

of elections, administrative machinery for conducting elections, curb electoral malpractices, settling of election disputes etc. However, the powers bestowed upon the ECI through RPA 1951 have been found lacking teeth, such as:

- **Inadequate provisions to curb money power:**
 - RPA 1951 does not criminalise paid news.
 - Bribing is still not a cognizable offence under RPA, 1951 and is dealt only by IPC.
 - Funding of political parties remains opaque.
- **Criminalisation of politics:** The Act has failed to put a check on criminals entering electoral politics and winning elections based on muscle power.
- **Model Code of Conduct not legally binding:** The Act does not have enough teeth to prevent parties from seeking votes on the ground of caste and other campaign violations.
- **Conduct of elections:** Though the Act prohibits exit polls, it does not prohibit or restrict **opinion polls**, which when manipulated could impact the voting pattern.

Therefore, ECI needs to be strengthened by amending RPA, 1951 by inserting the following provisions:

- **Expenses done by the political parties and their leaders** should also be capped along with **expenses incurred on paid news; and surrogate advertisements** should also be considered while calculating maximum expenditure.
- It should be made **obligatory for political parties to remove leaders convicted of “heinous and grievous” crimes** like rape, murder, kidnapping etc. and refuse ticket to offenders in both parliamentary and Assembly polls.
- It should provide for **de-registration of political parties** for failure to comply with directions of ECI regarding intra-party democracy or for failure to contest Parliamentary or State elections for a long time.
- The amended Act should give **statutory backing to the Model Code of Conduct** and provide for suitable penal actions.
- **Bribing should be made an electoral offence** and a **new section 58 B** should be inserted in the RPA, 1951 on the lines of section 58 A (booth capturing).
- The Act should provide for the Constitution of one or more **“election benches” in each High Court**, to exercise jurisdiction over all election disputes under the RPA.

The ECI since its inception has conducted elections in a very effective and efficient manner in India, which is the world's largest democracy. However, to continue its own good track record, the ECI has to adapt and be prepared for the challenges evolving with each election. It is this need to respond to the evolving challenges that the RPA, 1951 should be amended along with other measures taken such as institutional reforms of ECI.

10. Discuss the need to set up a separate authority to manage government-owned surplus land assets. (150 words) 10

Approach:

- Briefly, unfold the government-owned surplus land assets issue till now.
- Discuss the need to set up separate authority to manage government-owned surplus land assets.
- Conclude accordingly.

Answer:

Public land holdings are the government's most significant tangible asset in India. The government holds large parcels of land, which are surplus that are not needed or are not appropriate for provision of public service for which the agency owning the property is responsible. However, apart from Railway and Defence, other government departments do not have a specialised organisation to handle commercial development of government land. This compromises the effective management of land and imposes a cost on the government, as it creates an artificial scarcity.

A separate authority is therefore required to manage these assets. Further, the need can be highlighted by: