



Learn Beyond

KPR IAS Academy

Institute for IAS, IPS, IFS and TNPSC Exams

No. 5, AKS Nagar, Near Gandhi Park, Coimbatore - 641 001

GS Paper II – Polity

Date: 05.05.26

A round of elections that signals structural dominance

The phase of Indian politics since 2014 has been widely termed the fourth party system, with the Bharatiya Janata Party (BJP) constituting a dominant pole that increasingly structures the field of competition at both the national and State levels. Some observers have periodically asked whether this BJP-dominant system represents a durable structural dominance or a more fleeting electoral dominance, largely built on and sustained by the charismatic leadership of Narendra Modi.

What drives the juggernaut

These rounds of State elections (in Assam, West Bengal, Kerala, Tamil Nadu and Puducherry) should settle that question in favour of structural dominance. The setback received by the National Democratic Alliance in the 2024 general election suggested that Mr. Modi's charismatic appeal had begun to recede from the dizzying heights it had scaled over the previous decade. Yet, the BJP has performed much better in the phase of elections between 2024-26 than it did either in 2014-16, when Mr. Modi still carried the transformative aura of the *vikas purush*, or in 2019-21, when he became the pro-poor messiah embodying an unmatched reservoir of popular trust. It is only in the present cycle that the BJP has managed to storm to power in Odisha, Delhi, and West Bengal, which is the biggest prize of them all.

Of course, Mr. Modi's leadership remains important in terms of his ability to direct and manage the machinery of the system of power. But it is the sprawling machinery itself, involving the close nexus of party organisation, wider Sangh networks, big industrial houses, and key state institutions, which drives the juggernaut of the BJP-dominant system.

In Haryana and Maharashtra, the mobilisation of the Rashtriya Swayamsevak Sangh helped the BJP blunt the spectre of anti-incumbency (especially among Dalits) that was stalking the ruling alliance after a decade in power. Similarly, in West Bengal, the Sangh Parivar laid the groundwork for the BJP campaign to mobilise scattered caste and community grievances (such as of Matuas and Rajbanshis) into a coherent, State-wide narrative of Hindu exclusion.

In addition, the BJP has, in the course of this period, also built up an architecture of power that has made it the 'natural party of governance' (in the mould of the Congress period of dominance). The instruments of this power include the above-mentioned informal alliances and control over public institutions, through which the BJP is able to structure the party system to its advantage, breaking factions of opponent parties and co-opting its leaders. But it also involves



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The Assembly election results strengthen the argument for the BJP's structural political dominance

manipulating the administrative machinery to deepen the ideological hold of Hindutva.

In Assam and West Bengal

In Assam, the Himanta Biswa Sarma government has made the category of the "Bangladeshi Muslim immigrant" (read: Bengali speaking Muslim) the master signifier coursing through everyday functioning of bureaucratic institutions and the public regulation of land and resources. The category of the 'Bangladeshi immigrant' has been embedded at the core of the policies and practices of the National Register of Citizens (NRC), the 'D-voter' category (Doubtful Voter), detention centres, delimitation, eviction drives, policing, and surveillance. The interpellative capacity of the government procedures has turned the distinction between indigenous (Hindu) and outsider (Muslim) into the organising idea for Assamese society in terms of imagining collective life and approaching the political world. The communalism of the Himanta Biswa government thus goes much beyond the regular hate speeches; it is indeed baked into the very architecture of governance and how people relate to it.

In West Bengal, the BJP campaign was characterised by the underhanded tactics and partisan use of state institutions such as the Enforcement Directorate, the Central Bureau of Investigation and paramilitary forces, which were heavily deployed in an unprecedented manner in a State election (outside of Kashmir and the Northeast). Meanwhile, the shambolic and discriminatory rollout of the Special Intensive Revision of electoral rolls by the Election Commission of India ensured that a substantial chunk of the Trinamool Congress (TMC) support base (primarily Muslims) were struck off from the electoral list.

To withstand the juggernaut of the BJP-dominant system requires a politics of counter-hegemony. The Congress in Assam has failed to imagine such a politics over the last decade, let alone execute it. Instead, it turned to the scion of the Gogoi dynasty, who was dispatched from Delhi and given charge of the State a year before the election. The party relied on a dominant caste (Ahom)-led consolidation in upper Assam and Muslim-led consolidation in lower Assam. Meanwhile, the TMC banked on its narrative of Bengali pride, along with cash transfers to women and Muslim consolidation, to secure a fourth consecutive term. Both these strategies failed spectacularly.

The declining fortunes of both the established regional parties as well as the Congress can be traced back to the form of their organisation,

which is the electoral-professional party. As theorised by political scientist Angelo Panebianco, this is a party organised around the professional apparatus of campaign managers, consultants and pollsters (as opposed to ideologically motivated cadres), whose primary focus revolves around electoral competition.

The rise of the electoral-professional party is an institutional adaptation to the prevailing developmental paradigm. For State governments to attract big capital and deliver on economic growth (and amass the funds for social welfare), they are constrained to follow a similar bouquet of 'good governance' policies: pro business reforms and big infrastructure projects. This led first to the shift of the prevailing party form from the (ideological/identity-based) mass party to the (centrist) catchall party. The rise of technology-enabled direct cash transfers seeded the next transmutation from the catchall party to the electoral-professional party. The parallel professional framework becomes indispensable to connect these "techno-patrimonial" leaders (Yamini Aiyar) with their broad welfare constituency.

The southern States

As Neelanjan Sircar has noted from his fieldwork in Bengal, TMC cadres have been repurposed from overseeing delivery of benefits (outsourced to professionals) to the mobilising of voters for elections. In Tamil Nadu, even the Dravida Munnetra Kazhagam has been transformed by M.K. Stalin's 'CEO' style leadership, from a decentralised organisation of strong district secretaries into a centralised, disciplined and welfare-driven machine. A similar story could be told in Kerala of Pinarayi Vijayan's transformation of the Communist Party of India (Marxist), or CPI(M), as a disciplined party under his personalistic management.

While M.K. Stalin, Pinarayi Vijayan and Mamata Banerjee achieved some success after turning their parties from cadre-based to electoral-professional outfits, it masked the electoral fragility of such politics. The downside of a managerial, ideologically feeble politics is that it depoliticises the electorate, and makes them turn to either the populist outsider solution (as in C. Joseph Vijay's Tamilaga Vettri Kazhagam in Tamil Nadu) or the Hindu nationalist solution (as in the BJP in Assam).

While Kerala has gone for the conventional alternative in the Congress, it is not yet clear whether the deformed CPI(M), now in opposition, would be able to protect its space from the rising BJP any better than it has managed in Tripura and West Bengal.



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GS Paper II – Polity & Governance

Did the PM's broadcast violate MCC?

What does Part VII say about using public resources? How does election law treat such appeals? Can public broadcasters be used for campaign messaging? Why has the Election Commission not acted so far?

EXPLAINER

V. Venkatesan

The story so far:

The Model Code of Conduct (MCC), which guides political parties and candidates during elections, was first drafted by the Kerala government in 1960. The Election Commission (EC) formalised it in 1968, revised it in 1974, and added Part VII on the "party in power" in 1979. Former Chief Election Commissioner T.N. Seshan enforced it with unprecedented rigour from 1991. Prime Minister Narendra Modi's April 18 address has raised questions about whether the address violated the Code.

How did the Model Code of Conduct evolve?

The Supreme Court, in *Mohinder Singh Gill v. Chief Election Commissioner* (1978), described Article 324 as "a reservoir of power" that allows the EC to act where Parliament has not legislated. The Punjab and Haryana High Court, in *Harbans Singh Jalal v. Union of India* (1997), held that the Code comes into effect from the announcement of the election schedule. Sanctions range from censure to the suspension of party recognition under paragraph 16A of the Election Symbols Order, 1968.

Mr. Modi's address was carried live on Doordarshan, Sansad TV, and All India Radio. He named four Opposition parties and urged women voters in Tamil Nadu and West Bengal to punish them at the polls on April 23 for defeating the 131st Constitution Amendment Bill in the Lok Sabha.

Does the Prime Minister's broadcast violate the Code?

Clauses 1(a), 1(b), and 4 of Part VII of the MCC prohibit the party in power from



Prime Minister's address was carried live on Doordarshan, Sansad TV, and All India Radio. P11

combining official visits with electioneering, using government machinery for campaign work, and misusing publicly funded mass media for partisan coverage during the election period. The broadcast raises distinct questions under both the Code and the Representation of the People Act, 1951.

The Code asks what the incumbent did with public resources. It does not provide a closed list of impermissible appeals; that open texture is deliberate. On its face, the April 18 address appears to be a textbook Part VII matter. At the time of writing, the Commission has taken no action on the complaints it has received.

The statute is less flexible than the Code. Section 123(3) of the Representation of the People Act, 1951, as amended in 1961, makes it a corrupt practice for a candidate or his agent to appeal to voters on the ground of "his" religion, race, caste, community, or language. The provision turns on a pronoun, "his", and five enumerated nouns. In *Abhiram Singh v. C.D. Commachen* (2017), a seven-judge

Bench of the Supreme Court settled, by a 4:3 majority, that "his" extends to the voter as well as the candidate.

What do the law and the courts say about such appeals?

However, Abhiram Singh grappled with the pronoun, not with the nouns. The 1961 Parliament was legislating against the sectarian appeals of its moment, when religion, race, caste, community, and language were the dominant axes of Indian politics. Section 123(3) was not drafted to police every form of partisan appeal.

The April 18 broadcast ran on different axes: gender as a mobilising category, party affiliation as a target, and the Prime Minister's national broadcast on Doordarshan as the medium. The objection here is not to the identity of the audience, but to the partisan use of publicly funded media. The statute's five nouns were never meant to catch that.

A writ petition pending before the Supreme Court (Diary No. 24600 of

2026), filed by former Congress MP T.N. Prathapan, and a candidate in the just-concluded Assembly elections in Kerala, opens a different statutory route. It invokes Section 123(7), not Section 123(3). Section 123(7) makes it a corrupt practice to obtain or procure the assistance of government servants, including gazetted officers, for the furtherance of a candidate's electoral prospects. The sub-section was drafted to deter candidates from pressuring police and revenue officials into electioneering; the petition asks whether its reach extends to public broadcasters and the PMO.

The petition argues that the use of Doordarshan and Sansad TV, along with Prime Minister's Office personnel, to prepare and disseminate a partisan broadcast falls within this prohibition. Where Section 123(3) focuses on the grounds of an appeal, Section 123(7) turns on who was pressed into service to deliver it.

On that reading, the statute reaches April 18 not through its five nouns but through its workforce clause.

This returns the conversation to the Code. The MCC, unlike the statute, was written to be open-textured. Part VII asks what the party in power did with public resources; the statute asks which of five categories the appeal invoked, or whose assistance it procured. The statute sets a floor on corrupt practice, not a ceiling on what the Code can reach.

The Commission's silence on Mr. Modi's broadcast is not a doctrinal difficulty. It is a choice not to use the one instrument in Indian electoral regulation that was kept open precisely for settings where the statute may reach only belatedly, if at all. If the court admits the petition and the Commission is compelled to answer, the architecture of MCC enforcement may face its hardest test yet. (V. Venkatesan is a journalist and legal researcher)

THE GIST

The April 18 broadcast appears to be a textbook Part VII issue, raising questions about the partisan use of State-funded mass media and the use of public resources during the election period, but the Commission has taken no action so far.

While Section 123(3) does not cover such appeals, the petition invokes Section 123(7) on the assistance of government servants, bringing the issue back to the open-textured MCC, which the Commission has chosen not to use.



GS Paper II – Polity & Governance

What does the latest ruling mean for Forest Rights Act?

Why did the court intervene in the DLC's decision? What does the law say about eviction and grazing rights?

C.R. Bijoy

The story so far:

In April 20, the Lucknow Bench of the Allahabad High Court reminded the District Level Committee (DLC) under the Forest Rights Act 2006 in Lakhimpur, Uttar Pradesh, that any previous court orders inconsistent with a later law are null and void.

Why is the order important?

The High Court struck down the DLC's decision in March 2021, rejecting the forest rights claims of the Tharus of Palla Kalan Tehsil, a tribal community, citing a Supreme Court interim order in 2000 that barred "de-reservation of forests/sanctuaries/national parks" until further orders.

The DLC is headed by the District Collector and includes the Divisional Forest Officer, the District Tribal Welfare Officer, and three district panchayat members.

The core legal principle in lawmaking is that all provisions in earlier laws and

court orders that are inconsistent with the provisions of a later law are null and void. The Forest Rights Act (FRA) 2006 itself also states that forest rights are recognised and vested in forest dwellers "notwithstanding anything contained in any other law for the time being in force and subject to the provisions of this Act". The DLC violated this provision, which is a punishable offence.

Has the DLC been punished?

While the order has thus brought relief across the country, the High Court did not invoke the mechanism the FRA provides to sanction offenders. The Gram Sabha is a statutory authority under the FRA. It has to issue 60 days' notice to the State-Level Monitoring Committee to proceed against the authority violating the law.

However, the High Court ignored this provision and instead asked the DLC itself to reconsider its offence and make its decision anew in line with existing law and court orders.

The FRA does not provide for such allowances.

How has the FRA been superseded?

FRA disallows the eviction or removal of forest dwellers "from forest land under their occupation till the recognition and verification procedure is complete". For example, in January 2026, the Uttarakhand High Court ordered the forest department that "till final adjudication of the claims, the respondents shall refrain from initiating any coercive action, including eviction of the petitioners or interference with their peaceful possession and agricultural activities on the lands under their occupation".

However, there has been repeated disregard for and violations of the FRA. For instance, in September 2014, the Madras High Court had dismissed the plea of petitioners from Asaripallam, in Theni district, challenging eviction notices they had been issued and to consider their claims under the FRA. This was based on the forest officer's submission that they were encroachers and weren't eligible for rights under the FRA.

The Madras High Court stated that the claim process under the FRA would only

waste the authorities' time and dismissed the case.

The same High Court has dismissed similar petitions under the FRA by petitioners from Perambalur in 2017, Tuticorin in 2020, Sivagangai in 2021, and Theni in 2022. Authorities also continue to issue eviction orders under the Tamil Nadu Forest Act (TNFA) 1882, despite such orders having been overridden by the FRA.

Does the FRA allow grazing?

On March 13 this year, the Madurai Bench of the Madras High Court dismissed a review petition of the March 2022 order, noting that "the provisions prohibiting cattle trespass into forests under Section 57 of the Tamil Nadu Forest Act", to protect wildlife and the spread of disease, were the valid legal basis for the ban.

The High Court had initially banned grazing in all forest areas of Tamil Nadu; later the same month, it restricted the ban order to tiger reserves, national parks, and wildlife sanctuaries. However, it made no reference to the FRA, which recognises grazing rights in all forests, including those overlapping with tiger reserves, national parks, and wildlife sanctuaries. FRA is also a central law and thus overrides a State law with regard to both prohibition and permission for grazing.

This is why the Allahabad High Court reaffirming that provisions in the later law override inconsistent provisions in previous ones, as well as in court orders, comes as a breath of fresh air.

(C.R. Bijoy examines natural resource conflicts and governance issues)

THE GIST

The High Court reaffirmed that provisions in a later law override inconsistent earlier court orders, striking down the DLC's rejection of the Tharus' forest rights claims.

The ruling highlights repeated disregard of the Forest Rights Act, including eviction orders and denial of grazing rights, despite the law recognising and protecting these rights.