



MONEY, MUSCLE, AND MEDIA: CHALLENGES TO ELECTORAL REFORMS IN INDIA

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ABSTRACT

Intersectionality of Money, Muscle and Media has been Indian Democratic integrity as an enormous challenge. Historically, Local print media has shaped electoral politics through caste, religion and regional issue. Speedy emergence of 24/7 television, social media, digital platform has changed the public opinion through narratives of fake news, paid news as well as targeted religious and regional propagandas. Along with this, Political finance of black money has become indispensable and troublesome both, which make Indian democratic process as a distorted competition. Thus, the corporate houses captured Democracy through Media and Money power. The Supreme Court direction of 2024 has vetoed on Electoral Bonds due to its violation of Right to Information, Emphasizing the conflict between opaque funding and Democratic transparency. Indian Legislative framework including Representation of the People Act, Election Commission rules on paid news and media influence remain inadequate. These concerns are being a danger with booming use of muscle power by the candidate of criminal background. This study explores how these three Indian electoral reforms, revealing the loopholes of legal and institutional framework. Free and fair election is the essential and basic requirement to develop the electoral reform in world's largest democracy, which rely on transparency and democratic ethics.

Keywords: *Electoral Reforms, Money and Muscle Power, Media and elections, Electoral Bond, Political funding.*

I. Introduction

In the vibrant coloured landscape of Indian Democratic scenario, Election is not only just a rigged contest but also an expression of will of public. The growing use of Money, Muscle and media has become notable in determination of electoral outcome, which push back the democratic principles of equality, fairness and transparency.¹ Among these, the vocation of media is Precarious; as it working between democratic institute and electorate, influencing the public, how to use their right to vote. From the inception of print media, when they have empowered the Indian electorate, 24*7 news channels and social media, many changes have been

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¹ Venkat Ram Reddy Ganuthula & Krishna Kumar Balaraman, "The Triad of Modern Democracies: Money, Identity, and Information in Shaping Power and Legitimacy" (May, 2025),

seen in Indian political discourse.² Beside this, opaque political finance has become Disquieting trend towards bias and dis-appropriate influence and interests. This trend is further intensified by increasing the number of candidates with criminal record, which wasting away the confidence of public and sanctity of democracy.³

Intersectionality of these forces, Stances a grave threaten to Indian democracy. In this study, Legal, institutional, and socio-political aspect of these is examined with Paving the way for fair and free election in world's largest democracy.

Elections are sole of democracy, providing voting right to the citizens to show their political will. Elections ensure the accountability of the representatives; and establish the fundamental values of equality and liberty for a common man. Right of universal adult franchise Bridge the gap between state and society, making a government from individual choice as well as collective decision. Thus, elections are an Emblem of Constitutional Value representing sovereignty, rule of law, and political equality throughout the nation. They also protect the civic rights as well as Transfer of powers after each and every electoral mandate. Thus, elections are not just a tool for political maneuvering, but also an instrument of social transformation in a democratic way.

Elections are serving as heartbeat of democracy and media has become the guiding voice for the public. From the evolution of print media in British raaj to present boom of digital platform, media play a Crucial role in setting the narratives to change the electoral behaviour. Reginal and local newspaper have been become key factor to rise the local issue, caste politics, regional and religious seminations to repercussion electoral mandate.⁴ Debate on political issue reached to last man of the democratic line through television and increased the influence of the media. Beside this, advent of social media platforms, has Metamorphosed the democratic set up in violent hate speech politics through misinformation and paid news.

Financial resources are essential for political parties to campaign, mobilize voters, Transmit their agendas. However opaque funding has increased concern about bribery, corruption and

² Lawvanyaa Kannan, "The Role of Social Media in Shaping Indian Elections" Lawful Legal, Jan 7, 2025.

³ Tejasvi Chebrolu et al., "Framing the Fray: Evaluating Conflict Frames in Indian Election News Coverage" 17th ACM Web Science Conference Proceedings 2025

⁴ Tousif Reja, "Identity Politics in India: Caste, Religion, and Regionalism in Party Strategies" Reflections.live *available at*: <https://reflections.live/articles/14589/identity-politics-in-india-caste-religion-and-regionalism-in-party-strategies-article-by-tousif-reja-23821-mdeu74iq.html> (last visited August 9, 2025).

undue influence.⁵ The Electoral Bond scheme, 2017 was Extolled as a reform in political funding. But critics contended that it will violate the principal of transparency, due to acceleration of benami Donation. Further in 2024, the Supreme Court of India declare this scheme unconstitutional, stating that it violates citizen's Right to Information.⁶

The liaison between crime and politics has become obdurate issue in Indian scenario. Candidate with Criminal track record regularly use their influence to win the election. This Muscle power not only threatens electoral but also ruins the public trust in democracy. Like as booth capturing of 1990's in Bihar, many muscle men of Uttar Pradesh politics, whose role in election influence has been underlined by report of Association for Democratic Reforms. In present times, muscle power is also used to distribute money, liquor and intimidate opposition workers. Enforcement of legal provisions, made for decriminalization of politics, has become week. Political parties are also in favour of these candidates to win the election anyhow.

Confluence of Money, Media and Muscle power make a Knotty challenge to democracy. Opaque finance can be used to set the media narratives, whereas muscle power is a challenge for dissenting voice. These situations change the electoral choice with Endangering themselves.

II. Electoral Finance and the Electoral Bonds Scheme

Finance of election is cornerstone of a democratic process, which Facilitating the political parties to go for campaign and communication with voters. In Indian scenario, the escalating cost of election has made blind dependency on finance of political parties; which is a danger for transparency and fair democratic process. For the integrity of Indian electoral democracy, transparent accountable political financial system.

The Electoral Bond Scheme of 2017 was introduced by the Finance Act to reform the Indian political funding system.⁷ This scheme allows Faceless donation to political parties from people and companies both. These bonds were purchased by branch of State Bank of India and can be redeemed by registered political parties within given time frame. Government started

⁵ Simma Appannamma, "The Impact of The Print Media on Voter Behaviour," 10 International Education and Research Journal (IERJ) (2024).

⁶ Association for Democratic Reforms v. Union of India, (2024) INSC 113.

⁷ Complinty, "Transparency Wins India's Political Funding Battle", 2024 available at: <https://complinty.com/blog/compliance/electoral-bonds-transparency-wins-indias-political-funding-battle/> (last visited July 13, 2025).

this, through official banking network, aimed to reduce the black money in election.⁸ To execute the Electoral Bond Scheme Section 29C was amended to exempt registered political parties from divulge donation received from these electoral bonds.⁹ In Companies Act, 2013 Section 182 was amended remove the capping on corporate donation and exclude the necessity of disclose the name of political parties to whom they have funded. In Income Tax Act, 1961 Section 13A was amended to exempt political parties to keep the record of donors, which has been donated by electoral bonds.

In historic judgement of Feb, 15, 2024, Supreme Court has declared the electoral bond unconstitutional. The court held that this scheme is in violation of freedom of speech and expression, mentioned in Article 19 (1) (a) of the Constitution, which include Right to information. The Court further observed that opaque funding through electoral bonds devoid the public of basic information of political funding as a transparent democratic system.

Transparency in political funding was considered as a basic Stipulation for meaning participation in democratic process, but the opaque nature of the scheme has created divergence between the political parties and the public. By Invalidating the electoral bond scheme, the Court again validates the Right to information as a fundamental right as inherent right to viable democracy. The Court instructed SBI Bank to unveil all the transactions of electoral bond scheme from April, 2019 include the names of all doner and receiver political parties to the Election commission of India. It is duty of Election commission of India to publish these names on their website restoring transparency for the faith of public in democratic process.¹⁰ This judgement bolsters the right of public to be informed and mitigate the scope of opaque funding. It restricts undue corporate Swaying in politics with reinforcing the constitutional right to be informed under Article 19(1) (a). it further reaffirms that the political funding must be align with democratic value not viable with administrative convenience or political perk. The Court established that transparency is a cornerstone of free and fair election as well as fundamental step for restoring faith in democratic institute.

III. Role of Muscle Power and Criminalization of Candidates

⁸ “Shankariasparliament.com/current-affairs/sc-verdict-on-electoral-bonds,”available at: <https://www.shankariasparliament.com/current-affairs/sc-verdict-on-electoral-bonds> (last visited July 29, 2025).

⁹ Khaitan Legal Associates-Smiti Tewari, Tamanna Meghrajani, and Vaidehi, “Electoral Bonds held unconstitutional by Supreme Court” Lexology, 2024

¹⁰ Association for Democratic Reforms v. Union of India, AIR 2024 INSC 113.

Implication of muscle power and criminalization of election candidate is really a threat to Indian democratic structure. This relation is subverting the principle of free and fair election as well as undermining the faith of public in democratic institute and effective governance.

Recent trends are quite Jarring, ample number of candidates have their criminal track record. As per ADR report of 2025, 45% of total sitting MLA across India declared criminal cases, in which 29% has charged with heinous offence like as Murder, Attempt to Murder and Crimes against women;¹¹ Beside this 44% of elected sitting MP's have criminal track record, in which 29% have their name in heinous offences.¹² Muscle power for intimidations, violence and coercion has become threat to fabric of Indian democracy. Election Commission of India Alluded that muscle power is more dangerous than money power in some parts of country.¹³ Criminal elements frequently inducing the public to vote in their favour, and secure victory of their candidate. Criminalization in politics attributed to following several factors:

- i. Vote Bank Politics: Political parties prioritise for winning candidate, ignoring the criminal background of candidates; who can turnout the specific caste, religion or community votes.
- ii. Weak Legal Framework: Although Representation of the People Act, 1951 disqualify candidature of those who have convicted of heinous offences; but the implementation is weak, which allow pendency of cases to contest election.
- iii. Pendency of the cases: pendency of criminal cases against the candidate often takes decades, and they are getting benefit to contest the election.

Criminalization of the politics is colouring the policy priorities, public trust and good governance, and at last decreasing the soul of democratic governance. Legislators of criminal track record priorities their self-interest over the public interest; which make credit of democratic institute implausible. Along with this, voters also lose their confidence in free and fair election, Rule of Law and Democratic accountability. Recognizing these consequences, the Judiciary has stepped up for preserve the soul of democracy. In *Public Interest Foundation v. Union of India*,¹⁴ the Supreme Court directed the political parties to publish the criminal record

¹¹ "ADR Report on Criminalization of Politics – Crackit Today Affairs," 2025 available at: <https://crackittoday.com/current-affairs/adr-report-on-criminalization-of-politics/> (last visited August 9, 2025).

¹² Ms. D. Gowri, "Crime And Power: The Troubling Intersection Of The Criminalization of Politics", *Nyayavimarsha*, 2024, (e-ISSN: 3048-5134), P. 1-11.

¹³ Navin B Chawla, "The unholy alliance of Muscle Power and Money Power is weakening Indian democracy," *Hindustan Times*, Dec 26, 2017.

¹⁴ (2018) 10 SCC 1.

of the candidates with their justification for selection to promote the transparency in election process. Along with this, The Law Commission of India in its 244th Report has also recommended disqualification of the candidates from contesting election, upon the framing of charge in serious offences. Although these steps are really appreciable but require legislative follow up to make decriminalized free and fair election.

IV. Paid News and Media Bias in Electioneering

Paid and promotion news has become pernicious for free and fair election, where editorial space secretly sold to the electoral, to masquerading any candidate or political parties. This subverts the image of media and contorts the public for manipulating the mandate. Press Council of India defined Paid News as “Any news or analysis appearing in any media (print and electronic) for a price in cash or kind as a consideration. The election time paid news phenomenon has three dimensions:

- i. The reader or the viewer does not get a correct picture of the personality or performance of the candidate in whose favor or against he decides to cast his vote. This destroys the very essence of democracy.
- ii. Contesting candidates perhaps do not show it in the election’s expenses account thereby violating The Conduct of Elections Rules, 1961, framed by the Election Commission of India under the Representation of the People Act, 1951.
- iii. Those newspapers which received the money in cash but did not disclose it in their official statements of accounts have violated the Companies Act, 1956 as well as the Income Tax Act, 1961 besides other laws.”

The Election Commission of India has declared that following action must be taken in case of paid news¹⁵:

- i. Name of the candidate (and not the media house) shall be published on CEO’s website in appropriate manner.
- ii. Name of the print and electronic media, with all the details of the paid news items shall be forwarded to Press Council of India (PCI) and News Broadcasters Association (NBA) by the Commission (and not by the O/o CEO) after obtaining it from the CEOs concerned.

¹⁵ Vide letter no. 491/Paid News/2019 dated 04.06.2019

Investigations of Press Council of India and Election Commission have exposed many candidate who have concealed paid news expenses in their election affidavit, which is in violation of Section 77 of the Representation of the People Act, 1951. This practise is really Unbridled in states as well as in general elections, when the corporate media houses accept payment for favourable coverage or negative information. A well-known case of Maharashtra, where funds were not accounted for paid news in his campaign expenses. Although legal action Wavered due to legal technicalities, the case became a historic example of the regulatory challenges in proving and penalizing such conduct.

Biasness of media is also equally problematic, which manifests in favour of political parties. Major corporate media houses create their relation with political parties, which often resulted that election news and stories aligned with these parties.¹⁶ This bias combined with paid news, amplifies some voices while muting others, is a hurdle to the democratic principles.

Emergence of social media platform has also complicated the situation. Social media influencer and private digital channel are also promoting candidates and political parties without any transparency. These digital platforms help political parties to micro target voters, thus electoral data with AI tool make this “weaponized micro-targeting”. Lack of special legislative framework for influencer based political message and deep fake content make the task of free and fair election more tough. Existing laws like as IT Act 2000 and Judicial direction¹⁷ also provide guidelines but the enforcement mechanisms really week.

Election commission of India has established Media Certification ad Monitoring Committees at District and State level, to identify and combat paid news, but the identification and enforcement both remains week. The Press Council of India, does not have binding authority on corporate media houses to curb the problem. To preserve the soul of free and fair election, India needs a strong legislative enactment for media bias and paid news; which include direction of clear disclosures fund and record, full transparent financial system, empowering regulatory bodies with punitive authority.

V. Global Perspective

For combating the challenge of money, muscle and media power it is essential to go through legislative enactment of the other democracies like as USA, UK and Canada which produce

¹⁶ “Who Owns the Media in India?,” Media Ownership Monitor available at: <https://india.mom-gmr.org/en/> (last visited August 9, 2025).

¹⁷ Krishna Bhaskar v. Union of India, W.P.(C) No. 5804 of 2021.

insightful glimpses for campaign finance regulation, public funding regulation and mechanism to ensure transparency.

United State of America

The US campaign finance system regulated under the Federal Election Campaign Act (FECA) and overseen by the Federal Election Commission (FEC). USA not only has their regulation for large donation but also have rule regarding contributor and expenditures of these funds. Citizens United v. Federal Election Commission,¹⁸ is a landmark decision of the United States Supreme Court regarding campaign finance laws, in which the Court held that laws restricting the political spending of corporations and unions are inconsistent with the Free Speech Clause of the First Amendment to the U.S. Constitution. The Supreme Court ruled that the prohibition of all independent expenditures by corporations and unions in the Bipartisan Campaign Reform Act violated the First Amendment. The ruling barred restrictions on corporations, unions, and nonprofit organizations from independent expenditures, allowing groups to independently support political candidates with financial resources.

United Kingdom

The UK model is comparatively strict, which include capping on expenditure. Under the Political Parties, Elections and Referendums Act (PPERA), 2000, expenditure by political parties during election campaign is subject to strict legal limit. Donors must inform to the Election Commission. Foreign and corporate donation are also subject to some prohibition. Provision of “right to reply” is also framed during media broadcasting to balance election campaign. Public service broadcasters are bound by Ofcom regulation for non-biasness.

Canada

Canada has resilient structure for election campaign finance. The Canada Election Act impose strict capping not only on individual doner but also on party expenses. Corporate donations as well as foreign donations are strictly banned, all donation must be made from Canadian citizens and or permanent residents. Administrative body “Election Canada” provide public discloser of donations and expenses of election. Public partial funding model is also used in Canada, by which a part of expenses will be reimbursed to political parties and individual candidate if they get vote of a decided limit. This will decrease the dependency on corporate houses. Beside this

¹⁸ 558 U.S. 310 (2010).

the capping limit is also applied on the third persons for advertising in media. Canadian law automatic disqualifies on conviction of electoral fraud or other serious offences.

Thus, the Legal framework of USA, UK and Canada are different, but many similarities are there which can be adoptable idea for Indian Electoral scenario. USA, UK and Canada have transparency and discloser, which include of real time reporting system (USA), independent oversight bodies (UK and Canada). Broadcasting rules for neutrality in Canda and UK are stricter than our system. The change in public finance model, including the reimbursement of Canada and capping on donation, are demand of the hour.

VI. Conclusion and Suggestions

The interlink of Money, muscle and media has become an ingenious danger for Indian democratic framework. Which effect the electoral during the election and manipulate the mandate. India needs a strong Stewardship system to monitor free and fair election.

- i. Strengthening Legal Framework: Report of 255th Law Commission must be adopted as soon as possible, which directed to extend monitoring window for campaign expenditure from notification of election to the counting of votes; audits must be done by certified accountants; empower the Election Commission for disqualification on serious violation (False affidavit and deliberate conceal of expenses). Strict amendments are necessary in section 182 of Companies and section 77/29 of RPA, which ensure free and fair election to establish a viable democracy.
- ii. Establish of Permanent and independent Supervision System: ADR has already demanded for an independent statutory body, consisting Judicial members, Law makers, Technocrats and civil society members to watch the campaign finance. This body play companion role with Election Commission of India to ensure transparency in free and fair election, facilitating continuous monitoring, enforcing transparency norms, and recommending sanctions for violations.
- iii. Establishment of Co-ordination between Judiciary and Legislature: Judgement like as Lily Thomas¹⁹, Public Interest Foundation²⁰ and the Electoral Bonds judgment²¹ have created strong parameters but effective implications need legislative follow up which

¹⁹ (2013) 7 SCC 653.

²⁰ AIR 2018 SC 4550

²¹ Writ Petition (Civil) No. 880 of 2017, decided on 15 February 2024.

include new legislative enactment, strict action against media houses and make new courts for election petitions.

- iv. Fostering Ethical Political Culture: The integrity of legislative, judiciary and executive including independence Election Commission of India; must be essential for vibrant democracy. Statutory support for model Code of Conduct guidelines – on candidate conduct, paid news, and digital campaigns – would provide the ECI with enforceable regulatory authority.²²
- v. Cultural and Ethical Reorientation: Intra-party discipline and integrity is necessary for these reforms. All political parties need internal checking system to blacklist candidate with serious criminal track record or black money funding sources.

Thus, the interlinked influences of money, muscle and media become a challenge to sanctity of free and fair election in Indian Scenario. The electoral are going to lose their faith in democratic institutes including Election Commission of India. Evolution of these challenges is result of result of weak enforcement mechanisms and legal loopholes. Reform proposals like as ranging from mandatory disclosures of political funding, rigorous auditing requirements, expenditure caps, to the establishment of a permanent independent oversight authority; provide a promising blueprint for systemic renewal. These reforms will take place only if accompanied by a collective political will and electoral shift to boycott of candidates of criminal track record with genuine spirit of democratic governance. A create good alliance among the judiciary, legislation, Election Commission, media, and civil society; we can go for transparent election process and restore the faith of public in democratic institutes. As Dr. B.R. Ambedkar warned, “However, good a constitution, may be, if those who are implementing it are not good, it will prove to be bad.”²³ So we have to for stricter implementation of our Legal framework for establishment of vibrant democracy. This path needs courage, public vigilance and dedicated reform commitment of government, civil societies and the public.

²² “Electoral reforms needed to curb money power: Quraishi” The Hindu, 9 January 2011, section India.

²³ Meera Emmanuel, “‘If hereafter things go wrong, we will have nobody to blame’, Dr. Ambedkar’s final speech in Constituent Assembly” Bar and Bench - Indian Legal news, 2018.