elections. This report is based on a self-affidavit uploaded on ECI website. Also candidates with unclear/incomplete affidavits were not analyzed while doing this analysis.

Criteria for serious criminal cases:

- Offence for which maximum punishment is of 5 years or more.
- If an offence is non bailable
- If it is an electoral offence (171E or bribery) for eg.
- IPC Offence related to loss to exchequer
- Offences that are assault, murder, kidnap, rape related
- Offences that are mentioned in Representation of the People Act (Section 8)
- Offences under Prevention of Corruption Act
- Crimes against wom (Association for Democratic Reforms,2014)

Table 2: Candidates with Declared Criminal Cases: 2009, 2014 and 2019

S.No	Lok Sabha Election Year	Total Number of Candidates Analyzed	Number of Candidates With Declared Criminal Cases	Percentage of Candidates with Declared Criminal Cases	Number of Candidates With Declared Serious Criminal Cases	Percentage of Candidates with Declared Serious Criminal Cases
1	2009	7810	1158	15%	608	8%
2	2014	8205	1404	17%	908	11%
3	2019	7928	1500	19%	1070	13%

(Source: Association for Democratic Reforms,2019)

Out of 7810 candidates 1158 candidates stated that they have crimes against them in their affidavits in 2009 Lok Sabha,. Analyzing the affidavits of the total candidates in 2009 Lok Sabha, the proportion of candidates with criminal background is 15 percent. Also the number of candidates with serious crimes is 608 which is 8%.

Out of 8205 candidates 1404 candidates stated that they have crimes against them in their affidavits in 2014 Lok Sabha,. Analyzing the affidavits of the total candidates in 2014 Lok Sabha, the proportion of candidates with criminal background is 17 percent. Also the number of candidates with serious crimes is 908 which is 11 percent.

Out of 7928 candidates 1500 candidates stated that they have crimes against them in their affidavits in 2019 Lok Sabha,. Analyzing the affidavits of the total candidates in 2019 Lok Sabha, the proportion of candidates with criminal background is 19 percent. Also the number of candidates with serious crimes is 1070 which is 13 percent.

Table 3: Party Wise Candidates with Declared Criminal Cases: 2009, 2014 and 2019

	Number of Candidates Analysed	Number of candidates with Declared Criminal Cases	Percentage of candidates with Declared Criminal Cases	Number of Candidates Analysed	Number of candidates with Declared Criminal Cases	Percentage of candidates with Declared Criminal Cases	Number of Candidates Analysed	Number of candidates with Declared Criminal Cases	Percentage of candidates with Declared Criminal Cases
INC	438	117	27%	463	128	28%	419	164	39%
BJP	428	116	27%	426	139	33%	433	175	40%
BSP	493	107	22%	502	115	23%	381	85	22%
NCP	68	20	29%	36	19	53%	34	17	50%
CPI(M)	81	20	25%	92	32	35%	69	40	58%

(Source: Association for Democratic Reforms,2019)

Party Wise Candidates with Declared Criminal Cases 2009 Lok Sabha:

The number of candidates with criminal backgrounds of major national parties can be summarized as follows.20 (29%) out of 68 candidates fielded by NCP,116 (27%) out of 428 candidates from BJP,117(27%) out of 438 candidates from INC, 107 (22%) out of 493 candidates fielded by BSP,29 (25%) out of 81 candidates from CPI (M),candidates have declared criminal cases against themselves in their affidavits.

Party Wise Candidates with Declared Criminal Cases 2014 Lok Sabha:

The number of candidates with criminal backgrounds of major national parties can be summarized as follows.19 (53%) out of 36 candidates fielded by NCP,139 (33%) out of 426 candidates from BJP,128(28%) out of 463 candidates from INC, 115 (23%) out of 502 candidates fielded by BSP,329 (35%) out of 92 candidates from CPI (M),candidates have declared criminal cases against themselves in their affidavits.

Party Wise Candidates with Declared Criminal Cases 2019 Lok Sabha:

The number of candidates with criminal backgrounds of major national parties can be summarized as follows.17 (50%) out of 34 candidates fielded by NCP,175 (40%) out of 433 candidates from BJP,164(39%) out of 419 candidates from INC, 85(22%) out of 381 candidates fielded by BSP,49 (58%) out of 69 candidates from CPI (M),candidates have declared criminal cases against themselves in their affidavits.

Table 4: 2014 Lok Sabha Elections Constituency wise candidate and candidate crime rates

Phase	Date of Poll (2014)	No. of contesting candidates	No. of Candidates analysed	No. of Constituencies	No. of Candidates with Criminal Cases	% of Candidates with Criminal Cases
1	7th April	64	64	6	6	9%
2	9th April	37	37	7	1	3%

3	10th April	1419	1395	91	263	19%
4	12th April	74	74	7	9	12%
5	17th April	1761	1739	121	279	16%
6	24th April	2077	2071	117	322	16%
7	30th April	1295	1292	89	222	17%
8	7th May	897	890	64	177	20%
9	12th May	606	601	41	119	20%
Total		8230	8163	543	1398	17%

(Source: Association for Democratic Reforms,2014)

Candidates with Criminal Cases:

The 2014 Lok Sabha elections in India were held in 543 Lok Sabha constituencies in a total of nine phases. Out of the 8230, 8163 candidates' affidavits were analyzed and 1398 candidates had a criminal background. Its percentage is 17 percent. Out of 7810 candidates analysed during Lok Sabha 2009 elections, 1158 (15%) candidates had declared criminal cases against themselves.

(Association for Democratic Reforms,2014)

Candidates with Serious Criminal Cases:

889 (11%) candidates have declared serious criminal cases including cases related to murder, attempt to murder, communal disharmony, kidnapping, crimes against women etc. Out of 7810 candidates analysed during Lok Sabha 2009 elections, 608 (8%) candidates had declared serious criminal cases against themselves. (Association for Democratic Reforms,2014)

Table 5: Analysis based on declared criminal cases & Party-wise break up of candidates with declared criminal cases

Party Name	Total number of candidates analyzed	candidates with declared Criminal Cases	% of candidates with declared criminal cases	candidates with serious declared criminal cases	% of candidates with serious declared criminal cases
BSP	501	114	23%	75	15%
INC	462	128	28%	61	13%
AAP	427	65	15%	42	10%
BJP	426	140	33%	89	21%
SP	195	59	30%	46	24%
AITC	131	18	14%	13	10%
CPI(M)	93	33	35%	15	16%
JD(U)	93	33	35%	23	25%
CPI(ML)L	82	37	45%	31	38%
CPI	68	19	28%	8	12%
Shiv Sena	58	23	40%	13	22%
AIADMK	40	7	18%	3	8%
AIFB	39	8	21%	5	13%

YSRCP	38	13	34%	10	26%
DMK	35	7	20%	5	14%
NCP	35	18	51%	14	40%
JD(S)	33	10	30%	4	12%
TDP	30	10	33%	3	10%
RJD	29	19	66%	13	45%
GGP	23	3	13%	3	13%
BJD	21	3	14%	2	10%
TRS	17	7	41%	7	41%
JVM(P)	16	8	50%	5	31%
MNS	10	8	80%	6	60%
RLD	10	3	30%	3	30%
IN	3182	307	10%	188	6%
Others	2069	298	14%	202	10%
Total	8163	1398	17%	889	11%

(Source: Association for Democratic Reforms,2014)

Party wise Candidates with Criminal Cases:

The position of the candidates with the most criminal background by the party can be stated as follows.8 out of 10 candidates of the political party MNS have criminal cases against them, which is 80 percent.19 out of 29 candidates of the political party RJD have criminal cases against them, which is 66 percent.18 out of 35 candidates of the political party NCP have criminal cases against them, which is 51 percent.8 out of 16 candidates of the political party JVM(P) have criminal cases against them, which is 50 percent.

The number of candidates with criminal backgrounds of major national parties can be summarized as follows.114 (23%) out of 501 candidates fielded by BSP,128 (28%) out of 462 candidates from INC, 65 (15%) out of 427 candidates from AAP,140 (33%) out of 426 candidates from BJP, 307 (10%) out of 3182 Independent candidates have declared criminal cases against themselves in their affidavits. (Association for Democratic Reforms,2014)

Party wise Candidates with Serious Criminal Cases:

The position of the candidates with the most Serious criminal background by the party can be stated as follows.MNS and Telangana Rashtra Samithi have candidates with the most serious crimes.

The number of candidates with Serious criminal backgrounds of major national parties can be summarized as follows.61 (13%) out of 462 candidates from INC, 89 (21%) out of 426 candidates from BJP, 42 (10%) out of 427 candidates from AAP, 75 (15%) out of 501 candidates fielded by BSP and 188 (6%) out of 3182 Independent candidates have declared serious criminal cases against themselves in their affidavits. (Association for Democratic Reforms,2014)

Table 6: Party-wise candidates with cases related to murder

Party	Total No. of Candidates Fielded by the Party	No. of Candidates with Cases of Murder	IPC Sections Considered
BSP	501	12	
BJP	426	4	
CPI(ML)L	82	4	
SP	195	4	
JD(U)	93	3	
RJD	19	3	

AAP	427	1	IPC Section - 302 (Murder) IPC Section - 304B (Dowry Death)
AIFB	39	1	
AITC	131	1	
CPI(M)	93	1	
INC	462	1	
JMM	22	1	
LJP	7	1	
NCP	35	1	
Others	2449	7	
IN	3182	12	
Total	8163	57	

(Source: Association for Democratic Reforms,2014)

Candidates with cases related to murder:

57 candidates have declared cases related to murder. Out of these 12 candidates have been fielded by BSP, 4 candidates have been fielded by BJP, CPI(ML)L and SP each, 3 candidates by RJD and JD(U) each, 1 candidate by INC, AAP, AITC, and CPI(M) each and 12 candidates are independents. (Association for Democratic Reforms,2014)

Table 7: Candidates with cases related to Attempt to Murder

Party	Total No. of Candidates Fielded by the Party	No. of Candidates with Cases of Attempt to Murder	IPC Sections Considered
AAP	427	7	IPC Section - 307 (Attempt to Murder)
AITC	131	6	
BJP	426	19	
BSP	501	18	
CPI(M)	93	2	
CPI(ML) Red star	43	1	
CPI(ML)L	82	19	
DMK	35	2	
INC	462	6	
IN	3182	28	
JD(U)	93	7	
JMM	22	2	
JVM(P)	16	4	
NCP	35	1	
RJD	29	5	
RLD	10	1	
Shiv Sena	58	1	
SP	195	14	
Others	2323	30	
Total	8163	173	

(Source: Association for Democratic Reforms,2014)

Candidates with cases related to Attempt to Murder:

173 candidates have declared cases of attempt to murder. Out of these, 19 candidates have been fielded by BJP and CPI(ML)L each, 18 candidates by BSP, 14 candidates by SP, 7 candidates by AAP and JD(U) each, 6 candidates by

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AITC and INC, 5 candidates by RJD, 4 candidates by JVM(P), 2 candidates by CPI(M) and DMK each and 28 candidates are independents. (Association for Democratic Reforms,2014)

Table 8: Party-wise Candidates with cases related to Causing Communal Disharmony

Party	Total No. of Candidates Fielded by the Party	No. of Candidates with Cases of Communal Disharmony	IPC Sections Considered
AAP	427	2	IPC Section – 295 (Injuring or defiling place of worship with intent to insult the religion of any class) IPC Section – 295A (Deliberate and malicious acts, intended to outrage religious feelings or any class by insulting its religion or religious beliefs) IPC Section – 153A (Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony)
BJP	426	18	
BSP	501	3	
CPI(ML) L	82	3	
INC	462	2	
IN	3182	6	
RLD	10	1	
SP	195	2	
TRS	17	1	
YSRCP	38	1	
Others	2823	15	
Total	8163	54	

(Source: Association for Democratic Reforms,2014)

Candidates with cases related to causing Communal Disharmony:

54 candidates with cases related to causing communal disharmony. Out of these, 18 candidates were fielded by BJP, 3 candidates by CPI(ML)L and BSP each, 2 candidates by AAP, SP and INC each, 1 candidate by RLD, YSRCP and TRS each and 6 candidates are Independents. (Association for Democratic Reforms,2014)

Table 9: Party-wise Candidates who have declared Crimes against Women

Party	Total No. of Candidates Fielded by the Party	No. of Candidates with Cases of Crimes Against Women	IPC Sections Considered
AAP	427	1	IPC Section – 376 (Rape)
AITC	131	3	IPC Section – 354 (Assault or criminal force to woman with intent to outrage her modesty)
BJP	426	3	
BSP	501	6	IPC Section – 509 (Word, gesture or act intended to insult the modesty of a woman)
CPI	68	1	
CPI(ML)L	82	1	IPC Section – 498A (Husband or relative of husband of a woman subjecting her to cruelty)
INC	462	3	
IN	3182	18	IPC Section – 498 (Enticing or taking away or detaining with criminal intent a married woman)
JD(S)	33	1	
JD(U)	93	2	IPC Section – 304B (Dowry Death)
Shiv Sena	58	1	
SP	195	3	
YSRCP	38	1	

Others	2467	14	
Total	8163	58	

(Source: Association for Democratic Reforms,2014)

Candidates with cases related to Crimes against Women:

58 candidates have declared cases related to crimes against women. 6 candidates have declared cases of rape. Out of 58 candidates with cases related to crimes against women, 6 candidates have been fielded by BSP, 3 candidates by AITC, BJP, INC and SP each, 2 candidates by JD(U), 1 candidate by AAP, CPI, CPI(ML), MNS, RJD, Shiv Sena and YSRCP each and 18 candidates are independents. (Association for Democratic Reforms,2014)

Table 10: Candidates with cases related to Robbery and Dacoity

Party	Total No. of Candidates Fielded by the Party	No. of Candidates with Cases of Robbery and Dacoity	IPC Sections Considered
BJP	426	10	IPC Section – 391 (Dacoity) IPC Section - 392 (robbery) IPC Section – 394 (Voluntarily causing hurt in committing robbery) IPC Section – 395 (dacoity) IPC Section – 396 (Dacoity with murder) IPC Section – 397 (Robbery, or dacoity, with attempt to cause death or grievous hurt) IPC Section – 398 (Attempt to commit robbery or dacoity when armed with deadly weapon) IPC Section – 399 (Making preparation to commit dacoity) IPC Section – 401 (belonging to gang of thieves) IPC Section – 402 (Assembling for purpose of committing dacoity)
BSP	501	10	
SP	195	10	
IN	3182	9	
AAP	427	3	
INC	462	2	
JD(U)	93	2	
RJD	29	2	
AITC	131	1	
CPI(M)	93	1	
DMK	35	1	
Others	2589	6	
Total	8163	57	

(Source: Association for Democratic Reforms,2014)

Candidates with cases related to Robbery and Dacoity:

57 candidates have declared cases related to robbery and dacoity. Out of these, 10 candidates have been fielded by BJP, BSP and SP each, 3 candidates by AAP, 2 candidates by INC, JD(U) and RJD each, 1 candidate by AITC, CPI(M), DMK and MNS each and 9 candidates are Independents. (Association for Democratic Reforms,2014)

Table 11: Party-wise Candidates with Cases related to Kidnapping

Party	Total No. of Candidates Fielded by the Party	No. of Candidates with Cases of Kidnapping	IPC Sections Considered
AAP	427	1	IPC Section – 360 (Kidnapping from India) IPC Section – 363 (kidnapping) IPC Section – 364 (Kidnapping or abducting in order to murder) IPC Section - 364A
AITC	131	2	
BJP	426	3	
BSP	501	6	

CPI(ML)L	82	2	(Kidnapping for ransom, etc)
DMK	35	3	IPC Section – 365 (Kidnapping or abducting with intent secretly and wrongfully to confine person)
INC	462	4	
IN	3182	5	IPC Section – 366 (Kidnapping, abducting or inducing woman to compel her marriage, etc)
JD(U)	93	1	
RJD	29	1	
SP	195	6	IPC Section – 367 (Kidnapping or abducting in order to subject person to grievous hurt, slavery, etc)
Others	2600	6	IPC Section – 368 (Wrongfully concealing or keeping in confinement, kidnapped or abducted person)
Total	8163	40	IPC Section – 369 (Kidnapping or abducting child under ten years with intent to steal from its person)

(Source: Association for Democratic Reforms,2014)

Candidates with cases related to Kidnapping:

40 candidates have declared cases related to Kidnapping. Out of these, 6 candidates have been fielded by BSP and SP, 4 candidates by INC, 3 candidates by BJP and DMK each, 2 candidates by AITC and CPI(ML)L each, 1 candidate by AAP, JD(U), LJP, MNS and RJD each and 5 candidates are independents. (Association for Democratic Reforms,2014) 2019 Lok Sabha Elections and Political Criminalization

Criminal Background

- Candidates with Declared Criminal Cases Out of the 7928 candidates analysed in Lok Sabha 2019, 1500 (19%) candidates have declared criminal cases against themselves. Out of 8205 candidates analysed during Lok Sabha elections in 2014, 1404(17%) candidates had declared criminal cases against themselves. Out of 7810 candidates analysed during Lok Sabha elections in 2009, 1158(15%) candidates had declared criminal cases against themselves. (Association for Democratic Reforms,2019)
- Candidates with Serious Criminal Cases: 1070 (13%) candidates contesting in Lok Sabha 2019 Elections have declared serious criminal cases including cases related to rape, murder, attempt to murder, kidnapping, crimes against women etc. Out of 8205 candidates analysed during Lok Sabha elections in 2014, 908(11%) candidates had declared serious criminal cases against themselves. Out of 7810 candidates analysed during Lok Sabha elections in 2009, 608(8%) candidates had declared serious criminal cases against themselves. (Association for Democratic Reforms,2019)

Candidates with declared convicted cases:

56 candidates have declared convicted cases against themselves. (Association for Democratic Reforms,2019)

Candidates with cases related to murder :

55 candidates have declared cases related to murder (Indian Penal Code Section-302). (Association for Democratic Reforms,2019)

Candidates with cases related to Attempt to Murder:

184 candidates have declared cases of attempt to murder (IPC Section-307). (Association for Democratic Reforms,2019)

Candidates with cases related to Crimes against Women:

126 candidates have declared cases related to crimes against women. Out of 126 candidates, 9 (Association for Democratic Reforms,2019)

candidates have declared cases related to rape (IPC Section-376). (Association for Democratic Reforms,2019)

Candidates with cases related to Kidnapping: 47 candidates have declared cases related to kidnapping. (Association for Democratic Reforms,2019)

Candidates with cases related to Hate Speech: 95 candidates have declared cases related to hate speech. (Association for Democratic Reforms,2019)

Party wise Candidates with Criminal Cases:

175 (40%) out of 433 candidates from BJP, 164 (39%) out of 419 candidates from INC, 85 (22%) out of 381 candidates from BSP, 40(58%) out of 69 candidates fielded by CPI(M) and 400 (12%) out of 3370 Independent candidates have declared criminal cases against themselves in their affidavits. (Association for Democratic Reforms,2019)

Party wise Candidates with Serious Criminal Cases:

124 (29%) out of 433 candidates from BJP, 107 (26%) out of 419 candidates from INC, 61 (16%) out of 381 candidates from BSP, 24(35%) out of 69 candidates fielded by CPI(M) and 292 (9%) out of 3370 Independent candidates have declared criminal cases against themselves in their affidavits. (Association for Democratic Reforms,2019)

II. CONCLUSION

Current studies of the relationship between politicians and criminals reveal that the relationship between politicians and criminals is very close. Through the criminalization of politics from the country level to the village level, gangsterism and mafias are increasingly dominating the Indian political process. Another reason for the criminalization of Indian politics is the political parties. Because of the importance of electability and numbers in the political equation of power, it is clear from the current political system that every political party has no sanctity in politics. Political parties select and field candidates who are more likely to win elections. They nominate candidates who have a chance. Political parties are giving ministerial posts to such persons. Due to the increasing criminalization of politics and the role of political parties, people are not electing good candidates in elections. The Election Commission had argued in the Supreme Court that political parties should not nominate such candidates. But the Supreme Court did not accept this argument of the Election Commission. The Supreme Court has made it clear in its latest judgment that political parties cannot be restricted from nominating candidates with criminal backgrounds. Instead, the Supreme Court has favored making it mandatory for political parties to consider the reasons why candidates with criminal background were given. Also, the Election Commission has suggested that political parties should explain why candidates with criminal background were given on social media, newspapers and the party's official website is accepted. It was also made mandatory to publish information about crimes against candidates or to post them at polling stations. Still, the criminality of politics does not stop. The number of criminal candidates is increasing by looking at the amount of crime information given by the candidates in the 2009, 2014, 2019 Lok Sabha elections in their affidavit. On the whole, looking at the nature of the country's politics today, the problem of political criminalization has emerged strongly in front of Indian politics, so the nature of Indian politics has gone into the hands of people of criminal nature, so it is necessary for the conscious people of the society to take a competent role while voting with open eyes, only then will Indian politics take a new turn. Otherwise, there is no doubt that the power of the country will be in the hands of criminals.

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