

The Role of Election Commission in Indian Political Process- Case Study of Uttar Pradesh and Gujarat in 2007 and Andhra Pradesh from 2004 to 2009

*A thesis submitted to the University of Hyderabad in partial fulfillment of
the requirement for the award of*

**DOCTOR OF PHILOSOPHY
IN
POLITICAL SCIENCE
BY
M. RAMAN JANEYULU**



**DEPARTMENT OF POLITICAL SCIENCE
SCHOOL OF SOCIAL SCIENCES
UNIVERSITY OF HYDERABAD
GACHIBOWLI
HYDERABAD - 500 046
December - 2015**

**DEPARTMENT OF POLITICAL SCIENCE
SCHOOL OF SOCIAL SCIENCES
UNIVERSITY OF HYDERABAD**



DECLARATION

*I hereby declare that this thesis entitled "The Role of Election Commission in Indian Political Process- Case Study of Uttar Pradesh and Gujarat in 2007 and Andhra Pradesh from 2004 to 2009" submitted by me under the supervision of B. Chandrasekhar **Rao**, is a Bonafide research work which is also free from plagiarism. I also declare that it has not been submitted previously in part or in full to this university or any other university or institution for the award of any degree or diploma. I hereby agree that my thesis can be deposited in Shodhganga/INFLIBNET.*

Date:
Hyderabad

M. Ramanjaneyulu
Reg.No:06SPPH01

**DEPARTMENT OF POLITICAL SCIENCE
SCHOOL OF SOCIAL SCIENCES
UNIVERSITY OF HYDERABAD**

.....

CERTIFICATE

This is to certify that the thesis entitled "The Role of Election Commission in Indian Political Process- Case Study of Uttar Pradesh and Gujarat in 2007 and Andhra Pradesh from 2004 to 2009" submitted by M. Ramanjaneyulu bearing Regd. No. 06SPPH0J in partial fulfillment of the requirements for the award of Doctor of Philosophy in the Department of Political Science is a Bonafide work carried out by him under my supervision and guidance which is a plagiarism free thesis. The thesis has not been submitted previously in part or in full to this or any other University or Institution for the award of any degree or diploma.

Hyderabad

B. Chandrasekhar Rao
Research Supervisor

Head, Dept of Political Science

Dean, School of Social Sciences

ACKNOWLEDGEMENTS

This thesis has made successful submission because of the many people who helped me in the course of my research journey. I am sincerely indebted to my research supervisor B. Chandrasekhar Rao for his sincere supervising, constant encouragement and guidance in completing this work. Further, my sincere thanks to the esteemed Doctoral Research Committee members i.e., Prof. G. Sudarshanam and, Dr K.Y. Ratnam for their constant suggestions and encouragements, etc. My heart full thanks to UGC for helping me through Rajiv Gandhi National Fellowship for financial help, without which I would not have been finished this research at all.

I am also equally grateful to Prof. G. Sudarshanam Head, Department of Political Science and Professors G. Haragopal. Prakash C. Sarangi, I. Ramabrahmam, Md. Moazzam Ali, Arun Kumar Patnaik, Sanjay Palshikar, Vasanthi, Manjari Katju and Biju S.L. and all other faculty members of the Department for providing such an atmosphere that is conducive to pursue research.

I thank non-teaching staff of the Department of Political Science for being helpful and cooperative with my research. I also thank to the staff of the Indira Gandhi Memorial Library for their valuable services and special thanks to 'Reading Room', University of Hyderabad for peaceful and convenient working environment.

I extend my thanks to all those experts and Politicians who have co-operated me in doing my field survey. Throughout the research process, there has been an encouragement and inspiration from friends - Para Ramesh,, Dr. Murali,, Dr. B. Jaganatham,, M. Ramulu, Chandraiah, Sathri Veera Kesalu, Y. Suresh Babu,

I would be failing in my duty if I do not record the co-operation and encouragement I received from all sources and finally from my parents i.e., M.Omkarappa and M.Gangamma, my life partner M.Renuka & other family members.

M. Ramanjaneyulu

List of Tables

Table no	Title of the Table	Page No
1	Opinions of all the respondents on whether the Election Commission Should be a single-member body or multiple-member body	141
I.i	Opinions of only Members of Legislative Assembly	142
1.i	Opinions of only Members of Parliament	142
I.iii	Opinions of only Sarpanches	143
I.iv	Opinions of only Academicians	143
I.v	Opinions of only Research Scholars	144
I.vi	Opinions of only Election Commissioners	144
2	Opinions of all the respondents on whether the Election Commission Should have separate staff or not for discharging its duties	145
2.i	Opinions of only Members of Legislative Assembly	145
2.ii	Opinions of only Members of Parliament	146
2.iii	Opinions of only Sarpanches	146
2.iv	Opinions of only Academicians	147
2.v	Opinions of only Research Scholars	147
2.vi	Opinions of only Election Commissioners	148
3	Opinions of all the respondents on which one is better for voting whether the Electronic Voting Machine or ballot paper	148
3. i	Opinions of only Members of Legislative Assembly	149

Table no	Title of the Table	Page No
3. ii	Opinions of only Members of Parliament	149
3. li	Opinions of only Sarpanches	150
3. iv	Opinions of only Academicians	150
3. v	Opinions of only Research Scholars	151
3. vi	Opinions of only Election Commissioners	151
4	Opinions of all the respondents on whether the President's rule should be imposed at the Centre and in the States during the time of elections	152
4. i	Opinions of only Members of Legislative Assembly	152
4. ii	Opinions of only Members of Parliament	153
4. iii	Opinions of only Sarpanches	153
4. iv	Opinions of only Academicians	154
4. v	Opinions of only Research Scholars	154
4. vi	Opinions of only Election Commissioners	155
5	Opinions of all the respondents whether the power of deregistration of Political Parties should be given to the Election Commission	155
5. i	Opinions of only Members of Legislative Assembly	156
5. ii	Opinions of only Members of Parliament	156
5. iii	Opinions of only Sarpanches	157
5. iv	Opinions of only Academicians	157

Table no	Title of the Table	Page No
5. v	Opinions of only Research Scholars	158
5. vi	Opinions of only Election Commissioners	158
6	Opinions of all the respondents on who should be appointed as The Election Commissioners in India whether the Supreme Court judges or the officers of all-India services	159
6. i	Opinions of only Members of Legislative Assembly	159
6. ii	Opinions of only Members of Parliament	160
6. Hi	Opinions of only Sarpanches	161
6. iv	Opinions of only Academicians	161
6. v	Opinions of only Research Scholars	162
6. vi	Opinions of only Election Commissioners	162
7	Opinions of all the respondents on the need to introduce state-funding Of elections in India are shown below.	163
7.1	Opinions of only Members of Legislative Assembly	163
7. ii	Opinions of only Members of Parliament	164
7. iii	Opinions of only Sarpanches	164
7. iv	Opinions of only Academicians	165
7. v	Opinions of only Research Scholars	165
7. vi	Opinions of only Election Commissioners	166

Table no	Title of the Table	Page No
8	Opinions of only all the respondents whether the use of money by the contesting candidates and Political Parties should be banned or not During the time of elections	167
8. i	Opinions of only Members of Legislative Assembly	167
8. ii	Opinions of only Members of Parliament	168
8. iii	Opinions of only Sarpanches	169
8. iv	Opinions of only Academicians	169
8. v	Opinions of only Research Scholars	170
8. vi	Opinions of only Election Commissioners	170
9	Opinions of all the respondents about whether the compulsory voting should be introduced or not in India	171
9.1	Opinions of only Members of Legislative Assembly	172
9. ii	Opinions of only Members of Parliament	172
9. iii	Opinions of only Sarpanches	173
9. iv	Opinions of only Academicians	173
9. v	Opinions of only Research Scholars	174
9. vi	Opinions of only Election Commissioners	174

Table no	Title of the Table	Page No
10	Opinions of all the respondents about how much time can be enough For conducting by-elections for the Election Commission	175
10. i	Opinions of only Members of Legislative Assembly	175
10. ii	Opinions of only Members of Parliament	176
10. i i i	Opinions of only Sarpanches	176
10. iv	Opinions of only Academicians	177
10. v	Opinions of only Research Scholars	178
10. vi	Opinions of only Election Commissioners	178
11	Opinions of all the respondents about what should be the minimum Age for voting in India	179
11.1	Opinions of only Members of Legislative Assembly	179
11. ii	Opinions of only Members of Parliament	180
11. iii	Opinions of only Sarpanches	181
11. iv	Opinions of only Academicians	181
11. v	Opinions of only Research Scholars	182
11. vi	Opinions of only Election Commissioners	182
12	Opinions of all the respondents about whether the Election Commissioners Should be considered for further appointment after retirement	183
12. i	Opinions of only Members of Legislative Assembly	184

Table no	Title of the Table	Page No
12. ii	Opinions of only Members of Parliament	184
12. iii	Opinions of only Sarpanches	185
12. iv	Opinions of only Academicians	185
12. v	Opinions of only Research Scholars	186
12. vi	Opinions of only Election Commissioners	187
13	Opinions of all the respondents about whether there should be State Election Commissions in India	187
13. i	Opinions of only Members of Legislative Assembly	188
13. ii	Opinions of only Members of Parliament	189
13. iii	Opinions of only Sarpanches	189
13. iv	Opinions of only Academicians	190
13. v	Opinions of only Research Scholars	190
13. vi	Opinions of only Election Commissioners	191
14	Opinions of all the respondents about how much should be the maximum expenditure limit for an Assembly constituency in India	191
14. i	Opinions of only Members of Legislative Assembly	192
14. ii	Opinions of only Members of Parliament	193
14. iii	Opinions of only Sarpanches	193
<u>14.iv</u>	Opinions of only Academicians	194

Table no	Title of the Table	Page No
14. v	Opinions of only Research Scholars	195
14. vi	Opinions of only Election Commissioners	195
15	Opinions of all the respondents on how much should be the maximum expenditure limit for a Parliamentary constituency	196
15.1	Opinions of only Members of Legislative Assembly	197
15. ii	Opinions of only Members of Parliament	197
15. iii	Opinions of only Sarpanches	198
15. iv	Opinions of only Academicians	198
15. v	Opinions of only Research Scholars	199
15. vi	Opinions of only Election Commissioners	199
16	Opinions of only all the respondents about the need for election symbols in India	200
16. i	Opinions of only Members of Legislative Assembly	201
16. ii	Opinions of only Members of Parliament	201
16. iii	Opinions of only Sarpanches	202
16. iv	Opinions of only Academicians	202
16. v	Opinions of only Research Scholars	203
16. vi	Opinions of only Election Commissioners	203

Table no	Title of the Table	Page No
17	Opinions of all the respondents about for how many years the candidate Should be disqualified for not submitting the accounts of electoral expenses	204
17. i	Opinions of only Members of Legislative Assembly	204
17. ii	Opinions of only Members of Parliament	205
17. iii	Opinions of only Sarpanches	206
17. iv	Opinions of only Academicians	206
17. v	Opinions of only Research Scholars	207
17. vi	Opinions of only Election Commissioners	208
18	Opinions of alt the respondents about whether the exit polls should be completely banned or not in India	208
18. i	Opinions of only Members of Legislative Assembly	209
18. ii	Opinions of only Members of Parliament	209
18. iii	Opinions of only Sarpanches	210
18. iv	Opinions of only Academicians	210
18. v	Opinions of only Research Scholars	211
18. vi	Opinions of only Election Commissioners	211
19	Opinions of all the respondents about who should be empowered to disqualify the Members of Parliament	212
19. i	Opinions of only Members of Legislative Assembly	213

Table no	Title of the Table	Page No
19. ii	Opinions of only Members of Parliament	213
19. iii	Opinions of only Sarpanches	214
19. iv	Opinions of only Academicians	215
19. v	Opinions of only Research Scholars	215
19. vi	Opinions of only Election Commissioners	216
20	Opinions of all the respondents about for how many years once the elections should be held to the Lok Sabha and State Assemblies	217
20. i	Opinions of only Members of Legislative Assembly	217
20. ii	Opinions of only Members of Parliament	218
20. Hi	Opinions of only Sarpanches	219
20. iv	Opinions of only Academicians	219
20. v	Opinions of only Research Scholars	220
20. vi	Opinions of only Election Commissioners	220
21	Opinions of only alt the respondents about whether the proportional system Of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies	221
21. i	Opinions of only Members of Legislative Assembly	222
21. ii	Opinions of only Members of Parliament	222
21. iii	Opinions of only Sarpanches	223

Table no	Title of the Table	Page No
21. i	Opinions of only Academicians	224
21. v	Opinions of only Research Scholars	224
21. vi	Opinions of only Election Commissioners	225
22	Opinions of all the respondents about the need to introduce the election Fund under the election commission in the country are shown below	226
22. i	Opinions of only Members of Legislative Assembly	226
22. ii	Opinions of only Members of Parliament	227
22. iii	Opinions of only Sarpanches	227
22. iv	Opinions of only Academicians	228
22. v	Opinions of only Research Scholars	228
22. vi	Opinions of only Election Commissioners	229
23	Opinions of all the respondents about for how many years once the Electoral rolls should be prepared in India	230
23. i	Opinions of only Members of Legislative Assembly	231
23. ii	Opinions of only Members of Parliament	231
23. iii	Opinions of only Sarpanches	232
23. i	Opinions of only Academicians	233
23. v	Opinions of only Research Scholars	233
23. vi	Opinions of only Election Commissioners	234

Table no	Title of the Table	Page No
24	Opinions of all the respondents about what should be the punishment For involving in the offence of bribery	235
24. i	Opinions of only Members of Legislative Assembly	235
24. ii	Opinions of only Members of Parliament	236
24.iii	Opinions of only Sarpanches	237
24. iv	Opinions of only Academicians	237
24. v	Opinions of only Research Scholars	238
24. vi	Opinions of only Election Commissioners	238
25	Opinions of all the respondents about what should be the punishment for committing the offence of impersonation on the day of polling	239
25. i	Opinions of only Members of Legislative Assembly	240
25. ii	Opinions of only Members of Parliament	240
25. iii	Opinions of only Sarpanches	241
25. iv	Opinions of only Academicians	242
25. v	Opinions of only Research Scholars	242
25. vi	Opinions of only Election Commissioners	243
26	Opinions of all the respondents about what should be the punishment For using Government machinery for campaigning	244
26.1	Opinions of only Members of Legislative Assembly	244

Table no	Title of the Table	Page No
26. ii	Opinions of only Members of Parliament	245
26. iii	Opinions of only Sarpanches	246
26. iv	Opinions of only Academicians	246
26. v	Opinions of only Research Scholars	247
26. vi	Opinions of only Election Commissioners	247
27	Opinions of all the respondents about what should be the punishment for Committing the offence of rigging during the time of polling	248
27. i	Opinions of only Members of Legislative Assembly	249
27. ii	Opinions of only Members of Parliament	249
27. iii	Opinions of only Sarpanches	250
27. iv	Opinions of only Academicians	251
27. v	Opinions of only Research Scholars	251
27. vi	Opinions of only Election Commissioners	252
28	Opinions of all the respondents about the need for Regional Election Commissioners in India	252
28. i	Opinions of only Members of Legislative Assembly	253
28. ii	Opinions of only Members of Parliament	253
28. iii	Opinions of only Sarpanches	254
28. iv	Opinions of only Academicians	254

Table no	Title of the Table	Page No
28. v	Opinions of only Research Scholars	255
28. vi	Opinions of only Election Commissioners	255
29	Opinions of all the respondents on the need for Election Tribunals	256
29. i	Opinions of only Members of Legislative Assembly	256
29. ii	Opinions of only Members of Parliament	257
29. iii	Opinions of only Sarpanches	257
29. iv	Opinions of only Academicians	257
29. v	Opinions of only Research Scholars	258
29. vi	Opinions of only Election Commissioners	258
30	Opinions of all the respondents on whether Eunuchs should be given	
	Voting rights	259
30. i	Opinions of only Members of Legislative Assembly	259
30. ii	Opinions of only Members of Parliament	260
30. iii	Opinions of only Sarpanches	260
30. iv	Opinions of only Academicians	261
30. v	Opinions of only Research Scholars	261
30. vi	Opinions of only Election Commissioners	262
31	Opinions of all the respondents on the tenure of Chief Election	
	Commissioners and other Election Commissioners	262

Table no	Title of the Table	Page No
31. i	Opinions of only Members of Legislative Assembly	263
31. ii	Opinions of only Members of Parliament	264
31. iii	Opinions of only Sarpanches	264
<u>31.iv</u>	Opinions of only Academicians	265
31. v	Opinions of only Research Scholars	265
31. vi	Opinions of only Election Commissioners	266
32	Opinions of all the respondents about in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs	267
32. i	Opinions of only Members of Legislative Assembly	267
32. ii	Opinions of only Members of Parliament	268
32. •	Opinions of only Sarpanches	269
32. iv	Opinions of only Academicians	• 269
32. v	Opinions of only Research Scholars	270
32. vi	Opinions of only Election Commissioners	271
33	Opinions of all the respondents on is there need to create separate Category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies	271
33. i	Opinions of only Members of Legislative Assembly	272

Table no	Title of the Table	Page No
33. ii	Opinions of only Members of Parliament	273
33. iii	Opinions of only Sarpanches	273
33. iv	Opinions of only Academicians	274
33. v	Opinions of only Research Scholars	275
33. vi	Opinions of only Election Commissioners	275
34	Opinions of all the respondents on whether the Eunuchs should be allowed to contest in the elections or not	276
34. i	Opinions of only Members of Legislative Assembly	277
34. ii	Opinions of only Members of Parliament	277
34. iii	Opinions of only Sarpanches	278
34. iv	Opinions of only Academicians	278
34. v	Opinions of only Research Scholars	279
34. vi	Opinions of only Election Commissioners	279
35	Opinions of all the respondents on the question that from which date onwards the election code of conduct should come into force, either from the date of announcement of election schedule or from the date of issue of notification for filing nomination	280
35. i	Opinions of only Members of Legislative Assembly	280
35. ii	Opinions of only Members of Parliament	281

Table no	Title of the Table	Page No
35. iii	Opinions of only Sarpanches	282
35. iv	Opinions of only Academicians	282
35. v	Opinions of only Research Scholars	283
35. vi	Opinions of only Election Commissioners	283
36	Opinions of all the respondents on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters	284
36. i	Opinions of only Members of Legislative Assembly	285
36. ii	Opinions of only Members of Parliament	285
36. iii	Opinions of only Sarpanches	286
36. iv	Opinions of only Academicians	286
36. v	Opinions of only Research Scholars	287
36. vi	Opinions of only Election Commissioners	288
37	Opinions of all the respondents on why many voters are not properly voting through Electronic Voting Machine (EVM)	288
37. i	Opinions of only Members of Legislative Assembly	289
37. ii	Opinions of only Members of Parliament	289
37. iii	Opinions of only Sarpanches	290
37. iv	Opinions of only Academicians	290
37. v	Opinions of only Research Scholars	291
37. vi	Opinions of only Election Commissioners	291

Table no	Title of the Table	Page No
38	Suggestions of all the respondents to strengthen The Election Commission of India	292
38. i	Opinions of only Members of Legislative Assembly	293
38. ii	Opinions of only Members of Parliament	293
38. iii	Opinions of only Sarpanches	294
38. iv	Opinions of only Academicians	294
38. v	Opinions of only Research Scholars	295
38. vi	Opinions of only Election Commissioners	295

ABBREVIATIONS

ECI	Election Commission of India
CEO	Chief Electoral Officer
RO	Returning Officer
DEO	District Election Officer
MP	Member of Parliament
MLA	Member of Legislative Assembly
UK	United Kingdom
U.S.A	United States of America
CEC	Chief Election Commissioner
CPI(M)	Communist Party of India (Marxist)
TDP	Telugu Desam Party
AICC	All India Congress Committee

CONTENTS

CHAPTER-I	pages
Democracy, Elections and the Election Commission of India	1-56
CHAPTER-II	
Model Code of Conduct of the Election Commission and its implementation in Uttar Pradesh and Gujarat in 2007	57-98
CHAPTER-III	
The Performance of the Election Commission in Andhra Pradesh From 2004 to 2009	99-140
CHAPTER-IV	
The Perceptions of experts and Politicians on the Election Commission	141-297
CHAPTER-V	298-305
Conclusions	
Bibliography	306-311
Appendices	312-316

Dedicated

To

Friends and Family members

CHAPTER 1

Democracy, Elections and the Election Commission of India

Importance of the Study

India is the second largest democracy in the world. It has more than 120 crores of population. There is representative parliamentary democracy in India. The Indian Constitution provides for Election Commission of India which is entrusted with the duty of conducting elections to the Parliament, state legislatures and to the offices of President and Vice-President in the country. The Election Commission was established in 1950. The Commission had conducted first General Elections in 1951-52.

The first chapter intends to undertake an overall study on various aspects such as Democracy, elections, electoral system, electoral process, structure of the Election Commission, constitutional debates on the Election Commission are included. Many experts expressed that democracy and elections go side by side and both are in fact two sides of the same coin. So, it is important to know about Democracy and how elections are rooted in the democratic system. Electoral laws, Articles relating to the Election Commission, Functions and powers of the Election Commission, electoral offences and the punishments for offences are included. This chapter focuses on review of Literature, research problem, rationale of the objectives of the study, methodology and limitations of research.

Meaning of Democracy

The idea of democracy originated in the Greece. The term democracy is derived from two Greek words, that is, ‘demos’, which means people, and ‘kratos’, which means rule. So, democracy means rule by the people. It is a form of government. The word democracy was invented in Athens to describe the form of government. Athenian democracy was an example of the first democracy, and one of the most important in ancient times.

According to John Stuart Mill, democracy is a form of government in which “the whole people, or some numerous portion of them, exercise the governing power through deputies periodically elected by themselves”.

In the words of Seeley, democracy is “a government in which everyone has a share.”

According to Aristotle Democracy means that every one should have the chance of ruling and being ruled.¹ Democracy is indivisible, and though the democratic power may be decentralized and distributed among different institutions of the society, no part of it can be alienated in favour of any institution so as to impervious and unaccountable to the people. Democracy by its very nature is antithetical to the autocratic exercise of power by any of its institutions, and more so by any of its governing arms, be it the legislature, the executive or the judiciary.²

The rule of law is the foundation of democracy. It is an enacted law and not the arbitrary, discretionary, exigent or ad hoc exercise of power by an individual or a group of individuals which governs the affairs of the democratic country, and even where emergency or exigency impels an urgent action; it has to be later sanctioned by a legislative measure, as soon as possible. Every executive act has to be sanctioned by law and hence, in a democracy there is no scope for any action by any institution, whether executive or other, which is not supported by law. The moment any institution makes a claim to act without the authority of law, on any subject whatsoever, it transgresses its democratic limit.³

Democracy is an attempt to mitigate the tyranny of uncontrolled power. It restrains the encroachment of power.⁴ It is a deliberate method to permeate the centers of power with the theory of sharing in control. Democracy believes in the articulation of power and in the synthesis of responsibility and authority, liberty and sovereignty. It attempts at the minimization of domineering. The democratic theory is rooted in the sublimation and limitation of power.

Democracy believes in the spiritual personality of man. The idea of ‘one man one vote’ is postulated upon the spiritual equality of man. Democracy is a philosophy of reason, tolerance and compromise. It believes in the techniques of argumentation, deliberation and conversion. Sharing is a cardinal concept in the democratic philosophy. Any imposition of authoritarian dogmas or scriptural authority is anti-democratic. Freedom of thought and public communication

¹ B.K.Verma, ‘Modern Indian Political System’-problems and prospects, p.51, Global Vision Publishing House, New Delhi, 2006.

² P.B.Sawanth, ‘Mainstream’-Do we have Democracy-February 8-14, p.6, 2008.

³ Ibid. p.6.

⁴ B.K.Verma, ‘Modern Indian Political System’-problems and prospects, p.235, Global Vision Publishing House, New Delhi, 2006.

is essential. Democracy has two connotations-Political and philosophical. As a political device, democracy implies the rule of the people. As a political formula, democracy signifies today only indirect or representative democracy.

Democracy is something more than a mere political device and formula. It is an outlook. It is a way of life. It is a philosophy of social and moral existence. No democracy can succeed unless the citizens as individuals and in groups maintain the sanctity of the structure of law and do not engage in flouting the order of law. Democracy in India requires that during election days and in the months prior to elections, law and order is maintained.⁵

According to Ramashray Roy three inter-related phenomena are basic to the functioning of democracy in any society. First, the mandate for governance must come from the people and must be given freely. Second, there must be available a group of what Giovanni Sartori calls active demos to activate and articulate political processes. These active demos, that is, political leaders and activists, must agree on the democratic rules of the game and compete among themselves for capturing power. And, lastly, there must exist a general acceptance of norms as well as an institutional structure that will enable competing political leaders to maintain and preserve democracy.⁶

In India, we have Party system and electoral system and there is Election Commission to conduct the elections and all the Political Parties which are contesting the elections are bound to follow the proforma of rules i.e. Model Code of Conduct during the time of elections. Hence it can be said that the democracy is at work in India.

Forms of Democracy

Democracy has two forms: Direct democracy and indirect democracy. James Garner described direct democracy as a form of Government in which the will of the state is directly or immediately expressed through the people". Direct democracy was a success in the Greek City-states, particularly Athens. In states like Britain, the U.S.A, France and India, there is indirect or

⁵ Ibid, p.233.

⁶ Ramashray Roy, ' Perspectives on Indian Politics', p.237, Discovering publishing House, Delhi, 1987

representative democracy. Representative democracy is of two forms: Presidential and parliamentary. W.F. Willoughby says: “A representative government, is that form of government, which results where a legally sovereign electorate, instead of itself attempting to act as the directing head of the machinery of government, brings into existence an organ or organs to represent and act for it in this capacity.” Modern states are very large, and the population is too large and hence operation of direct democracies is not possible.

Liberal Democracy

Liberal democracy is a form of representative democracy where elected representatives that hold the decision power are moderated by a constitution that emphasizes protecting individual liberties and the rights of minorities in society such as freedom of speech and assembly, freedom of religion, the right to private property and privacy, as well as equality before the law and due process under the rule of law, etc. The constitutional rights are guaranteed through various controlled institutions and various statutory laws like Supreme court, High courts.

Liberal democracy is also based on the notions of tolerance and pluralism. This means that differing political views within society are permitted to co-exist and compete for political power. Liberal democracies are characterised by periodic elections, in which the various political parties are given the opportunity to achieve political power.

Principles of liberal democracies include a Constitution that limits the authority of the government and protects many civil rights, Universal suffrage, granting all citizens the right to vote regardless of race, gender or property ownership, Freedom of expression, including speech, assembly and protest, Freedom of the press and access to alternative information sources, Freedom of association, equality before the law and due process under the rule of law, The right to private property and privacy, an independent Judiciary, a system of checks and balances between branches of government.

Democracy in India was deliberately decided upon by the Constituent Assembly in the context of an illiterate population and underdeveloped economy.⁷

⁷ B.K. Verma, 'Modern Indian Political System'-problems and prospects, p.94, Global Vision Publishing House, New Delhi, 2006.

Democracy and the electoral system in India

In India since the population is more than 100 crores direct democracy is not possible. So, we should be satisfied with the indirect democracy and hence the elections take place at the interval of four or five or six years. The vast bulk of the population can pronounce its effective political will on the polling day and thus choose, through the process of free, competitive elections, a body of representatives who will exercise their best judgment in the legislatures .

Violence negates the spirit of Democracy

Violence, either of anti-social elements or of political parties, is a negation of the democratic concept of rule of law. It amounts to arresting the process of free expression and freedom of formation of assembly. Thus violence is a denial of fundamental rights, on the election day and during the election campaign weeks, against the electorate or against the workers of the opposite party or against the administrative officials entrusted with the discharge of the electoral duties, is definitely, tantamount to subverting the form and spirit of democracy. Violence is not only a negation of moral values but is opposed to the democratic spirit. In the early fifties it was hoped that democracy will succeed in India because of our tradition of tolerance and humanism.⁸

From the point of choosing representatives, it is vastly important that the electorate should have the opportunity of pronouncing its will with reference to competing candidates in the election fray in a free atmosphere. Any kind of organized pressure is antithetical to the freedom which democracy imperatively demands in the entire electoral process.

Philosophy of Indian Democracy

Gandhi stressed the humanitarian side of democracy. Certainly a democratic form of government in the large states of the twentieth century can not hope to be the government “by” the people in the literal sense of the term. But consensus and mandate of large sections of population (electorate) can be ascertained through the process of elections. Democracy which has been described by Abraham Lincoln as ‘the government of the people, by the people and for the people’ has no meaning unless the elections are free and fair. In fact, it is not wrong to say that

⁸ B.K.Verma, ‘Modern Indian Political System’-problems and prospects,p.50, Global Vision Publishing House, New Delhi,2006.

democracy and free and fair elections go together because they are the two sides of the same coin. Keeping this fact in view, the framers of the Constitution provided for an Election Commission entrusted with the duties of conducting elections in an impartial manner on the basis of universal adult franchise (Art 326) and without any discrimination on the grounds of religion, race, caste, sex or any of them (Art.325).

The preamble of the Constitution of India defines the ideal philosophy of Indian democracy and its key-concepts are laid down as Liberty, Equality, Justice and Fraternity. Democracy in its genuine moral connotation postulates a concern for the common man – for the man on the street and in the farm, for the driver of the bullock-cart and for other suppressed and neglected sections.

A democracy to be real must be characterized by three features.

- (i) Use of rational techniques of discussion, negotiation, persuasion, debates and argumentation in place of coercion, intimidation, threats and violence;
- (ii) the opportunity for the free exercise of political choice to all citizens
- (iii) Provision to certain institutional procedures for the realization of individual liberty. for example, free elections, remedies for the enforcement of fundamental rights, judicial independence, judicial review of legislative and administrative measures, etc., are some of the prime institutional pre-requisites for democracy.⁹

Elections

The word 'election' has been derived from the Latin word 'electionem' which means 'to choose'. Free, fair and peaceful periodic elections are the life-blood of any democracy. In fact a democracy is known by the elections it holds and the participation that it allows in the elections.¹⁰ Thus, the elections are devices for legitimacy, identification, integration, communication, political education, participation, socialization, mobilization, conflict-resolution,

⁹ Ibid, p.94.

¹⁰ Sunder Raman, 'Indian Government and Politics', p.284, Allied Publishers, New Delhi, 1985.

political choice, political control and are inextricably linked with the distinctive characteristics, traditions, experiences, values and goals of different political systems.¹¹

Elections induct an element of accountability into a political system and make it possible for the citizens to exercise a genuine and meaningful degree of political choice and political control. This, in turn, makes the system itself a democratic and effective instrument of governance.

In the words of Morris- Jones and Biplab Das Gupta, “Elections in India provide the occasion for the widest degree of popular participation; elections constitute the most important single arena for genuine competition between political groups; elections are the principal agency through which recruitment to a significant part of the political elite is affected; and the skills and resources which they especially call forth figure prominently in political life in general... Elections in India can now be seen not merely as useful indicators but actually as the events through which the party system and hence, in a measure, the political system achieve their evolution”.

While providing for the Election Commission the problem before the Constituent Assembly was whether to provide for:

- (a) A permanent Election Commission of four or five members who would continue in office without any break, till they retire; or
- (b) An ad hoc body appointed by the president at the time of election; or
- (c) A permanent machinery by providing for the office of a Chief Election Commission

The other problem before the Constituent Assembly was whether to have centralized Election Commission as in the U.K. or to allow the States to have their own separate Election Commissions as in the U.S.A.

The Constituent Assembly after considering all the pros and cons of the problem provided for permanent election machinery only at the centre. This was done because a permanent election machinery was needed to conduct not only the poll after a regular interval of five years but also

¹¹ M.P.Singh, Himanshu Roy, 'Indian Political System', p.236, Manak Publications, New Delhi, 2005.

to conduct mid-term poll and by-elections in one state or other and this could be a regular feature keeping the size of the country in view.

Secondly, it was also decided to have only one centralized Election Commission because it was brought to the notice of Constituent Assembly that in some of the provinces people belonging to different racial, cultural and linguistic groups have been excluded from electoral rolls with the connivance of provincial governments dominated by influential groups. This was a dangerous development and, hence, provision for a Central Election Commission had to be made.¹²

Elections are the most significant aspect of most contemporary political systems, democratic or otherwise. Elections remain the first and foremost touchstone on the basis of which the representativity and legitimacy of a system is to be judged. In fact, elections are complicated political processes which provide a link between the society and the polity and between the traditional social systems and evolving social structures. Nevertheless, elections perform different roles in indifferent political systems. In some, they are central while in others they may be peripheral. They may contribute to political development in some, to political decay in others. They may sometimes be used as veiled disguises for authoritarianism, while in established democracies, they are the institutional procedures for system-maintenance and also the instruments for support-building, interest-aggregation, peaceful and orderly transfer of power, recruitment and training of leaders, and above all for an increasing democratization of the political system.

Electoral system and Electoral Process

Elections are part of a larger political process which includes nominating procedures, campaigning, and the actual voting. In short, “all those means whereby a person becomes a member of an elected assembly” can be termed as the electoral process which operates in a still wider network of social and political institutions and largely accounts for the interesting phenomenon that elections often operate very differently and serve different functions even when they seem to be similar in form and conduct.

¹² J.R.Siwach, 'Dynamics of Indian Government and Politics', p.312, Sterling Publishers Private Limited, 1985.

W.J.Mackenzie has laid down four conditions for free elections and for the successful functioning of an electoral system. such as

- (1) An independent judiciary to interpret electoral law;
- (2) An honest competent, non-partisan administration to conduct elections;
- (3) A developed system of political parties, well enough organized to put their policies, traditions, and teams of candidates before the electors as alternatives between which to choose; and
- (4) a general acceptance throughout the political community of certain rather vague rules of the game, which limit the struggle for power because of some unspoken sentiment that if the rules are not observed more or less faithfully, the game itself will disappear amid the wreckage of the whole system.”¹³

Elections have acquired a central place in the Indian political system. Elections are not only more than just important political events but they have been a kind of ‘national festival’, or tamasha, a source of entertainment, education and excitement for countless millions of people. The campaigns are lively and colourful marked with intense political debates, symbolic processions or yatras and increasing use of electronic technology; audio-cassettes, video-cassettes and Radio-TV broadcast by major political parties. Visual symbols acquire greater importance in India due to widespread illiteracy; as such voters identify the candidate with the help of the symbol allotted to him or her.

In a Democracy election provides the basis of people’s choice and representation. In the elections it is decided who shall govern and who shall have the control over the government. According to Nehru “an Assembly so elected (would) be far more interested in the economic and social problems of the masses than in the petty communal issues which affect small groups.”¹⁴

Debate in the Constituent Assembly on Election Commission

Dr. B. R. Ambedkar stated that in a very early stage in the proceedings of the Constituent Assembly, a Committee was appointed to deal with what are called Fundamental Rights. That

¹³ M.P.Singh, Himanshu Roy, ‘Indian Political System’, p.242, Manak Publications, New Delhi, 2005

¹⁴ N.S.Narang, ‘Indian Government and Politics’ (4th Edition), p.455, Githanjali Publishing House, New Delhi, 1993.

Committee made a report that it should be recognized that the independence of the elections and the avoidance of any interference by the executive in the elections to the Legislature should be regarded as a fundamental right and provided for in the chapter dealing with Fundamental Rights. When the matter came up before the House, it was the wish of the House that while there was no objection to regard this matter as of fundamental importance, it should be provided for in some other part of the Constitution and not in the Chapter dealing with Fundamental Rights. But the House affirmed without any kind of dissent that in the interests of purity and freedom of elections to the legislative bodies, it was of the utmost importance that they should be freed from any kind of interference from the executive of the day. In pursuance of the decision of the House, the Drafting Committee removed this question from the category of Fundamental Rights and put it in a separate part. Therefore, so far as the fundamental question is concerned that the election machinery should be outside the control of the executive Government, there has been no dispute. The superintendence, direction and control of the preparation of the electoral rolls and of all elections to Parliament and the Legislatures of States to a body outside the executive to be called the Election Commission.¹⁵ That is the provision contained in sub-clause (1).

The Drafting Committee Chairman also stated that Sub-clause (2) says that there shall be a Chief Election Commissioner and such other Election Commissioners as the President may, from time to time appoint. There were two alternatives before the Drafting Committee, namely, either to have a permanent body consisting of four or five members of the Election Commission who would continue in office throughout without any break, or to permit the President to have an *ad hoc* body appointed at the time when there is an election on the anvil. The Committee has steered a middle course. What the Drafting Committee proposes by sub-clause (2) is to have permanently in office one man called the Chief Election Commissioner, so that the skeleton machinery would always be available. Elections no doubt will generally take place at the end of five years; but there is this question, namely that a bye-election may take place at any time. The Assembly may be dissolved before its period of five years has expired. Consequently, the electoral rolls will have to be kept up to date all the time so that the new election may take place without any difficulty. It was therefore felt that having regard to these exigencies, it would be sufficient if there was permanently in session one officer to be called the Chief Election

¹⁵ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-4.

Commissioner, while when the elections are coming up, the President may further add to the machinery by appointing other members to the Election Commission.¹⁶

DR. B.R. Ambedkar explained that the original proposal under article 289 was that there should be one Commission to deal with the elections to the Central Legislature, both the Upper and the Lower House, and that there should be a separate Election Commission for each province and each State, to be appointed by the Governor or the Ruler of the State. Comparing that with the present article 289, there is undoubtedly, a radical change.¹⁷ This article proposes to centralise the election machinery in the hands of a single commission to be assisted by regional Commissioners, not working under the provincial Government, but working under the superintendence and control of the Central Election Commission. As I said, this is undoubtedly a radical change. But, this change has become necessary because today we find that in some of the provinces of India, the population is a mixture. There are what may be called original inhabitants, so to say, the native people of a particular province. Along with them, there are other people residing there, who are racially, linguistically or culturally different from the dominant people who are the occupants of that particular Province. It has been brought to the notice both of the Drafting Committee as well as of the Central Government that in these provinces the executive Government is instructing or managing things in such a manner that those people who do not belong to them either racially, culturally or linguistically, are being excluded from being brought on the electoral rolls.

The House will realize that franchise is a most fundamental thing in a democracy. No person who is entitled to be brought into the electoral rolls on the grounds which we have already mentioned in our Constitution, namely, an adult of 21 years of age, should be excluded merely as a result of the prejudice of a local Government, or the whim of an officer. That would cut at the very root of democratic Government. In order, therefore, to prevent injustice being done by provincial Governments to people other than those who belong to the province racially, linguistically and culturally, it is felt desirable to depart from the original proposal of having a

¹⁶ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-5.

¹⁷ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-5.

separate Election Commission for each province under the guidance of the Governor and the local Government. Therefore, this new change has been brought about, namely, that the whole of the election machinery¹⁸ should be in the hands of a Central Election Commission which alone would be entitled to issue directives to returning officers, polling officers and others engaged in the preparation and revision of electoral rolls so that no injustice may be done to any citizen in India, who under this Constitution is entitled to be brought on the electoral rolls. That alone is, if I may say so, a radical and fundamental departure from the existing provisions of the Draft Constitution.

While talking about the conditions of service and tenure of office of the Chief Election Commissioner and other members of Election Commission Dr. B. R. Ambedkar stated that we have left the matter to the President to determine the conditions of service and the tenure of office of the members of the Election Commission, subject to one or two conditions, that the Chief Election Commissioner shall not be liable to be removed except in the same manner as a Judge of the supreme court. If the object of this house is that all matters relating to Elections should be outside the control of the Executive Government of the day, it is absolutely necessary that the new machinery which we are setting up, namely, the Election Commission should be irremovable by the executive by a mere *fiat*. We have therefore given the Chief Election Commissioner the same status so far as removability is concerned as we have given to the Judges of the Supreme Court. We, of course, do not propose to give the same status to the other members of the Commission. We have left the matter to the President as to the circumstances under which he would deem fit to remove any other member of the Election Commission; subject to one condition that-the Chief Election Commissioner must recommend that the removal is just and proper.

Dr. B. R. Ambedkar while talking about the independent staff of The Election Commission stated that the question was whether the Electoral¹⁹ Commission should have authority to have an independent staff of its own to carry on the work which has been entrusted to it. It was felt that to allow the Election Commission to have an independent machinery to carry on all the work

¹⁸ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-6.

¹⁹ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-7.

of the preparation of the electoral roll, the revision of the roll, the conduct of the elections and so on would be really duplicating the machinery and creating unnecessary administrative expense which could be easily avoided for the simple reason, as I have stated, that the work of the Electoral Commission may be at times heavy and at other times it may have no work. Therefore we have provided in clause (5) that it should be open for the Commission to borrow from the provincial Governments such clerical and ministerial agency as may be necessary for the purposes of carrying out the functions with which the Commission has been entrusted. When the work is over, that ministerial staff will return to the provincial Government. During the time that it is working under the Electoral Commission no doubt administratively it would be responsible to the Commission and not to the Executive Government.²⁰

Mr. President, Sir, I must congratulate Dr. Ambedkar on moving his amendment. As he has said, his amendment really carries out the recommendations of the Fundamental Rights Committee and in fact the matter was so important that it was thought at one time that it should be included in the Fundamental Rights. The real purpose is that the fundamental right of adult franchise should not only be²¹ guaranteed by the Constitution but its proper exercise should also be guaranteed in practice. He has explained to us that he has tried to make the Election Commission wholly independent of the Executive and he therefore hopes that by this method the fundamental right to franchise of all the individuals shall not only be guaranteed but that it shall also be practiced in a proper manner so that the elected people will represent the true wishes of the people of the country. After a careful study of his amendment I have suggested my above amendments to carry out the real purpose of Dr. Ambedkar's amendment in full.

Prof. Shibban Lai Saksena while talking about the method of appointing the Chief Election Commissioner of the Election Commission argues that Of course it shall be completely independent of the provincial Executives but if the President is to appoint this Commission, naturally it means that the Prime Minister appoints this Commission. He will appoint the other Election Commissioners on his recommendations. Now this does not ensure their independence.

²⁰ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-8.

²¹ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-9.

Of course once he is appointed, he shall not be removable except by 2/3rd majority of both the Houses. That is certainly something which can instil independence in him, but it is quite possible that some party in power who wants to win the next election may appoint a staunch party-man as the Chief Election Commissioner. He is removable only by 2/3rd majority of both Houses on grave charges, which means he is almost irremovable. So what I want is this that even the person who is appointed originally should be such that he should be enjoying the confidence of all parties his appointment should be confirmed not only by majority but by two-thirds majority of both the Houses. If it is only a bare majority, then the party in power could vote confidence in²² him but when I want 2/3rd majority it means that the other parties must also concur in the appointment so that in order that real independence of the Commission may be guaranteed, in order that everyone even in Opposition may not have anything to say against the Commission, the appointments of the Commissioners and the Chief Election Commissioner must be by the President but the names proposed by him should be such as command confidence of a two-thirds majority of both the Houses of Legislatures. Then no person can come in who is a staunch party-man. He will necessarily have to be a man who will enjoy the confidence of not only one party but also of the majority of members of the Legislature. Then alone he can get a 2/3rd majority in support of his appointments.

Saksena stated that if the real paragraph of the recommendations of the Fundamental Rights Committee is to be carried out, as Dr. Ambedkar proposes to do by this amendment, then he must provide that the appointment shall not only be by the President but it shall be by the President subject to confirmation by a two-thirds majority of both Houses of Parliament sitting and voting in a joint session.

Shri Mahavir Tyagi raises a question that Don't you think that the party will issue whips to elect a certain man? He will be a party-man. Then Prof. Shibban Lai Saksena responds by saying that what I have said is this. He will not be a Member of Parliament. He can be anybody else, but whosoever is chosen must be a person who enjoys the confidence of at least two-thirds majority of both the House of Parliament so that one single party in power cannot impose its own man on the country.

²² Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-10.

Shri Mahavir Tyagi again questions that the majority party will put up its own candidate for the job and issue whips that all should vote for that candidate. Whether he is a Member or outsider he will be a party nominee.²³ Then Prof. Shibban Lai Saksena replies that Majority means only 51 per cent, but I want a two-thirds majority.

Shri Mahavir Tyagi once again asks that you are having more than two thirds majority already. Prof. Shibban Lai Saksena explains that at this time nothing will help in this matter. Whosoever you put forward will be elected. But we are making a Constitution forever and not only for today. Today of course whosoever is appointed by the President on the recommendation of the Cabinet will be approved. We are lucky in having as our Prime Minister a man of independence and impartiality and he will see that a proper person is appointed. But we cannot be sure that the Prime Minister will always be such a personality. I want that in the future, no Prime Minister may abuse this right, and for this I want to provide that there should be two-thirds majority which should approve the nomination by the President. Of course there is danger where one party is in a huge majority. As I said just now it is quite possible that if our Prime Minister wants, he can have a man of his own party, but I am sure he will not do it. Still, if he does appoint a party-man, and the appointment comes up for confirmation in a joint session, even a small opposition or even a few independent members can down the Prime Minister before the bar of public opinion in the world. Because we are in a majority we can have anything passed only theoretically. So the need for confirmation will invariably ensure a proper choice. Therefore, I hope this majority will not be used in a manner which is against the interests of the nation or which goes against the impartiality and independence of the Election Commission. I want that there should be this provision in the Constitution so that even in the future if some Prime Minister tends to be partial, he should not be able to be so. Therefore, I want²⁴ to provide that whenever such an appointment is made, the person appointed should not only be a nominee of the President but should enjoy the confidence of two-thirds majority of both the Houses of Parliament.

²³ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-11.

²⁴ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-12.

The second point made by Dr. Ambedkar was that this Commission may not have permanent work and therefore only the Chief Election Commissioner should be appointed permanently and others should be appointed when necessary on his recommendations. Our Constitution does not provide for a fixed four years election cycle like the one in the United States of America. The elections will probably be almost always going on in some province or the other. We shall have about thirty provinces after the States have been integrated. Our Constitution provides for the dissolution of the Legislature when a vote of no confidence is passed. So it is quite possible that the elections to the various Legislatures in the provinces and the Centre will not be all concurrent. Every time some election or other will be taking place somewhere. It may not be so in the very beginning or in the very first five or ten years. But after ten or twelve years, at every moment some election in some province will be going on. *Therefore, it will be far more economical and useful if a permanent Election Commission is appointed*_not only the Chief Election Commissioner but three or five Members of the Commission who should be permanent and who should conduct the elections. I do not think that there will be lack of work because as I said in our Constitution all the elections will not synchronize but they will be at varying times in accordance with the vote of no-confidence passed in various Legislatures and the consequent dissolution of the Legislatures. Therefore, I think that there will be no dearth of work. This Commission should be a permanent²⁵ Commission and all the Commissioners should be appointed in the same manner as the Chief Election Commissioner. They should all be appointed by a two-thirds majority of the Legislature and be removable in the same manner.

Tyagi said that in clause (3) it has been said that the President may appoint Regional Commissioners after consultation with the Election Commission, that means the Chief Election Commissioner. Mere consultation means the President can have his way even disregarding the views of the Chief Election Commissioner. Therefore, I want "in concurrence with" so that if anyone disagrees,_if the Election Commission or the President disagree about a person_then he cannot be appointed. Clause (4) says that "the conditions of service and tenure of office of the Election Commissioners shall be such as the President may by rule determine." This I think is not proper. The conditions of service and tenure of office etc., of the Election Commissioners should not be in the power of the President to determine. Otherwise he can use

²⁵ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-13.

his influence in a manner prejudicial to their independence. Therefore, I want that these things should be determined by Parliament by law and they should be permanent so that nobody will be able to change them and no Election Commissioner will then look to the President for favours. These are my suggestions so that the Election Commission may be really an independent Commission and the real fundamental right, the right of adult franchise, may be exercised in a proper manner. I agree with all that Dr. Ambedkar has said and I only want to suggest that what he has suggested will not be sufficient to carry out what he wishes.

Shri H. Shri H. V. Pataskar stated that Mr. President,²⁶ Sir, I have carefully gone through the new amendment No. 99 moved by my respected Friend Dr. Ambedkar and I have also very carefully listened to the arguments that he advanced. While I agree with him entirely, that the elections in any democratic form of Government must be free from any sort of executive interference I still do not understand and realise the necessity of making it wholly centralised always. That is the only point. I am going to discuss the difference between the original article 289 as it stood in the Draft Constitution and the new article which has been suggested in its place by amendment No. 99, and particularly clause (3) of the same. I would now like to give a brief history of this article. There was first the report of the Union Constitution Committee dated the 4th July 1947 and on page 55 there was this paragraph:

"The superintendence, direction and control of all elections, whether federal or provincial held under this Constitution, including the appointment of election tribunals for decision of doubts and disputes arising out of or in connection with such elections shall be vested in a Commission to be appointed by the President." This clause (24) therefore laid it down that whether it is federal or provincial, the superintendence, direction and control of elections should vest in one single Commission.

Then the matter came before this House on 29th June 1947 and I brought forward an amendment confining it to federal elections only. The idea was that there should be similarly constituted independent tribunals for provinces also. The underlying reason even then was that elections should be free; the only question was that there should be separate independent Commissions for the provinces or States. The idea was that it would be difficult for one Commission sitting here in

²⁶ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-14.

Delhi or somewhere else to²⁷ supervise elections all over India. That amendment was accepted by the then mover of the clause, Honourable Mr. Gopalaswamy Ayyangar. The idea of every one, including Dr. Ambedkar, then was that elections would be kept free from executive interference. The only point was that there should be different Commissions as one Commission could not carry out the functions entrusted to it. Then on 29th August the Drafting Committee was appointed which considered the decision of the House in framing article 289(1) and (2). The Draft Report says:

"The Committee has not thought it necessary to incorporate in the Constitution electoral details including delimitation of constituencies, etc." They left it to be provided by auxiliary legislation.²⁸

Shri H.V. Pataskar stated that from a constitutional point of view. So far as I am aware there is no other Constitution where such elaborate provisions with respect to the elections and its details are made. Even the Canadian Election Act on the basis of which the present amendment and the subsequent amendments which are to follow are drafted, is an Act of the Canadian Legislature, and that too, as I said yesterday, as far as I can find out from the records available to me, applicable only to the Dominion Parliament in Canada. In spite of all efforts, I could not get a copy of it either in the Legislative Library or this library. All the same, from the documents available I am convinced. My point is whether really it is necessary or desirable that all these elaborate details about the method of election, about the Election Commission, etc., are necessary to be included in the Constitution.

While, as we could find, there is some justification probably from what must have come to the notice of the Drafting Committee and in view of the work which is now proceeding for the preparation for the²⁹ elections, that they want some provision of this kind to be made, the best remedy would be not to include them in the Constitution here, but to get an Act passed by the legislative section of the Constituent Assembly. I am told it is likely to meet in September next

²⁷ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-15.

²⁸ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-16.

²⁹ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-24.

and it would not have mattered if an Act on the lines of the Canadian Election Act was passed by the Central Legislature. It is not desirable that it should be provided for in the Constitution which is for all time to come. We do not know what conditions may prevail after ten or twenty years. From what is happening in some parts of the country, it is not desirable that our Constitution should be burdened with all these details.

I would therefore still appeal—probably it may be without much effect—that all these things and the subsequent provisions which are to follow could have more appropriately found a place in the Act to be passed by the Central Legislature. We have our own legislature even now and that could have been used. Sir, I do not think it is desirable in matters of such consequence we should try to depart from time to time from what we decided earlier, unless there were some very cogent reasons as to why that decision should be reversed after a few months' time. As I said, so far as I can see, article 289(2) is quite enough for the purpose. Even under article 289(2) we can appoint not merely some officials of the Government as Election Commissioners, but people of the position of High Court Judges; we can make them permanent; we can make them as Independent as we are trying to make them in the case of the Central Commission. Even under the Government of India Act, 1935, which certainly did not contemplate so much of a Federal Government as a type of Government which was to some extent more unitary than otherwise, provision for election³⁰ was contained in section 291. It says: "In so far as

provision with respect to the matters hereinafter mentioned is not made by this Act, His Majesty in Council may from time to time make provision with respect to those matters or any of them the conduct of elections under this Act and the methods of voting thereat etc." Even then, practically it was left to the provincial Governments. I do not see any reason why we should make provision for all these things in the Constitution itself and as far as I have been able to ascertain, no other Constitution contains a provision of this nature. I have therefore to make one or two concrete suggestions. We may keep, article 289 as it is. We may supplement it by an Act of the Central Legislature for making provision with respect to all other matters which are now tried to be put in this Constitution, as to what should be the status of these Regional and other Commissioners when they are appointed, whether they should be independent men of the position of High Court Judges, how they should be removed and all these things. I agree that

³⁰ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-25.

they should be free from influence of the executive. All that we can easily entrust at least to the present Central Legislature." Finally, I have to make an appeal that it is not yet too late in the day when we should really seriously consider whether article 289(2) is not enough. As I have already stated, the amendment takes away to my mind not only the last vestige of provincial autonomy, but actually displays a distrust of our people of the provinces, down from the Governor nominated by the President to the smallest local authority. I do not think there is any justification for an attitude of this type. Therefore, I suggest that we should³¹ not try to incorporate all these things in the Constitution itself.³²

Shri R.K. Sidhva stated that I consider this article in the Constitution as one of the important articles as far as elections are concerned. I do not think that there are two opinions either in this House or outside the House that elections should be fair, pure, honest and impartial. If that is the view, I am sure it could be achieved only by an impartial agency as has been contemplated in this article. We want the elections to be above-board. Any machinery that is to be set up should be quite independent, free from any influence from any agency, executive or anybody. Therefore, Sir, I whole heartedly welcome the article that has been proposed by my honourable Friend Dr. Ambedkar.

Sir, I do feel that even this article does not go as far as is necessary in the matter of perfection of elections is concerned. I will show you presently that there is some defect in this article also. With all that, I feel that every effort has been made in this article to achieve the object which we all are anxious to achieve.

It has been stated, why do you encroach upon the rights of the provinces by entrusting this work to a Special Commission. Now, Sir, I fail to understand how the question of encroaching upon the right of the provinces arises at all. This Commission will not run the elections for the provincial legislatures only, but it will run the elections for the Central Legislature also. If, it encroaches on the rights of the provinces, it encroaches on the rights of the Centre also, and therefore it is unfair to say that it encroaches upon the rights of the provinces.

³¹ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-26.

³² Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-27.

Under this this article, a machinery has been set up for³³ election purposes. While it has been made independent of the executive for purposes of administration, clause (5) says that the staff required for election work may be borrowed from the provinces. Herein lies the defect, which I said makes the scheme imperfect. If you want to make the scheme perfect, you should not borrow any staff from the provinces. Though during the period of election, the staff would be under the control of the Commission, it will be only for a temporary period. They will be permanent people responsible to the executive and if the executive wants to play mischief, it can issue secret instructions to that staff to act according to their behests. The staff may feel that their permanent duty lay with the executive, that the work with the Commission was for a short period and they would thus carry out the fiat or behest of the permanent officials. Therefore, Sir, I would have preferred all the staff to be also recruited from outside but I considered myself as to what will be the effect of it. It will require an army of men. Those persons who have seen the elections being run and those who are interested in it know that to run the elections of the whole country they will have to recruit a number of men, a large army of men. It will be very expensive; therefore, although to that extent it is imperfect, I accept it for the reason that it is nearer to perfection. If we have to recruit a new staff it will be prohibitive as far as expenditure is concerned and it will be a new untrained staff and probably it will not be administratively as effective as we would expect it to be. Another provision is as regards the permanency of the Commission. It has been suggested why you incur so much expenditure in providing for a permanent Commission. I have some experience of election of the Karachi Municipal Corporation both as the Mayor and Chairman of the Standing Committee.

There is a provision in the³⁴ Karachi Municipal Act that there shall be a permanent election staff and in accordance with that since ten years we have introduced this permanently and the elections have been fair and perfect, although compared with Karachi the number of voters there being negligible but the impersonation and the false votes have been completely removed by that method which we have introduced. I am positive that with the permanent Commission that we are going to establish, we are going to remove all these defects and it is incorrect to state that this

³³ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-27.

³⁴ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-28.

Commission will not have any work after the general election is over. We shall have now about 4,000 members in all the provinces and there will be bye-elections. Surely every month there will be two or three elections-some will die, some will be promoted to high offices-some will go here and there.

In this Constituent Assembly during the short period we have had a number of bye-elections although we had nothing to do with them, but in the places from which they have come there have been a number of elections. Therefore, apart from the necessity and fairness, this Commission will have ample work. Apart from that if the Commission is permanent, what will it do? Periodically it will examine the electoral rolls and from the statistics of those provinces those who are dead they will remove those names and will bring the electoral rolls up to date as far as possible. An electoral roll is to provide pure election and I know at present as the electoral rolls are prepared, 50 per cent of them are defective. Some are dead and their names are intentionally put in by a particular party who wants to run the election and wants to put in names of their own choice; I have heard people living in the cities trying to influence by mixing up with the executive. I can tell you that from my own personal experience and i feel that if we were to have a perfect electoral roll-and electoral roll is the³⁵ principal thing in an election—I am sure we must have an independent Commission and if we establish a Permanent Commission we shall certainly have a permanent roll and a very good electoral roll. I have no doubt in my mind about that and therefore, though you say that it will be an expensive thing and it is not a necessity, I strongly say from my experience that this Commission is very necessary under the circumstances that I have mentioned.

Now coming to the tribunal, it will be necessary for the election petitions or those who have to make any application for the election, to have a Tribunal. I have also certain experience of tribunals. Tribunals have been appointed by the Governors in the past and they have appointed tribunals, at the instance of the Executive, of the favourites and they have never acted impartially. I therefore suggest that the tribunal should consist of judges of superior courts to whom the election petitions of the election should go. I am, opposed to such cases being entrusted to any kind of tribunals. It will mar the very purpose and the very object for which we

³⁵ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-29.

are striving—to have our elections pure and fair—it will frustrate that very object, if in the tribunal that will be appointed, some kind of mischief is made. In England also-I might state-the Constitutional law of the British Commonwealth provides for entrusting this work to superior courts. I therefore suggest that although nothing could be provided in this Constitution, I do not desire that the Constitution should be burdened with all this-but in the Act that will be made-the Election Act-wherein many things are required to be put in, *e.g.*, the secret ballot boxes etc.-I suggest to Dr. Ambedkar to bear that in mind that when the Parliament Act is made it must be made clear that the tribunal's appointment should not be left to the President or anybody-I do not want³⁶ hereafter any kind of trickery that was played in the past should be played hereafter. With all that, I feel that the permanent superior judiciary alone can fairly and impartially adjudicate in such disputes and they will command the confidence of the public. Those who will be appointed from public men or some lawyers may be best lawyers but they will be temporary men and would be liable to influence. If the tribunal does not consist of responsible permanent men I am sure these tribunals will be of no effect. My Friend Mr. Pataskar desired that why burden the Constitution with election scheme, the rules may be made; but I can surely and safely tell him that if we have not such an article in our Constitution our very purpose of making our elections pure will be frustrated; it is, therefore, necessary that it should be provided here. I do not want this to go into the Election Act. I really wish even some of the other provisions *e.g.*, the secret ballot-box could also be provided in the Constitution which is very essential for an election. The whole thing depends upon the election for the future constituencies and if we do not make this provision in the Constitution and leave it to Parliament to be made, it will be running a great risk. Under these circumstances I whole-heartedly welcome this article and strongly support it.³⁷

Mr. Naziruddin Ahmad stated that election is a most important item in a democratic set-up and it is very necessary that it should be controlled and supervised by a very competent, independent and impartial body. The way in which some of the Provinces are proceeding shows that the Provinces are rent by party factions and it will always be the desire of the party, or the faction in power for the time being, to appoint election tribunals and officers of their own choice with a

³⁶ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-30.

³⁷ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-31.

view to control or manipulate the elections. The result will be that election tribunals³⁸ and officers will not be free from corruption and partiality. It is for this reason that I welcome the move by the Centre to control elections, so that thereby the impartiality and efficiency of the election machine could be ensured. We have had the experience of West Bengal and other Provinces. West Bengal is rent by party factions. Even in the Congress ranks in Calcutta and in the districts there are several groups and factions accusing one another of habitual corruption and the like. They are fighting against one another in a most unseemly fashion to the detriment of the general well-being of the country. This is also happening in some of the States. We have the unseemly quarrel in the Greater Rajasthan State and also in some other States. If we do not want the Provinces and the States to descend into chaos and disorder, the first thing that we should do is to control the elections, not to interfere with the policies and activities of the different parties, but just to ensure impartiality and efficiency in the conduct of elections. The most important duty of the Commission would be to appoint Election officers upon whose efficiency, integrity and independence much will depend, and I believe that the Central control of these elections will be welcome in serious quarters.

The secrecy of the ballot box, as has been pointed out by one of the speakers and as is well-known, is a very important matter in an election as fostering freedom of the vote, and this secrecy must be thoroughly and effectively guarded. We hear allegations and counter allegations that in the recent South-Calcutta election, the secrecy of the ballot box and the integrity of the ballot papers were violated. I do not know what truth there may be in these allegations, but they have a bad odour in themselves. I believe that if these matters are controlled by the Centre, these tendencies to make allegations and counter-allegations of this type would be³⁹ removed. The officers who are to be appointed to conduct these elections should be above all suspicion and should be selected just to avoid provincial cliques and parties. Sir, I do not wish to take up further time of the House. I accord my humble and whole-hearted support to this article.

³⁸ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-41.

³⁹ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-42.

The Honourable Dr. B.R. Ambedkar moved the new article 289-A which contained that there shall be one general electoral roll for every territorial constituency for election to either house of Parliament or to the House or either house of the legislature⁴⁰ of a state and no person shall be ineligible for inclusion in, or claim to be excluded from, any such roll on grounds only of religion, race, caste, sex or any of them."

Dr. B.R. Ambedkar explained that the object of this is merely to give effect to the decision of the House that there shall hereafter be no separate electorates at all. As a matter of fact this clause is unnecessary because by later amendments we shall be deleting the provisions contained in the Draft Constitution which make provision for representations of Muslims, Sikhs, Anglo-Indians and so on. Consequently this is unnecessary. But it is the feeling that since we have taken a very important decision which practically nullifies the past it is better that the Constitution should in express terms state it. That is the reason why I have brought forward this amendment.⁴¹

The Honourable Dr. B.R. Ambedkar moved another amendment for inserting a new article 289-B which contained that The elections to the House of the People and to the Legislative Assembly of every state shall be on the basis of adult suffrage; that is to say, every citizen, who is not less than twenty one years of age on such date as may be fixed in this behalf by or under any law made by the appropriate Legislature and is not otherwise disqualified under this Constitution or any law made by the appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election."

Shri Brajeshwar Prasad argued that I am opposed to adult franchise on grounds both theoretical and practical. I am opposed to adult franchise because it is a gross violation of the tenets of democracy. Adult franchise presupposes that the electorate is enlightened. Where the electorate is not enlightened there cannot be parliamentary democracy.⁴²

⁴⁰ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-57.

⁴¹ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-58.

⁴² Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-59.

Pandit Thakur Das Bhargava pointed out that I gave notice of amendment No. 100 and amendments 127 and 129 with the idea that the entire responsibility and jurisdiction for making laws in regard to elections should be left to the Central Legislature and that the Central Legislature alone should have been given this power to enact laws in regard to matters pertaining to elections. Even now when amendment No. 99 was being discussed I felt that it would not be necessary to have these new amendments if my amendments Nos. 100, 127 and 129 were accepted, because according to me, it is not fair to give the power to the executive to appoint such highly placed officers in whom all the rights and powers in regard to elections are concentrated. Parliament should have the ultimate power. Similarly with regard to my amendment No. 127 which I did not move when I found that the wording of amendment No. 123 was "Subject to the provisions of this Constitution, Parliament may from time to time by law make provisions with respect to all matters relating to, or in connection with, election " When Parliament has been given this power, I do not know what power is left to be exercised under this article by the provinces. If we want uniformity in the conduct of elections we should see that Parliament alone has this power.⁴³

Shri M. Ananthasayanam Ayyangar argued that I do not agree with my Friend Mr. Bhargava. We have taken away the elections from the provincial legislatures and the Governors. Practically we have centralised the appointment of the Election Commission. This is a deviation with respect to which there have been complaints that the provincial governments have been made ciphers. To avoid corrupt practices we wanted the entire power to be vested in Parliament. Amendment 128 only says that for matters for which the Parliament does not make a provision the provincial legislatures shall have power. My Friend Mr. Bhargava does not want even this. According to him, either Parliament makes the law or there should be no authority to make law. There may be certain matters where for the sake of uniformity Parliament may make law and the State legislature may make the rest of the laws. That is what is provided in amendment No. 128. I do not know why even to this limited extent power should not be given to the State legislatures. Why are we so suspicious of the State legislatures that we want to take away everything from them? I support amendment No. 128.⁴⁴

⁴³ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-62.

⁴⁴ Election Commission of India, Debate in Constituent Assembly on Part-XIII-Article-289, Existing part XV-Elections, p-63.

Articles pertaining to the Election Commission

Article 324 describes about Superintendence, direction and control of elections to be vested in an Election Commission:-

1. The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every state and of elections to the offices of President and Vice-President held under the Constitution of India shall be vested in a Commission namely the Election Commission.
2. The Election Commission shall consist of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time fix and appointment of the Chief Election Commissioner and other Election Commissioners shall, subject to the provisions of any law made in that behalf by Parliament be made by the President.
3. When any other Election Commissioner is so appointed the Chief Election Commissioner shall act as the Chairman of the Election Commission.
4. Before each general election to the House of the People⁴⁵ and to the Legislative Assembly of each state, and before the first general election and thereafter before each biennial election to the Legislative Council of each state having such Council, the President may also appoint after consultation with the Election Commission such Regional Commissioners as he may consider necessary to assist the Election Commission in the performance of the functions conferred on the Commission by clause (1).
5. Subject to the provisions of any law made by Parliament, the conditions of service and tenure of office of the Election Commissioners and the Regional Commissioners shall be such as the President may by rule determine:

⁴⁵ Shrivastava, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.186, The Election Archives (Printing Press), New Delhi, 1986.

It is Provided that The Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment. Provided further that any other Election Commissioner or a Regional Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner.

6. The President, or the Governor of a state, shall, when so requested by the Election Commission, make available to the Election Commission or to a Regional Commissioner such staff as may be necessary for the discharge of the functions conferred on the Election Commission by clause (1).

Article 325 says that no person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex:-

Article 325 says that there shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House or either House of the Legislature of a State and no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them.

Article 326 says that Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage:-

The Elections to the House of the People and to the Legislative Assembly of every state shall be on the basis of adult suffrage⁴⁶. It means that every person who is a citizen of India and who is not less than 18 years of age on such date as may be fixed in that behalf by or under any law made by the appropriate Legislature and is not otherwise disqualified under the Constitution of India or any law made by the appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election.

⁴⁶ Shivlal, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.187, The Election Archives (Printing Press), New Delhi, 1986.

Article 327 deals with the power of Parliament to make provision with respect to elections to Legislatures: -

Subject to the provisions of the Constitution of India, Parliament may from time to time by law make provision with respect to all matters relating to, or in connection with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses.

Article 328 deals with the power of a State to make provision with respect to elections to such Legislature:-

Subject to the provisions of the Constitution of India and in so far as provision in that behalf is not made by Parliament, the Legislature of a State may from time to time by law make provision with respect to all matters relating to, or in connection with, the elections to the House or either House of the Legislature of the State including the preparation of electoral rolls and all other matters necessary for securing the due constitution of such House or Houses.

Article 329 says that there is 'Barring to interference by courts in electoral matters': - The validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies made or purporting to be made under article 327, or article 328 shall not be called in question in any court; No election to either House of Parliament or to the House or either House of the Legislature of a State shall be called in question except by an election petition presented to such authority (Election Commission of India) and in such manner as may be provided for by or under any law made by the appropriate Legislature.⁴⁷

Method of Appointment of Chief Election Commissioner and Tenure

The Chief Election Commissioner and other Election Commissioners are appointed by the President (Art.324) and according to the law made by Parliament, they hold office for a term of five years or up to 65 years of age whichever is earlier. To ensure independence of the Election Commission, however, the Constitution provides that the Chief Election Commissioner shall not

⁴⁷ Ibid.p.188.

be removed from office except in like manner and on like grounds as a judge of the Supreme Court and the conditions of service of Chief Election Commissioner shall not be varied to his disadvantage after his appointment. So far as the other Election Commissioners are concerned, they cannot be removed except on the recommendation of the Chief Election Commissioner. Though security of service is a step in the right direction, to make him more independent he should be debarred from holding any other office and a provision should be made that a retired Chief Election Commissioner would be ex-officio member of the Rajya Sabha. Also the salary and allowances of the Chief Election Commissioner should be at par with the Chief Justice of the Supreme Court. They should be charged on the Consolidated Fund of India and the Election Commission must have its own independent secretariat and its own budget.⁴⁸

Structure of the Election Commission

The Election Commission consists of the Chief Election Commissioner and such number of Election Commissioners, if any, as the president may from time to time fix (Art.324). When any other Election Commissioner is appointed, the Chief Election Commissioner acts as the Chairman of the Election Commission. Thus the Constitution authorizes the President to have a single member or a multimember Election Commission. But there is demand for a multimember Election Commission. This demand was made because there has been a feeling that Chief Election Commissioner is too much under the influence of the Central Government.

The Constitution provides that the President after consultation with the Election Commission may appoint some Regional Commissioners to assist the Election Commission in the performance of its functions (Art.324). In fact, at the time of the first general election, four posts of Regional Commissioners were created by the President but only two were filled for six months with Headquarters at Patna and Bombay one each. But thereafter, Regional Election Commissioners were not appointed. In their place three posts of Deputy Election Commissioners were created in 1956.⁴⁹

At the State level, the election Machinery consists of the Chief Electoral Officer who is selected by the Election Commission out of a panel of names provided by the State Government. Usually

⁴⁸ Ibid, p.315.

⁴⁹ J.R.Siwach, 'Dynamics of Indian Government and Politics', p.313, Sterling Publishers Private Limited, 1985.

he is of the rank of a Secretary and in some States he functions in this capacity on whole-time basis whereas in others, he functions only on part-time basis. He is assisted by a Deputy Chief Electoral Officer on whole-time basis. At the district level, these officials are helped by the Deputy Commissioners who function as District Electoral Officers and at the constituency level usually a sub-divisional magistrate functions as a Returning Officer. At both the levels the presiding officers are appointed by the District Election Officer.

There shall be for each State a Chief Electoral Officer who shall be such officer of Government as the Election Commission may, in consultation with that Government, designate or nominate in this behalf. Subject to the superintendence, direction and control of the Election Commission shall, supervise the preparation, revision and correction of all electoral rolls in the State under the Representation of the People Act. For each district in a State, other than a Union Territory, the Election Commission shall, in consultation with the Government of the State, designate or nominate a district election officer who shall be an officer of Government.⁵⁰

A district election officer shall, with the previous approval of the Election Commission, provide a sufficient number of polling stations for every constituency the whole or greater part of which lies within his jurisdiction, and shall publish, in such manner as the Election Commission may direct, a list showing the polling stations so provided and the polling areas or groups of voters for which they have respectively been provided. The district election officer shall appoint a presiding officer for each polling station and such polling officer or officers as he thinks necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for a candidate or about the election. It is provided that if a polling officer is absent from the polling station, the presiding officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf, or has been otherwise working for a candidate in or about the election, to be the polling officer during the absence of the former officer, and inform the district election officer accordingly: It is also provided further that nothing shall prevent the district election officer from appointing the same person to be the presiding officer for more than one polling station in the same premises. A polling officer shall, if so directed by the presiding officer perform all or any of the functions of

⁵⁰ Shivalal, 'Politico-Legal India', Vol.5, Constitutions and Laws,p.206, The Election Archives (Printing Press), New Delhi,1986.

a presiding officer under the Representation of the People Act 1951 or any rules or orders made there under. If the presiding officer, owing to illness or other unavoidable cause, is obliged to absent himself from the polling station, his functions shall be performed by such polling officer as has been previously authorized by the district election officer to perform such functions during any such absence. References in the Representation of the People Act 1951 to the presiding officer shall, unless the context otherwise requires, be deemed to include any person performing any function which he is authorized to perform under sub-section (2) or sub-section (3), as the case may be. Any reference to a district election officer in section 25 and in this section shall, in relation to a constituency in a Union Territory, be construed as a reference to the returning officer for that constituency.⁵¹ It shall be the general duty of the presiding officer at a polling station to keep order thereat and to see that the poll is fairly taken. It shall be the duty of the polling officers at a polling station to assist the presiding officer for such station in the performance of his functions.⁵²

For every constituency, for every election to fill a seat or seats in the council of States and for every election by the members of the Legislative Assembly of a State to fill a seat or seats in the Legislative Council of the State, the Election Commission shall, in consultation with the Government of the State, designate or nominate a returning officer who shall be an officer of Government or of a local authority. It is also provided that nothing shall prevent the Election Commission from designating or nominating the same person to be the returning officer for more than one constituency.

The Election Commission may appoint one or more persons to assist any returning officer in the performance of his functions;⁵³ It is mandatory that every such person shall be an officer of Government or of a local authority. Every assistant returning officer shall, subject to the control of the returning officer, be competent to perform all or any of the functions of the returning

⁵¹ Shivalal, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.238, The Election Archives (Printing Press), New Delhi, 1986.

⁵² ⁵² Shivalal, 'Politico-Legal India', Vol.5, Constitutions and Laws, p. 239, The Election Archives (Printing Press), New Delhi, 1986.

⁵³ Shivalal, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.236, The Election Archives (Printing Press), New Delhi, 1986.

officer. But it is provided that no assistant returning officer shall perform any of the functions of the returning officer, which relate to the scrutiny of nominations unless the returning officer is unavoidably prevented from performing the said function. References in The Representation of the People Act, 1951 to the returning officer shall, unless the context otherwise requires, be deemed to include an assistant returning officer performing any function which he is authorized to perform under sub-section (2) of section 22. It shall be the general duty of the returning officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by The Representation of the People Act, 1951 and rules or orders made there under.

The Election Commission may appoint one or more persons as assistant electoral registration officers to assist any electoral registration officer in the performance of his functions. Every assistant registration officer shall, subject to the control of the electoral registration officer, be competent to perform all or any of the functions of the electoral registration officer.⁵⁴

Functions and Powers of the Election Commission

The superintendence, direction and control of the elections to Parliament, to the legislature of every State, to the offices of President and Vice-President, have been vested in the Election Commission. The Election Commission is entrusted with the duty of preparation electoral rolls. A person who is twenty-one years of age, an Indian citizen and is not otherwise disqualified under this Constitution or under any law made by appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt illegal practice is entitled to be registered as a voter at any such election. (Art.326)

The Conduct of the poll to the Parliament and state legislatures is another important function of the Election Commission. The Election Commission has not only the power of holding elections but also to cancel it, and order repoll, if it is rigged. This was done in Garhwal Lok Sabha by-election in 1981. Earlier such a repoll was ordered in Ferozepur Lok Sabha by-elections in 1977, in which ballot boxes were taken away by miscreants at the time of counting of votes.⁵⁵ It is also

⁵⁴ Shivalal, 'Politico-Legal India', Vol.5, Constitutions and Laws,p.196, The Election Archives (Printing Press), New Delhi,1986.

⁵⁵ J.R.Siwach,'Dynamics of Indian Government and Politics', p.316, Sterling Publishers Private Limited, 1985.

the responsibility of the Election Commission to hold by-elections whenever there is a mid-term vacancy in the Lok Sabha or Legislative Assembly. One of the important functions of the Election Commission is to recognize political parties as National or Regional political parties and to allot them election symbols. If in a general election a particular party gets four percent of votes polled in any four states it is recognized as an all India or National Party. If a party gets four percent votes in a State, or a region it is recognized as State or regional party. Under the People's Representation Act, the Election Commission also has the power to disqualify a candidate if he does not file election returns within a prescribed period. The Election Commission also advises the President about the Disqualification of MPs and MLAs. Hence, it can be said that the Election Commission has very important powers and functions in our democratic system. In fact, it will not be wrong to say that the very success of democracy depends upon its functioning in an impartial manner.⁵⁶

Political Parties are registered with the Election Commission under the law. Representation of the people Act of 1951 provides for registration of Political Parties. The Election Symbols (Reservation and Allotment) Order of 1968 provides for registration, categorization of Political Parties, allotment of election symbols to Political Parties and deregistration of Political Parties as per the criteria set by the Election Commission. This order has been amended several times by the Election Commission. The Election Commission grants the recognition as national or State Parties on the basis of roll performance.⁵⁷

India represents the largest democracy in the world with electoral experience of more than 50 years. The largeness of the electorate- about 250 millions in the 1967 General Elections- the 'numerousness' of constituencies – more than 3000 legislative assembly constituencies - the relatively low level of the voters' political consciousness – inaccessibility of many constituencies and the necessity to complete elections in a short period of time – all these factors meant a severe administrative burden. There have, no doubt, been lapses and irregularities, but considering the enormity of the problem, the performance of election administration has been creditable. There is

⁵⁶ Ibid, p.319.

⁵⁷ Civil Services Chronicle, Vol.XV No.10, p.34, June 2005.

no doubt that there is sufficient institutional capacity to effectively handle the load created by holding elections on a large scale.⁵⁸

The Election Laws:

The election laws of the country are covered by Presidential and Vice Presidential Election Act, 1952, the Representation of the People Act, 1950 and Representation of the People Act, 1951, the Government of Union Territories Act, 1963, Registration of Electors Rules, 1960, and conduct of Elections Rules, 1961. The Election Commission also has issued the Election Symbols (Reservation and Allotment) Order, 1968 besides a large number of instructions for the guidance of electoral machinery and the electorate.

The Representation of the People Act, 1950, basically deals with the preparation of electoral rolls whereas the Act of 1951 provides legal sanction for actual conduct of elections making specific provisions to maintain peace and order during election to ensure dignity or fairness of electioneering and to enforce neutrality of civil service. The Election Symbols order is concerned with the registration, recognition of Political Parties, allotment of symbols and settlement of disputes among them.⁵⁹

Offences relating to Elections and punishments

Whoever gives a gratification to any person with the object of inducing him or any other person to exercise any electoral right or of rewarding any person for having exercise any such right; or Whoever accepts either for himself or for any other person any gratification as a reward for exercising any such right or for inducing or attempting to induce any other person to exercise any such right, commits the offence of bribery.⁶⁰ Whoever commits the offence of bribery shall be punished with imprisonment of either description for a term, which may extend to one year, or with fine, or with both provided that bribery by treating shall be punished with fine only.

⁵⁸ Ramashray Roy, 'Perspectives on Indian Politics', p.239, Discovering publishing House, Delhi, 1987.

⁵⁹ N.S.Narang, 'Indian Government and Politics' (4th Edition), p.457, Githanjali Publishing House, New Delhi, 1993.

⁶⁰ Shivilal, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.198, The Election Archives (Printing Press), New Delhi, 1986.

Treating means that form of bribery where the gratification consists of food, drink, entertainment, or provision.⁶¹

Whoever voluntarily interferes or attempts to interfere with the free exercise of any electoral right commits the offence of undue influence at an election. Whoever threatens any candidate or voter, or any person in whom a candidate or voter is interested, with injury of any kind, or Whoever induces or attempts to induce a candidate or voter to believe that he or any person in whom he is interested will become or will be rendered an object of Divine displeasure or of spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or voter.⁶²

Whoever at an election applies for a voting paper or votes in the name of any other person, whether living or dead, or in a fictitious name, or who having voted once at such election applies at the same election for a voting paper in his own name, and whoever abets, procures or attempts to procure the voting by any person in any such way, commits the offence of personation at an election. Whoever commits the offence of undue influence or personation at an election shall be punished with imprisonment of either description for a term, which may extend to one year, or with fine, or with both.

Whoever with intent to affect the result of an election makes or publishes any statement, purporting to be a statement of fact, which is false and which he either knows or believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate shall be punished with fine. Whoever without the general or special authority in writing of a candidate incurs or authorities expenses on account of the holding of any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever for the purpose of promoting or procuring the election of such candidate, shall be punished with fine which may extend to five hundred rupees;⁶³

⁶¹ Shrivastava, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.199, The Election Archives (Printing Press), New Delhi, 1986.

⁶² Ibid.p.198.

⁶³ Shrivastava, 'Politico-Legal India', Vol.5, Constitutions and Laws, p.199, The Election Archives (Printing Press), New Delhi, 1986.

Whoever being required by any law for the time being in force or any rule having the force of law to keep accounts of expenses incurred at or in connection with an election fails to keep such accounts shall be punished with fine which may extend to five hundred rupees.

Whoever makes, publishes or circulates any statement, rumour or report with intent to cause, or which is likely to cause, any officer, soldier, sailor or airman in the Army, Navy or Air force of India to mutiny or otherwise disregard or fail in his duty as such; or With intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquility; or with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community shall be punished with imprisonment, which may extend to three years, or with fine, or with both. Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to cause or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.⁶⁴

Whoever commits an offence specified in sub-section (2) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies shall be punished with imprisonment which may extend to five years and shall also be liable to fine.⁶⁵

There aroused a controversy over the declaration of the result of Doda Assembly constituency by the Returning Officer against the directive of The Election Commission in 1983. The Election Commission annulled the result of Doda Assembly constituency in Jammu and Kashmir on the ground that there had been unprecedented rigging and malpractices in some polling booths. The Commission also nullified the results of the Doda Assembly constituency, which was announced by the Returning Officer in defiance of the order of the Commission to withhold counting pending inquiry into allegations of rigging.

⁶⁴ Ibid. p. 200.

⁶⁵ Ibid. p. 201.

The Commission also directed that legal action be initiated against the Returning Officer, Mr. Siraj-ud-din for violating the Commission's instructions. A departmental action was also taken against other officials who were party to this act of defiant dereliction of duty. On the basis of the report submitted by the Central observer, Mr. H.D. Bansal the Election Commission took the decision to hold a repoll in the Doda Assembly constituency. The Commission also consulted the Attorney General and informed the State Chief Secretary and the Chief Electoral Officer of its decision.⁶⁶

The Returning Officer stated that he received the Commission's directions only at 3.55p.m. When he had already declared the results at 3.30 p.m. But the DEO however stated that he had orally conveyed the order to the Returning Officer at 1.15 p.m only.

Both the Returning Officer and the concerned district Election Officer having jurisdiction over the Doda Assembly constituency were sacked by the Commission following declaration of the result on June 7 at Doda.

The removal of the Returning Officer and the district Election Officer and the annulment of the declared result were unprecedented acts in the country's election history.⁶⁷

Thus, it is clear that all the officers at all levels should strictly obey and stick to the orders passed by the Election Commission of India.

The following steps are recommended to prevent rigging, booth-capturing and other electoral offenses.

The Chief Election Commissioner should be appointed from the sitting judges of the Supreme Court and he should have the status equal to that of the Chief Justice of India. The Chief Election Commissioner should have his separate and independent election department with its branches up to Tehsil level under his direct control and supervision on the pattern of the Indian Audit and Accounts Department.⁶⁸ The Election Commission does not have its own funds. Every time the election is held, it approaches the government for funds and this severely curbs its independence.

⁶⁶ Shivalal, 'Politico-Legal India', Vol.2 Legislatures and Politics, Constitutions and Laws, p.490, The Election Archives (Printing Press), New Delhi, 1986.

⁶⁷ Ibid.P.491.

⁶⁸ J.R.Siwach, 'Dynamics of Indian Government and Politics', p.321, Sterling Publishers Private Limited, 1985.

Keeping this fact in view S.L.Shakdher, the former Chief Election Commissioner, proposed that rupees one hundred crores poll fund should be placed at the disposal of the Election Commission. Anti Defection Law should be modified. the deciding authority should be The President and the Governor in consultation with the The Election Commission and not the presiding officer of the state. S.L.Shakdher and R.K. Trivedi, the former Chief Election Commissioners had recommended this step. Candidates who indulge in electoral corruption should be disqualified for a longer period.⁶⁹ The law should be made to ensure automatic disqualification for five years of a person who has not filed his election expenses account. At present many fake candidates file their nomination either for the sake of fun or just to blackmail some serious candidates. This creates a lot of headache for the administrative machinery and they should be discouraged. No candidate should be allowed to contest from more than one constituency. Compulsory voting should be introduced in India. The Chief Election Commissioner, as far back as 1968, had suggested imposition of a nominal fine on those who failed to vote in an election due to apathy or negligence. In some of the constituencies the voters indulge in impersonation and the counting also sometimes is not fair. Keeping these factors in view some of the Chief Election Commissioners have recommended introduction of the electronic vote recorder. Caretaker Government at the Centre and in the States during the time of elections. It is a well known fact that the party in power misuses the government machinery at the time of elections. The former Chief Election Commissioner, Mr.S.L.Shakdher, suggested the imposition of President's rule in the States or the Central government as well as State governments should function only as Caretaker governments during the time of elections and it should include some leaders of the opposition parties.⁷⁰ To prevent bogus voting the Election Commission had recommended that the voters should be issued identity cards with photographs. Time limit for by-elections should be six months. The Election Commission had recommended that every by-election will be held within six months. Partial Proportional Representation should be introduced. At present we have the first past the post or simple majority system under which there is a marked imbalance between the seats won and votes polled by the party. S.L.Shakdher, the former Chief Election Commissioner, suggested that 50% of the seats should be elected according to the present method and the remaining 50% of the seats should be allotted to various

⁶⁹ Ibid,p.322

⁷⁰ Ibid, p.324.

political parties in proportion to the votes polled by them in each State to remedy the situation. There is such a system in West Germany and Japan. This would restore some balance between the votes polled and the seats won by various political parties. Impartial Mass Media is needed. The role of mass media is very important. It should play a non-partisan role so that election can be conducted in a free and fair manner. The rules for the registration and recognition of political parties should also be changed. According to the present rules a Political Party is recognized as a State Party if it polls four per cent of the votes cast. This rule according to the Election Commission should be revised and for the recognition of a political party, it must poll at least six percent of the votes cast.⁷¹

Romesh Thapar stated that the absence of well-organized all-India parties, the entry of a large number of political operators who seek to exploit the system for their own ends, the distortion manifest in results between votes polled and seats won, the growing misuse of political power, the parallel breakdown of the norms of democratic functioning in various subtle ways, and the terrible cost of elections to individual candidates and contesting parties stand as obstacles for clean elections.⁷²

Some of the obvious packages of reforms which Romesh Thapar recommends in his book 'The Indian Dimension' (Politics of Continental Development), are as follows;

(i) Election funds would be established under an enlarged Election Commission at central and State level to publicize the responsibilities of citizens in an election year, to print the appeals of all the political parties, to cover the area of the election without discrimination, and to print all the other materials which assist voters to cast their ballot, including lists of candidates to be nominated by the parties.

(ii) Election Commission has to check voters' lists and update them from time to time.

(iii) In the context of the massive expansion of radio and television, it would be the permanent task of the Election Commission to ensure saturation coverage for the parties in these state-

⁷¹ Ibid, p.327.

⁷² Romesh Thapar, 'The Indian Dimension' (Politics of Continental Development), P.57, Vikas Publishing House Pvt Ltd, New Delhi.

controlled media, and to see that the mass media are not misused by the ruling party at the centre and in the States.⁷³

Review of Literature

The appointment of TN Seshan as the tenth Chief Election Commissioner in 1991 was the beginning of a new chapter in the history of India's parliamentary democracy. He not only reinvigorated the Election Commission, but was also largely successful in curbing electoral malpractices in the country. By cancelling or ordering re-polling in those areas where irregularities were reported, by taking strict action against those who were found guilty of dereliction of duty and by deploying paramilitary forces in sensitive areas, Seshan implemented the Election Commission's model code of conduct seriously and forced everyone to realise that this constitutional body can even bite.

By the time he quit the esteemed office in December 1996, he had set very high standards for his successors, who have, by and large, managed to maintain the sanctity of this constitutional body, which is responsible for holding free and fair elections in the world's largest democracy.⁷⁴

TN Seshan was a man who refused to compromise on his principles, which often placed him on the warpath with politicians. He had once commented that "good elections require four elements: an election law that is fully tuned to provide free and fair elections; an election commission which is truly autonomous and fearless;

Administrative procedures that ensure even the smallest man and woman can exercise their franchise freely and without fear; and an electorate which is fully aware of its rights and responsibilities". During the initial period after his appointment, Seshan started cleaning up the commission's image. On his first day at work, Seshan, despite being a Brahmin and a religious man, had instructed his staff to remove the photos of Hindu deities on the walls of the office to project a more secular image.⁷⁵

⁷³ Romesh Thapar, 'The Indian Dimension' (Politics of Continental Development), P.60, Vikas Publishing House Pvt Ltd, New Delhi.

⁷⁴ Empowering the EC, Ritesh k Srivastava, March 5, 2012 (Wikipedia)

⁷⁵ Time to 'Seshan'the EC, RK Anand, June 20, 2012 (Wikipedia)

He banned long lunch breaks and reading in the library during office hours. During his tenure, Seshan is said to have reviewed more than 40,000 cases of alleged false election returns and disqualified 14,000 potential candidates. In 1993, Seshan took on the central government when the home minister disagreed with his order to deploy security forces in Tamil Nadu when violence threatened to mar the state election. When the home minister refused to execute Seshan's order, the latter announced that no elections would be held in India until the government recognised the power of the Election Commission. The government was forced to turn to the Supreme Court. But before the case was heard, Seshan revoked his order. However, his defiance had won the admiration of the people. In an attempt to curb rampant voter impersonation, Seshan had urged the government to issue photo identification cards to all legal voters. The government argued that it was unnecessary and expensive. Seshan then proclaimed that no elections would be held after Jan 1, 1995 and several elections were postponed, forcing the government to approach the court. To check the misuse of unaccounted funds during elections, Seshan introduced Election Inspection Observers comprising senior officers from the national tax bureau. The observers were assigned to check poll expenditure in each constituency on a daily basis and their presence minimised the use of government funds to buy votes. Taking it one step further, Seshan implemented Section 77 of the Representation of the People Act, making it mandatory for candidates to keep accurate accounts of their expenditure.

Among other requirements, he also made it compulsory for candidates to file their accounts accompanied by an affidavit of oath, which would make them liable to prosecution if false information pertaining to the accounts was provided. During the 1993 national election, Seshan personally kept watch on electoral expenses and his officers were assigned to monitor each state. After the election, 1,488 candidates from the Lower House were disqualified for three years when they failed to furnish their expense accounts.⁷⁶ When detractors retorted that the code had no legal authority, Seshan responded that such sanction was not required for one not to tell lies. He said no one could raise an objection if the government did not announce grants to gain votes from the electorate. He did not allow the use of government travellers' bungalows by their own supporters and did not use government aircraft and transport for electioneering purposes. His remark that the "high and mighty" were not exempted from this code put him at loggerheads with several prominent politicians. He also angered the Indian

⁷⁶ Gilmartin David, *one Day's Sultan: T.N. Seshan and the reform of the Election Commission* (Wikipedia)

Administrative Service when he described its officers as “polished call girls” for prostituting their positions. Seshan also issued a five-page order expressing concern over candidates attempting to win votes on sentiments of caste, creed, race and language. On being credited as the person who reformed the electoral process, Seshan remarked: “It was not that I introduced a new reform in the system. In fact, I didn’t even add one comma, semicolon or a full stop to the Act. Whatever was said in the Act, I implemented.” “What is wrong with Indian politics are the three 'Ms'," Mr Seshan recently stated. "Money, muscle-power and ministers." The commissioner also banned loudspeakers and graffiti. Most importantly, he has stopped politicians from making speeches which might stir up hatred between Hindus and Muslims and within Hinduism's hierarchy of castes.

Shanti Bhushan, in his article ‘The Election Commission and its Powers’ asserts that the Election Commission is not only entitled to take all steps to conduct the elections in a free and fair manner but it is also under constitutional obligation empowered to maintain communal harmony during the time of elections. Shanti Bhushan expressed that Varun Gandhi, who is proposed to be a Bharatiya Janata Party candidate from Pilibhit in Uttar Pradesh, made a highly condemnable hate speech against a minority community in an attempt to communalise the election atmosphere in the country and attempt to polarise voters on a communal basis. Obviously such an attempt is totally unconstitutional and also constitutes a serious criminal offence. After that, the Election Commission, by a unanimous order, advised the BJP not to nominate Varun Gandhi as a candidate. But the BJP leadership has declared that it would defy that advice.⁷⁷

N. Bhaskara Rao, in his article, “How ‘notes for votes’ dampen democracy” has raised certain questions on the use of money during the time of elections right from the beginning to the end. The author has expressed that cash comes into play in three distinct phases: first, it is given to party leaders by candidates seeking a nomination; second, it is given to cadres and competitors on the eve of the filing of nominations; and third, it is distributed to voters on the polling day. Bhaskara Rao has stated that notes-for-votes is indeed the “mother of all corruption” because it is here that the vicious cycle starts. Bhaskara Rao has expressed that the best way to check corruption is to reject the lure by voters. The voters need to understand the linkage between

⁷⁷ Shanti Bhushan, ‘The Election Commission and its Powers’ www.hindu.com, Mar 28, 2009

notes-for-votes and the bribes citizens end up paying to get what they are entitled to get from the government and from their elected representatives. Mr. Rao also stated that civil society groups should step up their efforts at the local level against voters being lured. And, the Election Commission should come up with more deterrent measures so that the poll process becomes truly free and fair .⁷⁸

K.K. Venugopal in his article, 'Re-democratising the electoral system' expressed that decriminalising elections, instituting State funding, snapping the quid pro quo and strengthening the Election Commission of India are the priorities in the electoral system in India. Venugopal has stated that there are many pillars of democracy, including an independent judiciary, a free press, and free and fair elections. Mr. Venugopal Rao has also expressed that the institution of the Election Commission has been responsible for bringing about order and discipline in elections. The model code of conduct has evolved over time into a stringent deterrent against malpractices and deviations. The regulation and control of the poll throughout the country is an exercise that cannot be replicated by any other country, however advanced the technology. The fact that all the votes are counted in a day, and the results announced, is itself amazing. The independence and integrity of the Election Commission should be protected. Venugopal further expressed that money power can dampen a democracy.⁷⁹

Shree Shankar Sharan, in his article, 'The Way We Conduct Elections in Our Country' emphasized that there are several features of the election process that need to be changed. The first is the heavy deployment of Police force for conducting elections. One of the grave consequences of heavy deployment of force is to spread out the election process to two, three or four stages. This type of three-phased or four-phased election not only paralyses governance, because staff from all departments along with the local collectorate, sub divisional and block Staff is assigned duties in the election process but the economy is also paralysed for two months or so because all trucks that normally carries goods to most parts of the country, are either seized or hide themselves for fear of being seized by the police force on election duty thereby pushing up shortages and prices. Another major upset is caused by the ban on decision-making for the

⁷⁸ N. Bhaskara Rao, "How 'notes for votes' dampen democracy" The Hindu, Monday, April 06, 2009.

⁷⁹ K.K. Venugopal, 'Re-democratising the electoral system' The Hindu, Thursday, Apr 09, 2009

government while the model conduct rules operate on a matter of policy while the poll notification is in force. Hence, the country's progress, an economic right of the people is sacrificed at the cost of a political right which is avoidable.⁸⁰

Rekha Chowdary, in her article, 'Seperatist Sentiments and Deepening of Democracy' has stated that the high degree of participation in the elections by the people by defying the boycott call given by the seperatists is an indicator of rejection of separatism in Jammu&Kashmir. The author has further stated that the elections should be seen as a process of democratising the Political mainstream in the Kashmir valley and the problem of separatism can only be addressed through a greater dialogue, which has been facilitated by the people's desire for a honourable solution.⁸¹

Praful Bidwai in his article " Politics of Intimidation" While referring to a viciously anti-Muslim compact disc (CD) entitled *Bharat ki Pukar* (the call of India) as part of its campaign material for the Uttar Pradesh Assembly elections expressed that The Bharatiya Janata Party is trying to browbeat the Election Commission and its critics on the anti-Muslim CD issue. Bidwai also said that no Indian political formation can even match the Bharatiya Janata Party (BJP) when it comes to violating norms of political decency, defying the law, and pursuing an outrageously divisive and sectarian agenda.⁸² He further said that the BJP has simply disowned the CD without sincerely apologizing for it. It simply will not do for the BJP to pretend that the CD was unauthorized and produced by a junior-level "worker" without prior approval by the party's top leaders, including Lalji Tandon and State unit president Kesri Nath Tripathi.⁸³

B.K.Verma, in his book 'Modern Indian Political System'-problems and prospects, stated that Democracy in India was deliberately decided upon by the Constituent Assembly. The author expressed that in India since the population is more than 100 crores direct democracy is not possible. So, we should be satisfied with the indirect democracy and hence the elections take place at the interval of four or five or six years.⁸⁴ The author also expressed that violence, either of anti-social elements or of political parties, is a negation of the democratic concept of rule of

⁸⁰ Shree Shankar Sharan, 'The way we conduct elections in our country', p-7, Mainstream, April, 2009.

⁸¹ Rekha Chowdary, 'Seperatist Sentiments and Deepening of Democracy' p.13, Economic & Political Weekly, January 17, 2009.

⁸² Frontline, Vol.24, Issue8, April 21- May 4, 2007, Praful Bidwai, "Politics of intimidation" p.108.

⁸³ Ibid p.109

⁸⁴ B.K.Verma, 'Modern Indian Political System'-problems and prospects, p.94, Global Vision Publishing House, New Delhi, 2006.

law. Violence amounts to arresting the process of free expression and freedom of formation of assembly. The author maintained that no democracy can succeed unless the citizens abide by the law and do not engage in flouting the order of law. Democracy in India requires that during election days and in the months prior to elections, law and order is maintained.⁸⁵

Ramashray Roy, in his book, 'Perspectives on Indian Politics', stated that there are three inter-related phenomena which are basic to the functioning of democracy in any society. First, the mandate for governance must come from the people and must be given freely. Second, there must be available active demos to activate and articulate political processes. These active demos, that is, political leaders and activists, must agree on the democratic rules of the game and compete among themselves for capturing power. And, lastly, there must exist a general acceptance of norms as well as an institutional structure that will enable competing political leaders to maintain and preserve democracy.⁸⁶

Sunder Raman, in his book 'Indian government and Politics' expressed that adult suffrage was the most striking feature of Indian Constitution. Free, fair and peaceful periodic elections are the life-blood of any democracy. In fact a democracy is known by the elections it holds and the participation that it allows in the elections.⁸⁷ The author stated that democracy is a form of government which allows both dissent and Political plurality. Without political plurality a democracy will degenerate into a dictatorship. Debates, discussions and interactions on ideological planes lead to a more democratic and tolerant society. Whereas emphasis on caste, religion, region etc would create unending rift in the society. The author also emphasized on the safeguards against misuse of official machinery during elections. The safeguards include non-use of the government vehicles, machinery and personnel for furtherance of the interest of the Party in power, non-monopolisation of the public places such as maidans etc.

J.R.Siwach, in his book, 'Dynamics of Indian Government and Politics', stated that The Constituent Assembly after considering all the pros and cons of the problem provided for permanent election machinery only at the centre. The author also expressed that a permanent election machinery was needed to conduct not only the poll after a regular interval of five years

⁸⁵ Ibid, p.233.

⁸⁶ Ramashray Roy, 'Perspectives on Indian Politics', p.237, Discovering publishing House, Delhi, 1987

⁸⁷ Sunder Raman, 'Indian Government and Politics', p.284, Allied Publishers, New Delhi, 1985.

but also to conduct mid-term poll and by-elections in one state or other and this could be a regular feature keeping the size of the country in view.⁸⁸ The author further emphasized on functions and powers of the Election Commission such as preparation of electoral rolls, conducting elections to parliament and state legislatures etc.

M.P.Singh, Himanshu Roy, in their book, 'Indian Political System', stated that elections are the most significant aspect of most contemporary political systems, democratic or otherwise. Elections remain the first and foremost touchstone on the basis of which the representativity and legitimacy of a system is to be judged. In fact, elections are complicated political processes which provide a link between the society and the polity and between the traditional social systems and evolving social structures. Nevertheless, elections perform different roles in indifferent political systems. In some, they are central while in others they may be peripheral. They may contribute to political development in some, to political decay in others. They may sometimes be used as veiled disguises for authoritarianism, while in established democracies, they are the institutional procedures for system-maintenance and also the instruments for support-building, interest-aggregation, peaceful and orderly transfer of power, recruitment and training of leaders, and above all for an increasing democratization of the political system.⁸⁹

N.S.Narang, in his book, 'Indian Government and Politics' (4th Edition), stated that elections have acquired a central place in the Indian political system. Elections are not only more than just important political events but they have been a kind of 'national festival', or a source of entertainment, education and excitement for countless millions of people. The campaigns are lively and colourful marked with intense political debates, symbolic processions or yatras and increasing use of electronic technology; audio-cassettes, video-cassettes and Radio-TV broadcast by major political parties. The author expressed that visual symbols acquire greater importance in India due to widespread illiteracy; as such voters identify the candidate with the help of the symbol allotted to him or her.⁹⁰

Richard L. Park, in his book, 'India's Political System' stated that the electoral experience in India since 1947 has proved the excellence of the commission's work and of the system of

⁸⁸ J.R.Siwach, 'Dynamics of Indian Government and Politics', p.312, Sterling Publishers Private Limited, 1985.

⁸⁹ M.P.Singh, Himanshu Roy, 'Indian Political System', p.236, Manak Publications, New Delhi, 2005.

⁹⁰ N.S.Narang, 'Indian Government and Politics' (4th Edition), p.455, Githanjali Publishing House, New Delhi, 1993.

electoral supervision and control that has helped assure fair and orderly elections. The author also expressed that since a majority of those eligible to vote are illiterate; methods have to be devised to aid these voters. The author also stated that Indian elections are subject to regulations against such practices as bribery or threats to life and limb. In addition, candidates are required to maintain accounts of all campaign expenditures, which are not to exceed a legal limit. The author further stated that the Indian people will not tolerate major tampering with the rules governing the electoral process.⁹¹ The author also emphasized on electoral participation and stated that in the general elections held in India since independence, a sizeable portion of the electorate has voted.

Romesh Thapar, in his book, 'The Indian Dimension' (Politics of Continental Development), stated that the election funds should be established under the Election Commission at central and state level to publicize the responsibilities of citizens and to print the appeals of all political parties. The author also expressed that the Election Commission has to check voters' lists and update them from time to time. The author also stated that the Election Commission has to ensure saturation coverage for the parties in the state-controlled media, and see that the mass media are not misused by the ruling party at the centre and in the States.⁹²

Shivlal, 'International Electoral Politics & Law' - A History of Elections, Vol.1, stated that there is model code of conduct for political parties and candidates in India which is evolved by the Election Commission of India with the consensus of all political parties to be observed during the time of elections. The author also expressed that the party in power whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign. The author also emphasized that the party or candidate shall inform the local police authorities of the venue and time any proposed meet well in time so as to enable the police to make necessary arrangements for controlling traffic and maintaining peace and order.

Shivlal, in his book, 'Politico-Legal India', Vol.5, Constitutions and Laws, stated that there will be Chief Electoral Officers and District election officers in India. There shall be chief electoral

⁹¹ Richard L.Park, 'India's Political System', p.91, Prentice-Hall, Inc, Englewood Cliffs, New Jersey, USA, 1979.

⁹² Romesh Thapar, 'The Indian Dimension' (Politics of Continental Development), P.60, Vikas Publishing House Pvt Ltd, New Delhi.

officer for each state who is appointed by the Election Commission of India in consultation with the state government. For each district there shall be district election officer appointed by the election commission. The author also stated that a district election officer, with the previous approval of the Election Commission, provides a sufficient number of polling stations for every constituency and the the district election officer shall appoint a presiding officer for each polling station. The author further stated that for very constituency, for every election the election commission in consultation with the government of the state appoints a Retuning Officer.⁹³

Shivlal, in his book, 'Politico-Legal India', Vol.2 Legislatures and Politics, Constitutions and Laws, emphasized on the conflict between the Central Election Commission and the Returning Officer. The author stated that The Election Commission annulled the result of Doda Assembly constituency in Jammu and Kashmir on the ground that there had been unprecedented rigging and malpractices in some polling booths. The Commission also nullified the results of the Doda Assembly constituency, which was announced by the Returning Officer in defiance of the order of the Commission to withhold counting pending inquiry into allegations of rigging. The author also stated that Both the Returning Officer and the concerned district Election Officer having jurisdiction over the Doda Assembly constituency were sacked by the Commission.⁹⁴

Dr.Inamdar, in his book, 'Profiles of Indian Government and Politics', stated that the Election Commission does not have direct control over the personnel manning the elections in the States and the Union Territories which control them. The provisions of the Representation of the People Act and other legislations and the rules under these are required to be complied with by the personnel looking after the elections. The author also expressed that the Election Commission with its sole member, the Chief Election Commissioner, and his limited staff monitors the compliance with these statutory provisions and rules by the personnel of the State Governments and the union territories.⁹⁵

⁹³ Shivlal, 'Politico-Legal India', Vol.5, Constitutions and Laws,p.236, The Election Archives (Printing Press), New Delhi,1986.

⁹⁴ Shivlal, 'Politico-Legal India', Vol.2 Legislatures and Politics, Constitutions and Laws, p.490, The Election Archives (Printing Press), New Delhi, 1986.

⁹⁵ Dr.Inamdar, 'Profiles of Indian Government and Politics', p. 33, Vishwanil Publications, Poona, 1989.

In an Editorial, 'Election Commission in tatters' published in Economic and Political weekly, the author stated that the suo motu recommendation by the Chief Election Commissioner N. Gopalaswamy to the president to remove fellow Election Commissioner Navin Chawla from his position in January 2009 has left the Election Commission of India unprepared to organize the coming elections (2009) in a manner that would convince the electorate about their transparency and absence of bias. The author expressed that the Chief Election Commissioner's decision creates a new precedent that could be misused by future Chief Election Commissioners. The author also stated that there is no provision in the Constitution that states that a recommendation by the Chief Election Commissioner on removal of Election Commissioner from office should be preceded by a referral from an appropriate executive authority.⁹⁶

Sriram Panchu, in his article, 'Free and Fair Election Commissioners', stated that in 1995 a decision in T.N. Seshan Vs Union of India the Supreme Court explained the scheme of Article 324. The Chief Election Commissioner, the Court said, is insulated from removal and the Election Commissioners are assured of independence since they cannot be removed except on the recommendation of the Chief Election Commissioner. The court observed that this privilege has been conferred on the Chief Election Commissioner to ensure that the Election Commissioners are not at the mercy of political and executive bosses of the day. The author emphasized that the Supreme Court said that the Chief Election Commissioner's recommendation for removal of Election Commissioner must be based on intelligible and cogent considerations having relation to the effective functioning of the Election Commission and not on whim or caprice. Sriram Panchu further stated that Chief Election Commissioner's recommendation is not conclusive or binding on the President of India.⁹⁷

Gautam Navlakha, in his article, Jammu and Kashmir Elections: A Shift in Equations, stated that deployment of 538 companies of central paramilitary forces and 60 to 70 companies of the Jammu & Kashmir Police and Rashtriya Rifles for election duty has increased the participation of voters in the elections which were conducted in 2008 in the state of Jammu & Kashmir. The author expressed that the extraordinary security cover was disproportionate to any threat posed by the militants and boycott campaigns. The author emphasized that one should not take people

⁹⁶ Editorial; Election Commission in tatters, Economic & Political Weekly, February 28, 2009.

⁹⁷ Sriram Panchu, 'Free and Fair Election Commissioners', Economic & Political Weekly, p. 10, February 28, 2009.

for granted. Those who came out to vote in Jammu & Kashmir in 2008 comprised many who had also participated in the earlier agitations for independence of the state of Jammu & Kashmir.⁹⁸

Dr.B.L. Fadia, in his book, 'Indian Government and Politics', stated that Tarakunde committee which was appointed by Jaya Prakash Narayan had recommended that the minimum age for voting should be 18 years and the Election Commission should be appointed by the President of India on the advice of the committee consisting of the Prime Minister, the Leader of the opposition in the Lok Sabha and Chief Justice of the Supreme court. The author expressed that the present majority system should be replaced by a system of proportional representation and the seats in the Legislative bodies, i.e., the Lok Sabha and State Assemblies should be allotted in proportion to the valid polled votes of the different political parties.⁹⁹ The author also emphasized on the Goswami Committee's recommendations and stated that there is need to amend anti-defection law. The power of deciding the legal aspect of disqualification should be taken away from the speaker or chairman and entrusted to the President or Governor who will act according to the Election Commission's recommendations.

Subhash C. Kashyap, in his book, Our Constitution- An introduction to India's Constitution and Constitutional law, stated that the biggest revolution since the independence of the country was the adoption of universal adult franchise for elections to the Lok Sabha and the Legislative Assemblies of the states. The author also expressed that Indrajit Gupta Committee which was appointed in 1998 was most particular about the all party agreement on state funding of elections.¹⁰⁰ The author also emphasized that in a democracy, the electoral process has a strategic role and voter's right to know antecedents including criminal past of his candidate contesting election for M.P or M.L.A. is much more fundamental and basic for survival of democracy.

Dr. Durga Das Basu, in his book, 'Introduction to the Constitution of India', stated that by Article 323B of the Constitution of India, as inserted by the constitution (42nd Amendment) Act in 1976, power has been conferred on the appropriate Legislature to set up a Tribunal for the adjudication of disputes relating to elections of the Legislature concerned by making Law and to

⁹⁸ Gautam Navlakha, Jammu & Kashmir elections: A shift in equations, Economic & Political Weekly, p.11, January 17, 2009.

⁹⁹ Dr.B.L.Fadia, Indian Government and Politics, p.614, Sahitya Bhawan, Agra, 2011.

¹⁰⁰ Subhash C.Kashyap, 'Our Constitution-An Introduction to India's Constitution and Constitutional Law.9.309, National Book Trust, New Delhi, 4TH Revised edition 2005.

provide in such law for the exclusion of all courts except the Supreme court. When such law is made in exercise of this power, the High court will cease to have any jurisdiction over election disputes. The author also expressed that the exclusive forum for adjudicating disputes relating to the election of the President of India and Vice-President of India is the Supreme Court. There is no special provision for the Prime Minister of India or the Speaker of the House of the people and any dispute relating to these offices is to be determined only by an election petition before the High Court according to article 329 (b).¹⁰¹

Peter B. Harris. In his book, 'Foundations of Political Science', stated that the simplest way to regard democracy is to define it as popular control or control by the vast majority of the inhabitants of the country. The author emphasized that the whole idea of elections is that elections enable electors to choose their representatives from those recommended to them, usually by Political Parties. The author also expressed that in a modern nation state indirect democracy must involve three elements such as the electorate, Parliaments or Assemblies and The executive. The term electorate refers to the group of citizens qualified to elect their representatives. Parliaments or Assemblies are the Law-making bodies and the executive is responsible for putting the decisions of the whole populace into effect.¹⁰²

N.S. Gehlot, in his book, 'Trends in Indian Politics', stated that the success of democracy depends upon the free and fair elections and the elections are essential for the assertion of popular sovereignty in a democratic state. The author emphasized that Indian democracy stands for representative government and in the interests of democracy, Indian Constitution provides for an Election Commission to assume the charge of superintendence, direction and control of the elections in India. The author expressed that the elections in India are centralized under the sole control of a single integrated authority and its independence and impartiality are guaranteed. The author also focused on the anti-Congress referendum in Andhra Pradesh in 1984. In Andhra Pradesh alone, the Congress (I) faced a sheltering defeat in the hands of regionally party i.e.

¹⁰¹ Dr.Durga Das Basu, 'Introuction to the Constitution of India' p396, LexisNexis Butterworths Wadhwa Nagpur,Gurgaon, Haryana, India, 2010.

¹⁰² Peter B. Harris, Foundations of Political Science, p.208, Hutchinson \$ Co (publishers) Ltd, London, 1976.

Telugu Desam Party of the N.T.Rama Rao. The Congress party had won only six Lok Sabha seats out of 42 seats in the state of Andhra Pradesh.¹⁰³

Francis W. Coker, in his book, 'Recent Political Thought', stated that the success of democracy depends upon the existence of a civic sense among the people generally. A rational like-mindedness and an imaginative sympathy that in some degree transcend economic and cultural differences. There is a democratic belief that the people of Western Europe and of all English-speaking countries have the essential political virtues which are sufficient for the success of democracy. The author emphasized that democracy will not succeed under all sorts of conditions and even where conditions are favorable for its success, the government should recognize the limits of its fruitful competence. The democratic government should submit itself to the test of full and critical examination of its performance.¹⁰⁴ The author expressed that a democracy requires a system of general education, an intelligent and independent press, and freedom of association and discussion.

Raymond Garfield Gettel, in his book, Political Science, stated that democracy is based upon the theory of equality and from the political point of view, democracy includes two concepts i.e. Civil liberty and Political Liberty. Civil liberty means the right of each person to equal freedom, within a certain sphere, from interference on the part of other persons or of the government. Political liberty means the right to share in exercising the authority of the state. The author also emphasized on the powers of the electorate and stated that only when the electorate directly exercises large powers or where the control of the electorate over the entire government is extensive and constant, is the electorate an important governmental factor.¹⁰⁵ The author expressed that in many Law-making bodies, the representatives, once chosen, are permitted to exercise their own judgement and the representatives are under no legal compulsion to express the wishes of their constituents.

J.C.Chatturvedi, in his book, Political Governance (Comparative Politics) Vol1, emphasized on compulsory voting and stated that the experience of the few countries that have forced their citizens by some mild but well-administered sanctions to vote shows that the turnout during polls

¹⁰³ N.S.Gehlot, Trends in Indian Politics, p-207, Deep\$ Deep publications, New Delhi, 1988.

¹⁰⁴ Francis W. Coker, Recent Political Thought, p-372, the world press private Ltd, 1966.

¹⁰⁵ Raymond Garfield Gettel, 'Political Science', p-261, the world pres private Ltd, 1950.

got increased tremendously. In Australia, the adoption of a compulsory voting law in 1924 imposing a \$10 fine on nonvoting brought an increase in participation from 59.4 per cent in 1922 to 91.4 per cent in 1925, 93.6 per cent in 1928, and 94.9 per cent in 1929. The author also expressed that Belgium, Holland, Czechoslovakia, Spain and the Argentine Republic also experimented with compulsory voting.¹⁰⁶ The author expressed that the vote is only one of the many devices used by representative governments. The author also stated that although, a century ago most elections were conducted viva voce, that is, by a verbal expression of preference for a candidate before the polling officials, the secret ballot is universal today. The secret ballot was first introduced in Australia.

Vivek Kumar, in his article, 'Democracy and Self-Representation', stated that Ambedkar had long back emphasized the point of self-representation in Indian politics by asking for separate electorates for the Dalits. Ambedkar thought that representation of opinions is not sufficient to constitute a popular government and to ensure its true meaning popular government requires personal representation as well. The author had expressed that Ambedkar argued that it is not enough to be electors only and it is necessary to be Law-makers.¹⁰⁷ Vivek Kumar also focused that after two decades of India's political democracy Kanshi Ram started that quest for self-representation of the marginalized communities with the slogan 'vote hamara, Raj Tumhara-Nahi Chalega, Nahi Chalega (Our vote, Your Rule shall no longer prevail)'. The author expressed that by establishment of the Bahujan Samaj Party and by installing Mayawati as the first Dalit woman Chief Minister of U.P Kanshi Ram laid the foundation of self-representation of the Dalits and other marginalized sections of the Indian society.

Objectives of the study.

1. To analyze the role of the Election Commission in Indian Political System.
2. To explain that how far the Election Commission has succeeded in discharging its duties.
3. To observe that whether the Election Commission has succeeded in the enforcement of model code of conduct during the time of Elections in the states of Uttar Pradesh and Gujarat in 2007.
4. To analyze the role played by the Election Commission in Andhra Pradesh from 2004 to 2009.

¹⁰⁶ J.C.Chatturvedi, Political Governance (Comparative Politics) Vol 1, p-254, Isha Books, Delhi, 2005.

¹⁰⁷ Vivek Kumar, Democracy and Self-Representation, p-21, Mainstream, October 3-9, 2008.

Methodology:

I have used both primary sources and secondary sources for writing the thesis. I have depended on primary data for writing the fourth chapter. I have prepared a Questionnaire consisting of closed-ended and open-ended questions and ascertained the opinions and suggestions of Politicians and experts as part of my field survey. The respondents include M.Ps, M.L.As, Village Sarpanches, Academicians, Research Scholars, and Former Election Commissioners.

I have used Secondary sources such as News Papers such as the Hindu, the times of India, Articles published in the Hindu News Paper, Journals like Mainstream, Magazines like Frontline, Books written by various authors, are referred for writing first, second and third chapters.

Limitations of the Study:

1. I have depended heavily on news papers for writing second and third chapter due to the absence of properly ordered write-ups of events from the beginning to the end.
2. Due to the lack of information on the responses given by the candidates to the election commission's notices the responses are not included. The focus is laid only on the reason for which the show-cause notice is issued since the objective is to study the implementation of model conduct during the time of elections.

Rationale behind the selection of the topic

1. I wanted to study that whether the Election Commission had to take special steps in conducting elections to the states of Uttar Pradesh and Gujarat because these are prone to communal riots when compared to other states in India.
2. I wanted to study the performance of Election Commission during two assembly elections and one by-election to the Andhra Pradesh state Assembly as A.P is different from Uttar Pradesh and Gujarat in terms of communal violence and analyze its performance in discharging its duties. That's why I have chosen the period from 2004 to 2009.

Summing up:

In the first chapter various aspects such as Democracy, elections, electoral system, electoral process, structure of the Election Commission, constitutional debates on the Election Commission are included. The relevant books and articles are also reviewed. The methodology, objectives of the study and the rationale behind the selection of the topic are also stated. The superintendence, direction and control of the elections to Parliament, to the legislature of every State, to the offices of President and Vice-President, have been vested in the Election Commission. The success of democracy depends upon the free and fair elections and the elections are essential for the assertion of popular sovereignty in a democratic state. The Election Commission does not have direct control over the personnel manning the elections in the States and the Union Territories which control them.

The Constituent Assembly keeping in view the requirement, provided for permanent election machinery only at the centre. a permanent election machinery was needed to conduct not only the poll after a regular interval of five years but also to conduct mid-term poll and by-elections in one state or other and this could be a regular feature keeping the size of the country in view. Adult suffrage was the most striking feature of Indian Constitution. Free, fair and peaceful periodic elections are the life-blood of any democracy.

The appointment of TN Seshan as the tenth Chief Election Commissioner in 1991 was the beginning of a new chapter in the history of India's parliamentary democracy. He not only reinvigorated the Election Commission, but was also largely successful in curbing electoral malpractices in the country. Seshan implemented the Election Commission's model code of conduct seriously and forced everyone to realise that this constitutional body can even bite. He also made it compulsory for candidates to file their accounts accompanied by an affidavit of oath, which would make them liable to prosecution if false information pertaining to the accounts was provided. By the time he quit the esteemed office in December 1996, he had set very high standards for his successors, who have, by and large, managed to maintain the sanctity of this constitutional body.

CHAPTER-II

Model Code of Conduct of the Election Commission and its implementation in Uttar Pradesh and Gujarat 2007

Introduction:

In the second chapter, the Model Code of the Conduct of the Election Commission is explained. The events that took place during the time of elections to the State Assemblies of Uttar Pradesh and Gujarat in 2007 are also included in the present chapter.

Model code is a consensus document evolved with the consent of Political Parties by the Election Commission. Model Code prevents the contesting candidates and Political Parties from adopting illegal procedures for winning the elections. The code also prevents the party in power from utilizing the government machinery for its benefit. The Model code enables the Election Commission to conduct elections in an impartial manner. There is no statutory status to the model code. The code violations cannot be taken to the court of law. The Election Commission of India is regarded as guardian of free and fair elections. The Election Commission of India circulated its first Model Code of Conduct at the time of fifth general elections which were held in 1971. At that time the Chief Election Commissioner of India was S.P.Sen Verma. Since then, the Model Code of Conduct has been revised from time to time. In every election, The Election Commission issues a Model Code of Conduct for Political parties and candidates to conduct elections in a free and fair manner. The Model Code of Conduct lays down guidelines as to how Political parties and candidates should conduct themselves during the time of elections.¹⁰⁸ Because of the strict enforcement of the model code of conduct, the Election Commission could conduct elections in Uttar Pradesh and Gujarat very fairly and impartially in 2007.

The following was the Model Code of Conduct for Political Parties and candidates published by The Election Commission of India before the elections of 1980.

1. General Conduct

¹⁰⁸ Sumandeep Kaur, 'Electoral Reforms in India- Proactive Role of Election Commission', Mainstream, Vol xlvii No.49, November 22, 2008.

(1) No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

1. General Conduct

(1) No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

(2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.

(3) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

(4) The organisers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organised in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion. Processions shall be so regulated as to keep as much to

(5) The right of the road as possible and the direction and advice of the police on duty shall be strictly complied with.

(6) If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organisers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police shall be availed of for arriving at a satisfactory arrangement. For this purpose the parties shall contact the police at the earliest opportunity.

(7) The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements especially in moments of excitement.

(8) The carrying of effigies purporting to represent member of other political parties or their leaders, burning such effigies in public and such other forms demonstration shall not be countenanced by any political party or candidate.¹⁰⁹

IV. Polling Day

All Political parties and candidates shall –

(i) co-operate with the officers on election duty to ensure peaceful and orderly polling and complete freedom to the voters to exercise their franchise without being subjected to any annoyance or obstruction.

(ii) Supply to their authorized workers suitable badges or identity cards;

(iii) agree that the identity slip supplied by them to voters shall be on plain (white) paper and shall not contain any symbol, name of the candidate or the name of the party;

(iv) refrain from serving or distributing liquor on polling day and during the twenty- four hours preceding it ;

(v) Not allow unnecessary crowd to be collected near the camps set up by the political parties and candidates near the polling booths so as to avoid Confrontation and tension among workers and sympathizers of the parties and the candidate.¹¹⁰

(vi) Ensure that the candidate's camps shall be simple .They shall not display any posters, flags, symbols or any other propaganda material. No eatable shall be served or crowd allowed at the camps; and

¹⁰⁹ Shivlal, 'International Electoral Politics & Law' - A History of Elections, Vol.1, p-93, New Delhi, 1984.

¹¹⁰ Shivlal, 'International Electoral Politics & Law' - A History of Elections, Vol.1, p-95, New Delhi, 1984.

(vii) Co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them which should be displayed prominently on those vehicles.

V. Polling Booth

Excepting the voters, no one without a valid pass from the Election Commission shall enter the polling booths.

VI. Observers

The Election Commission had appointed observers for each parliamentary constituency. If the candidates or their agents have any specific complaint or problem regarding the conduct of elections they may bring the same to the notice of the Observer.

VII. Party in Power

The party in power¹¹¹ whether at the Centre or in the State or States concerned, shall ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign and in particular -

- (i) Government vehicles, shall not be used for furtherance of the interests of the party in power;
- (ii) Public places such as maidans etc., shall not be monopolized by itself for holding election meetings. Other parties and candidates shall be allowed the use of such places and facilities on the same terms and conditions on which they are used by the party in power.
- (iii) Rest houses, dark bungalows or other Government accommodation shall be allowed to be used by other parties and candidates in a fair manner. And
- (iv) Issue of advertisement at the cost of public exchequer in the newspapers and other media and the misuse of official mass media during the election period for partisan coverage of political news and publicity regarding achievements with a view to furthering the prospects of the party in power shall be scrupulously avoided.¹¹²

¹¹¹ Ibid.

¹¹² Shrivastava, 'International Electoral Politics & Law' - A History of Elections, Vol.1, p-96, New Delhi, 1984.

(v) Ministers and other authorities shall not sanction grants/payments out of discretionary funds from the time elections are announced by the Commission; and

(vi) From the time elections are announced by Commission, Ministers and other **authorities shall not** –

(a) announce any financial grants in any form or promises thereof;

(b) (except civil servants) lay foundation stones etc. of projects or schemes of any kind;

(c) make any promise of construction of roads, provision of drinking water facilities etc.;

(d) make any ad-hoc appointments in Government, Public Undertakings etc. which may have the effect of influencing the voters in favour of the party in power.

(vii) Ministers of Central or State Government shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorised agent.¹¹³

Assembly Elections in Uttar Pradesh in 2007

Importance of Uttar Pradesh elections

Uttar Pradesh is a state located in northern India. It was created on 1 April 1937 as the United Provinces, and was renamed Uttar Pradesh in 1950. Lucknow is the capital of Uttar Pradesh. Uttar Pradesh is the largest province in India in terms of population, but the fifth largest in terms of landmass. With 166 million people, U.P. is about the size of France, Germany and the Benelux nations combined. There are 113 million voters, and 403 electoral seats, with an average of a quarter of a million voters in each constituency. The election was held in seven phases in 2007. Phase 1: 07-04-2007, Phase 2: 13-04-2007, Phase 3: 18-04-2007, Phase 4: 23-04-2007, Phase 5: 28-04-2007, Phase 6: 03-05-2007, Phase 7: 08-05-2007.

¹¹³ www.eci.gov.in-model code of conduct

The Legislative Assembly for the United Provinces was constituted for the first time on 1 April 1937 in accordance with the Government of India Act, 1935. The strength of the Assembly as stipulated under the Act of 1935 was 228 and its term was five years. The first session of the U. P. Legislature (a provisional legislature) under the new Constitution, began on February 2, 1950 with an address by the Governor to both the Houses assembled together in the Assembly Hall. The newly elected Assembly of Uttar Pradesh met on May 19, 1952 after the first election after independence. The state has been affected by repeated episodes of caste and communal violence. In December, 1992 the Babri Mosque in Ayodhya was demolished by radical Hindu activists, leading to widespread violence across India. The main objective behind choosing the state of Uttar Pradesh is to analyse the role played by the Election Commission in implementing the Model Code of Conduct and conducting elections efficiently and impartially because the state is known for communal riots and it is the biggest Legislative assembly in the country.

The following will explain how Election Commission exercised its powers in conducting elections in the crucial states of Uttar Pradesh and Gujarat.

It was brought to the notice of the Commission on April 4, 2007, that some leaders including Shri Lalji Tandon, and workers of the Bharatiya Janata Party ('BJP'), a recognized National party under the provisions of the Election Symbols (Reservation and Allotment) Order, 1968 ('Symbols Order') released and distributed an election campaign C.D. which contained derogatory references hurting the sentiments of a certain community (Muslim).

Compact disc (CD) entitled *Bharat ki Pukar* (the call of India) as part of its campaign material for the Uttar Pradesh Assembly elections. The CD shows Muslim men abducting innocent Hindu girls and eloping with them - only to convert them forcibly. It perversely portrays all Muslims as anti-Hindu and anti-national. They are depicted as duplicitous devils: they trick Hindus into selling them cows by pretending they will look after them, only to butcher them in a violent way. They oppress their own women and turn them into mere reproductive machines - so as to change India's demographic balance.¹¹⁴ The CD concludes with songs, visual montages of BJP leaders giving speeches, clips of the Babri Masjid being demolished, etc. The Commission considered

¹¹⁴ Frontline, Vol.24, Issue8, April21- May4, 2007, Praful Bidwai, "Politics of intimidation" p.108.

this action as, prima facie, amounting to violation of the following provisions of the Model Code of Conduct: -

"(i) No party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religions or linguistic.

(ii) Criticism of other political parties, when made, shall be confined to their policies and programmes, past record and work. Parties and candidates shall refrain from criticism of all aspect of private life, not connected with the Public activities of the leaders or workers of other parties. Criticism of other parties or their worker based on unverified allegations or distortion shall be avoided.

(iii) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda."¹¹⁵

On April 5, 2007 The Election Commission issued notice to the Bharatiya Janata Party to show cause as to why it should not be de-recognised as per the provisions of the Election Symbols (Reservation & Allotment) Order, 1968, for violating the Model Code of Conduct by distributing a compact disc (CD), containing inflammatory campaign material, in Uttar Pradesh. As the first round of polling in the State is slated for Saturday (7th April 2007), the party has been given time till 3 p.m. on 6th April, 2007 (Friday) to submit an explanation, failing which the Commission said it would take action in terms of Section 16 A of the Order.

The provision (Section 16 A) empowers the Commission to suspend or withdraw recognition of a political party if it fails to observe the Model Code of Conduct or follow its lawful directions and instructions.

The Election Commission has directed the Chief Electoral Officer (CEO) of Uttar Pradesh to file First Information Report (FIR) against the BJP president. However, Rajnath Singh has not been named in the Order. The Commission also directed that FIRs be filed against the party's State

¹¹⁵ www.eci.gov.in- Press releases- May 8, 2007-Election Commission of India Order on BJP's CD Case

leader Lalji Tandon and all those responsible for the CD's production, release, distribution and exhibition. This includes the scriptwriters and those who acted.

The directive said the preparation and release of the CD, "which contains inflammatory material capable of creating enmity(or)hatred among different communities," amounted to violation of 153A, 153B and 505 of the Indian Penal Code, and Clauses (3) and (3A) of Section 123 and Section 125 of the Representation of the People Act, 1951. In the notice to Mr. Singh, the Commission said it was of the opinion that the release of the CD by Mr. Tandon and its display in various parts of the State amounted to violation of the Model Code of Conduct. The Commission said it was informed on April 3 that the party leaders and workers released and displayed/distributed the CD containing inflammatory campaign material derogatory to the sentiments of certain communities and it could aggravate the differences or create mutual hatred.¹¹⁶

The Bharatiya Janata Party pleaded innocence in its response to Election Commission notice and said that it had "not produced, prepared, displayed or distributed the impugned CD (compact disc)" that was "not a part of its official [election] campaign material." The response is sent to Election Commission before the deadline.

In the two-and-half page response, the BJP disclaimed any knowledge of the "offending" CD. It said it had "withdrawn the unauthorised CD" and its leader Lalji Tandon expressed "unqualified regret for this mistake" on April 4 itself even before anybody could complain to the Commission. The party said action could be taken only if a party violated the code of conduct guidelines. The BJP admitted that it was a mistaken and unauthorised act of an individual member and not that of a political party. The response was sent to the Commission well before the Friday 5 p.m. deadline set by it. It was signed by party leader Mukhtar Abbas Naqvi and sent on his letterhead. The letter argued that only if a party persistently defied the Commission, paragraph 16A of the Election Symbols Order can be applied. It also pointed out that all authorised publicity materials of the BJP carried its symbol, name and that of the publisher, but it was not so in this particular case. Party spokesperson Prakash Javadekar said the offending CD was "not released" by Mr. Tandon in Lucknow — that was another CD — but was slipped into a kit given to the media by

¹¹⁶ www.hindu.com, April6,2007

someone who had no authority to do so. Javadekar said that State unit spokesperson Manoj Mishra was relieved of his post for this reason.¹¹⁷

FIR against Rajnath and Lalji Tandon

Taking a strong view of the controversial CD produced by the Uttar Pradesh unit of the Bharatiya Janata Party, the Election Commission lodged an FIR against national president of the party Rajnath Singh and Leader of Opposition in the State Assembly Lalji Tandon. The FIR also contains the names of those members of the BJP who were party to the making and distribution of the disc.

The CD, produced by the Information Technology Cell of the State unit of the saffron party, was edited by Manoj Mishra and Rishi Mohan with assistance from Alpana Talwar and Shiv Bodhan Mishra. It was released by Mr. Tandon. Following the furore over it, the BJP sacked Dr. Manoj Mishra as the party spokesman the next day. But he continues in the I.T. Cell.

The FIR was lodged at the Hazratganj police station by the Chief Electoral Officer of U.P., Anuj Kumar Bishnoi, at the directives of the poll panel under Sections 153 (A), 153 (B) and 505 of the Indian Penal Code and Sections 123 and 125 of the Representation of the People Act. Mr. Bishnoi told that the BJP leaders had been charged with spreading and aggravating differences between communities liable to cause tension and appealing for votes on the basis of religion. The Lucknow district administration lodged an FIR against unnamed office-bearers of the BJP at the Hazratganj police station. The case lodged under Sections 295 (A), 298, 153 (A), 153 (B) and 505 of IPC and Section 125 of the RP Act charged the unnamed BJP office-bearers for distributing the CD meant for campaigning purposes for Assembly elections in Uttar Pradesh. The CD contained references to the Babri mosque and the Godhra incident.

Mr. Bishnoi said though the first FIR was against unnamed persons, there is clarity in the second FIR. On the name of the BJP president figuring in the FIR when the CD was produced by the

¹¹⁷ www.hindu.com, April 7, 2007

State unit, the CEO said all the aspects must have been taken into consideration by the Commission.¹¹⁸

FIR against Rajnath Singh unjustified: Adwani

Leader of the Opposition in the Lok Sabha L.K. Advani asked why the Election Commission thought it is right to order the Uttar Pradesh Government to lodge a first information report (FIR) against the BJP president. Referring to the CD controversy, Mr. Advani said: "I don't know anything about that CD. But I was told that it shows scenes of demolition of the Babri structure and the Godhra train carnage. That cannot be described as provocative."

Mr. Advani while referring to the party's election victories in Punjab and Uttarakhand, he said: "Nobody can stop us. How can action be taken against the president of a political party because of a CD? Can action be threatened against a party as the EC has done?" Mr. Advani told the party workers he did not think there was anything wrong with the CD and the Commission's order that an FIR be registered against the party president was not reasonable. L.K. Advani termed the situation arising out of the CD controversy as an "electoral emergency" to keep the BJP out of the election process. "It will recoil badly on the ruling party (Congress) and those supporting it. It is stupid to concede that a party, which ruled the country for six years, could be derecognised." Referring to the FIR filed against BJP president Rajnath Singh in connection with the CD release, he said no FIR was lodged when Railway Minister Lalu Prasad distributed money in Bihar during polls and Congress president Sonia Gandhi used official planes during the 2003 Chhatisgarh polls, despite notices issued to them by the Election Commission.¹¹⁹

Reaction of various Political Parties and Leaders to the BJP's act of releasing CD that contained Derogatory remarks

The former Prime Minister V.P. Singh (April 5) urged the Election Commission (EC) to derecognise the Bharatiya Janata Party for trying to disseminate communally inflammable material to boost its election prospects in Uttar Pradesh. While Mr. Singh met EC officials to

¹¹⁸ www.hindu.com, April 7, 2007

¹¹⁹ www.hindu.com, April 10, 2007

press his demand, a group of citizens appealed to the Chief Election Commissioner to derecognise the BJP and disqualify it from the elections.

The All-India Democratic Women's Association demanded (AIDWA) "stringent action against the BJP for communal election propaganda." It said a compact disc released by the party contained references to the planned abduction of Hindu girls by Muslim boys aided by Muslim clerics, after which the girls were forced to adopt Islam. The offending CD also made light of the Sachar Committee recommendations, and said the Government had promised to provide benefits to Muslims. If such action was undertaken, should Hindus leave the country, a voice on the CD asks.

Social activists like Teesta Setalvad, who has been fighting for justice for the victims of the 2002 riots in Gujarat; Swami Agnivesh, who has fought against bonded slavery; and theatre personality M.K. Raina — pointed out that the BJP was guilty of a "constitutional, criminal and electoral offence." They also alleged that with modern technology, a CD could be reproduced in minutes, and the "fascist network of the Rashtriya Swayamsevak Sangh" could have already circulated thousands of discs.

Those demanding the BJP's derecognition pointed out that by simply saying the party had "withdrawn" the objectionable CD, nothing had changed. In fact, the citizen's appeal — signed by Teesta Setalvad, Javed Anand, Kamal Farooqui, Ram Rehman, M.K. Raina, Madhu Prasad, Rajendra Prasad, Indira Chandrashekhara and Jawed Naqvi — pointed out that the party's "official" communal propaganda is a blatant attempt to subvert the Constitution and a full-fledged judicial inquiry was needed to expose the conspiracy.¹²⁰

State Samajwadi Party president Ram Sharan Das, in a letter to the Chief Electoral Officer, demanded action against the BJP for "spreading religious hatred."¹²¹ Bahujan Samajwadi Party leader Mayawati also gave oral representations before the Commission on the issue.

Union Science and Technology Minister Kapil Sibal said on Sunday (April 8), the Congress delegation was of the opinion that any national political party that sought to create ill will

¹²⁰ www.hindu.com, April 7, 2007

¹²¹ www.thehindu.com, April 5, 2007

between different communities could not be part of the democratic process. Besides Mr. Sibal, the delegation comprised several senior leaders, including M.L. Vohra and Ashok Gehlot.

Mr. Sibal said the party would also demand that the Election Commission recommend a CBI probe to identify all those who contributed to the production of the CD. The Union Science and Technology Minister and Chairman of AICC Media Management Committee, Kapil Sibal, demanded that the BJP office-bearers associated with the CD in any form be debarred from contesting the elections.¹²² Mr. Sibal said their election symbols should be withdrawn as there was no place for politics of disharmony in Indian democracy. He said the CD had exposed the real face of the BJP, which was only concerned with dividing society.¹²³

While quoting newspaper reports that the producer and the scriptwriter of the CD were being threatened to take the entire blame or face the consequences, Mr. Sibal said the source of the footages in the CD should be ascertained. He said the Congress suggested to the Commission to bar all those found responsible for producing and distributing the CD from contesting elections. Sibal felt that it is difficult to believe that senior leaders like L.K. Advani and Venkaiah Naidu were unaware of the contents of the CD. He also alleged that the BJP had sent the CD to the Election Commission for approval but they released it to the media even before waiting for the response. Hence, the BJP had made their offence more severe.¹²⁴

The Election Commission heard the complaint filed by the Congress, and the objections raised by the Bahujan Samaj Party and the Communist Party of India (Marxist) to the BJP's action. "Events in Uttar Pradesh have taken an ugly turn in the past few days" Congress spokesperson Devendra Nath Dwivedi said in New Delhi.¹²⁵

Attacking the Bharatiya Janata Party over the CD controversy, Communist Party of India (Marxist) leader Brinda Karat said it was "once again displaying its true colours." Karat expressed that The CD reflects the BJP's mindset with regard to its communal and divisive agenda. Charging the BJP with showing "objectionable scenes and insulting women through the

¹²² www.thehindu.com, April 7,2007

¹²³ www.hindu.com,April 7,2007

¹²⁴ www.hindu.com,April 9,2007

¹²⁵ www.hindu.com,April10,2007

CD," Ms. Karat appealed to the Uttar Pradesh electorate to give it a fitting reply in the Assembly elections.¹²⁶

On behalf of the CPI (M), Nilotpal Basu also demanded a public apology by the BJP. Having disowned the CD, the BJP should also disown the contents of the CD and only then its bona fides could be accepted.¹²⁷

BJP asked to file response by April 11

The Election Commission on Monday (April 9) asked the Bharatiya Janata Party to file its response by Wednesday (April 11) to the complaints given by the Congress, Bahujan Samaj Party, CPI (M) and the Jan Morcha on the release of the controversial compact disc (CD) with communal overtones in Uttar Pradesh. These parties have sought de-recognition of the BJP.

Though the party submitted its reply, the Commission gave an opportunity of oral hearing on Monday and asked the complainants and the BJP to give their submissions. But as the BJP wanted to file its response to various complaints, the Commission adjourned the hearing to Wednesday (April 11).

BJP leader Ravi Shankar Prasad, after seeking time to file the response, said the party had explained to the Commission that the CD was inadvertently released without the knowledge of senior leaders and it was not part of the campaign material.¹²⁸

BJP responds to Congress' Petition

Election propaganda materials produced or distributed by the Bharatiya Janata Party before the code of conduct came into force on February 21, 2007 were "not relevant" and "can neither be considered nor referred to" by the Election Commission while deciding action on its notice warning of derecognition of the party and freezing of its symbol.

¹²⁶ www.hindu.com, April 11, 2007.

¹²⁷ www.hindu.com, April 20, 2007

¹²⁸ www.hindu.com, April 10, 2007

The point was raised by the BJP on Wednesday (April 11) in response to the Congress' petition before the Commission. The Congress had charged the BJP with "consistently displaying a course of conduct which — before and after the demolition of the Babri Masjid — clearly demonstrates that its communal agenda is at the heart of its ideology."

The BJP's response was that as the model code of conduct came into force on February 21, only material released after that date could be considered by the Commission. And it had already disowned the compact disc released "inadvertently" by the party senior Uttar Pradesh leader Lalji Tandon in Lucknow on April 3 and the other CD released to the media at its national executive committee meeting in Lucknow in December 2006 "can neither be considered nor referred to" by the Commission.

BJP questions EC's Power to derecognize a Party

The Bharatiya Janata Party has questioned the Election Commission's power to derecognise a political party or freeze its symbol, arguing that such powers would be detrimental to a functioning parliamentary democracy.

Authoritative BJP sources indicated that the party has also demanded that one of the three Election Commissioners, Naveen Chawla, recuse himself from the hearing the case against the BJP, now listed for Wednesday. The BJP has asked for this on the ground that a petition against Mr. Chawla by a BJP leader is pending in the Supreme Court.

Responding to a petition by the Jan Morcha (former Prime Minister V.P. Singh's party) to the Commission asking for the BJP's derecognition, the BJP has argued that clause 16A of the Election Symbol (Reservation and Allotment) Order, 1968 was "inconsistent with provisions of Section 29A of the Representation of the People Act, 1951 (EC's power to register political parties) and ultra vires of Article 324 of the Constitution (superintendence, direction and control of elections).

The BJP's response further stated that the request for derecognition of a political party would "render the election process into a mockery." The party argued: "Such a power [of derecognition] if assumed or exercised by the Election Commission may conceptually lead to prevention of free

and fair election and a one-party system." In plain language, senior BJP leaders, including Ravi Shankar Prasad, pointedly said the RPA was passed by Parliament, while the Symbols Order and its amendment to include clause 16A in 1994 was the result of an executive order or "circular" by the Election Commission. Mr. Prasad said that it was well established that, in fact, the Commission did not have the power to derecognise a political party.

BJP's response to another petition to the Commission by the Bahujan Samaj Party also asking for the BJP's derecognition, the BJP mentioned the Arjun Singh v/s BJP case of February 1992 when the Commission itself held that it had no power to "deregister" a party, an opinion later confirmed in a judgment by the Supreme Court.¹²⁹

Condemn CD, Commission tells BJP

The Election Commission on Tuesday (April 8) asked the Bharatiya Janata Party to openly condemn the contents of the compact disc distributed on the eve of the Assembly polls in Uttar Pradesh, to remove misgivings among the people that the party was responsible for its release. The Full Commission comprising Chief Election Commissioner N. Gopalaswami and Commissioners Navin Chawla and S.Y. Qureshi passed this order on the complaints from the Congress, the Bahujan Samaj Party, the CPI (M) and the Jan Morcha.

"It is not disputed by any party — nay, even conceded by the respondent (BJP) — that the contents of the CD are undoubtedly highly inflammatory, derogatory to the sentiments of a particular religious community and having the effect of aggravating the differences or creating mutual hatred or causing tension between different castes and communities, religious or linguistic, and contain an appeal to communal feelings for securing votes." The order said, "It will be highly undesirable on the part of the Commission to reproduce any part of the contents of that CD — the less said about those contents, the better it is in the overall interests of communal harmony and purity of elections. Suffice to say that the material contained and depicted in that CD is grossly violative of the principles of secularism, apart from the principles of democracy and socialism."

¹²⁹ www.hindu.com, April 10, 2007

As the BJP disowned the CD, it should make a declaration at the national level that the party "condemns, without any reservation whatsoever, the contents of the CD so that the stand taken by the party before the Commission becomes publicly known to the country and [the] public at large and any misgivings or apprehensions in their minds arising out of the distribution/dissemination of the CD or its contents stand dispelled and removed forthwith." The Commission said, "Such declaration should be made urgently on receipt of this order by them and given wide publicity by them, both in the print and electronic media, at the national level as well as at the local level, particularly in Uttar Pradesh." A compliance report should be sent by May 15.¹³⁰

BJP Condemns Communal CD

The Bharatiya Janata Party on May 11 strongly condemned the highly communal compact disc released during the Uttar Pradesh election campaign by its leader Lalji Tandon. In a statement, the BJP said the Election Commission had on May 8 asked it to come out with an unequivocal and unambiguous declaration by May 15 that it strongly condemned the CD. It said: "The party has no hesitation in doing so. In consonance with its stand that the party had *suo motu* taken action before notice was issued by the EC and the stand taken by it before the EC, the party categorically declares that it does not approve of the contents of the said CD and strongly condemns the same."

The BJP immediately said it had withdrawn the CD, that it was not part of the party's campaign, and that Mr. Tandon had released it inadvertently. However, party leaders continued to defend the matter in the CD, a fact that the Commission noted while demanding that the party condemn its contents.¹³¹

Election Commission transfers various officers in U.P

The Election Commission is empowered to change any official in the state by using article 324 (6) to conduct the elections efficiently and impartially. In Uttar Pradesh, DGP Bua Singh, along with 10 senior officers, were transferred by the Election Commission to ensure fair polls in the

¹³⁰ www.hindu.com, May 9, 2007.

¹³¹ www.hindu.com, May 12, 2007.

state, the top cop announced that he is seeking voluntary retirement from the service in protest against "injustice meted out to him". Earlier in the day, EC directed chief secretary N C Bajpai to replace these officials and asked him to suggest a panel of names for their replacements by 10 am on Thursday. Final decision about the replacements would be taken by EC. The EC directive came after Opposition parties complained that these officials were "acting as party activists of the SP-led government." Besides the DGP, who was to retire in June this year, principal secretary, home, Satish Kumar Agarwal, additional DG (law and order) A C Sharma, Kanpur IGP Rizwan Ahmad, Agra DIG Akhilesh Mehrotra, Meerut SSP Navniet Sikera and Agra commissioner Ashok Kumar, along with the DMs of Etah, Saharanpur and Agra have been transferred. EC sources said though the complaints have been coming even before election schedule was announced, the commission cross-checked and found most of allegations to be true.. Additional DG (law and order) A C Sharma was IGP, Lucknow, when Mayawati was attacked in the state guest house in the state capital.¹³² The CEC said, nothing prevents us from taking similar decision." On Bua Singh's reaction, Gopalaswamy said, "It is a free country. Everyone is free to express their opinion." Asked why Singh was not heard, the CEC said, "We cannot issue notices. We had taken various inputs. Attending the party function is not the only issue." For good measure, he added, "Take it or leave it. It's the EC's decision." The CEC said the transfers were effected on the basis of assessment made by the commission from time to time. He said UP had "special problems" like some people enjoying unauthorised security cover and intimidation of voters. The CEC said the commission would ensure that intimidation of voters did not take place outside polling booths. He also admitted that conducting election in UP was a mammoth task. Uttar Pradesh Assembly has 403 seats and 1.1 lakh polling stations. The CEC had stated that Central government employees would be engaged for poll duty to the extent possible.¹³³

The Election Commission's 'cleaning drive' continues in UP. Two days after it removed a number of senior civil and police officials, chief secretary N C Bajpai was removed and Shambhu Nath appointed in his place. Bajpai has been replaced under Article 324(6) of the

¹³² www.thetimesofindia.com, March 15, 2007

¹³³ www.thetimesofindia.com, March 16, 2007

Constitution which empowers the EC to seek necessary staff for the conduct of elections. Removal of Bajpai had been making the rounds for some time but EC took its time by first seeking a panel of honest officers from him to replace those removed on Wednesday. What irked EC is that many names sent by Bajpai were of officials not known for their integrity. For instance, the name of K Chandramouli, who has been made principal secretary home, did not figure in Bajpai's list. But considering Chandramouli's impeccable credentials, EC gave him the crucial responsibility. The EC was already investigating Bajpai's presence in a Samajwadi Party function. The decision to show him the door was taken on Thursday but EC took time to identify his successor. But this is not the end. Many officers currently on deputation in Delhi could also be roped in.¹³⁴

Parliamentary standing committee turns down EC proposal to bar 'criminals'

Election Commission recommends certain reforms in the electoral system so that it can function still effectively. These recommendations can be implemented only after the parliament accepts and makes a law empowering the commission to implement during the time of elections. The Election Commission's proposal that chargesheeted people be debarred from contesting elections has been rejected by the parliamentary standing committee. But the standing committee has recommended that absconders be disqualified from contesting polls. Reacting to the report, CEC N Gopalaswamy said: "We propose, somebody disposes. We are not the law making authority." The report, tabled in Parliament said: "The committee is constrained to disagree with the proposal of the Election Commission to disqualify citizens from contesting elections on mere framing of charges against them in a court of law for committing certain offences." Headed by Rajya Sabha member E M Sudarsana Natchiappan, the Standing Committee on Law and Justice Ministry said EC's proposal is a "major departure from the law". It cited current laws that only debarred convicts from joining the electoral fray. "There is a lurking fear of the course of prosecution being influenced by the political party in power or due to the failure of foolproof system which may finally lead to the filing of the chargesheet in an appropriate court of law. Merely looking into the chargesheet with supporting evidence and other materials furnished by the prosecution and without giving sufficient opportunity to the accused to defend him and plead his case against the charges so framed, the court can frame charges

¹³⁴ www.thetimesofindia.com, March 17, 2007

against the accused," standing committee argued while rejecting EC's proposal.

Instead, the committee argued that absconders be barred from contesting elections. "People who are absconding from law will have their names struck off from the voters' list and, therefore, they will not be able to contest the elections," the committee said. "One situation in which disqualification can be sustained is that if a case is pending against a person but the accused has absconded and is making the completion of the trial or even the framing of charges impossible. A person, facing a charge by the state, and without utilising the opportunity under Section 227 for discharge, absconds from the proceedings of the court and the court is also satisfied under Section 82 of the Code of Criminal Procedure and subsequently publishes a proclamation that such person is absconding, can be considered for the purpose of disqualification from contesting an election," the report said.¹³⁵

Notice to UP minister for poll code violation

According to Model code of conduct of the Election Commission, government vehicles shall not be used for furtherance of the interests of the party in power. If the election commission comes to know that the minister had used official vehicle for the benefit of the party it issues notice and checks the misuse of official position and public property. The Election Commission on March 23, 2007 issued a notice to Uttar Pradesh minister Banwari Singh Yadav for allegedly misusing government machinery for electioneering in violation of model code of conduct. In a notice to Yadav, who holds the portfolio of Protocol, Estates Department and Civil Aviation, the EC said that it has been brought to its notice that he had used official vehicle for a meeting in Samajwadi Party office in Lucknow. Charging the Minister with using his escort vehicle also for carrying election campaign materials, the EC said Yadav has misused his official position for the poll purpose. Yadav has been asked to furnish his reply by March 26.¹³⁶

¹³⁵ www.thetimesofindia.com, March 16, 2007

¹³⁶ www.thetimesofindia.com, March 24, 2007

Election Commission denies permission for projects under JNNURM

The Model Code says that Ministers and other authorities shall not sanction grants or payments out of discretionary funds from the time elections are announced by the commission. As it is the duty of the Election Commission to implement the model code the commission denied permission to certain programmes. "We have received instructions not to allow ground work on any of the new projects, even if they are those of JNNURM, on the grounds of model code of conduct," additional chief election commissioner Devesh Chaturvedi said. The funds which have been allocated to the state will have to be diverted into public ledgers account (PLA) to be used later, he added. However, he said, there would be relaxation if the project is urgent and essential. For that a district magistrate would be required to certify the work and send in an application to the Election Commission seeking permission to carry out the work. Ironically, the blow comes after the Centre approved the two municipal solid waste (MSW) projects for Agra and Lucknow earlier this month. Sources in the urban development department said that around Rs 1.5 crore have already been released for that. But the money will now lie idle with the PLA to be used later. "We and our counterparts at the Centre were apprehending that the model code of conduct might come in the way of implementation of the schemes," said an official associated with the scheme. The Election Commission's denial of permission to the state government to undertake the ground work on municipal solid waste projects in Lucknow and Agra assumes significance as these were approved by the Centre. The rest, like those on drainage in Kanpur, Agra, Varanasi, Allahabad and Lucknow have been rejected for one reason or the other.¹³⁷

Samajwadi Party criticizes Election Commission

Election Commission is also criticized by some Political Parties for taking certain decisions related to transfer of officials and denial of permission for some developmental works. While criticising the Election Commission, the Samajwadi Party charged the poll panel with running a parallel government in Uttar Pradesh and removing senior officials on the direction of the Centre. In a statement, SP spokesman Rajendra Chaudhary alleged that the Commission was trying to run the administration of the state. "The EC is bent upon ensuring that Uttar Pradesh lags behind by blocking its development," Chaudhary said claiming that the Commission "had

¹³⁷ www.thetimesofindia.com, March 27, 2007

blocked payment of Rs 51.70 crore of remaining funds from the 12th Finance Commission". Accusing the Commission of arbitrarily removing senior officials from their posts on the pretext of ensuring free and fair polls, he said "the EC is acting on the instruction of the Congress-led UPA government."¹³⁸ There is need to impose president's rule in the country at the time of elections so that the ruling parties both at the centre and in the states will have no scope for influencing the election authorities.

Election Commission warns against bid to stop voters

According to article 326 in the Indian Constitution, any Indian Citizen who is above 21 years of age is eligible for voting in the elections. Through 61st Constitutional amendment Act the voting age is reduced from 21 to 18. At present the minimum age required to acquire voting right is 18. As it is the constitutional duty of the Election Commission to see that every eligible voter exercises his right to vote during the time of elections Chief electoral officer Anuj Kumar Bishnoi warned of strict action against people preventing others from casting votes during polling. He further said that district magistrates and SPs would be asked to identify vulnerable groups that could be stopped from exercising their franchise by the powerfults during polling. Observers, he said, would move around with video cameras to ensure photography of important events. This would enable the Commission to initiate punitive action against those flouting norms, said the chief electoral officer. These decisions were taken on reports that poor people were often prevented from casting votes. Areas where such malpractice prevails would be identified, he announced. He made it clear that district officials' permission was mandatory for the use of loudspeakers in election campaign. The permission would be granted either by the district returning officer or the SP, he added. He clarified that though no restriction had been imposed on use of loudspeakers, registration for the same was mandatory. On transfer of more officials, the CEO said that it would be carried out as and when necessary. The commission was taking all necessary action to ensure maximum participation of voters, said Bishnoi adding that as of now the Election Commission was not ready to hold pollings without

¹³⁸ www.thetimesofindia.com, March 27, 2007

EPIC (electro photo identity card). He hoped that all voters would received EPIC by the time state goes to poll.¹³⁹

EC attempts to prevent communal clashes in Uttar Pradesh

The Election Commission has asked for a report on Shia-Sunni riots in the old Lucknow and parts of Kanpur. In letters to the chief electoral officer and officials of Kanpur, the commission has sought to know reasons that eventually led to riots in the two cities. chief electoral officer Devesh Chaturvedi said that though the commission did not buy the theory of conspiracy angle, it would be better for the officials to keep the commission posted with details about the riots. For the first phase of assembly poll, the Election Commission has issued instructions to check impersonation of voters. The electors would be required to present EPIC (electro photo identity card).

And those who have lost the EPIC or they were without it, there identification would be done on the basis of one of the 14 documents, said the official. These documents are passport, driving license, pen card, identity cards issued by the central government's enterprises, passbooks issued either by the post offices or kisan passbook, freedom-fighters identification card, national rural employment guarantee job cards, arms license, registration papers and other government documents which could prove identification of voters. Chaturvedi said that for women voters, even if they did not have identity cards, such voters would be allowed to cast votes provided the head of the family was with them. In such cases, the head of the family would be required to recognise them, said the official. Meanwhile, 372 companies of the central forces have arrived in the state and will be taking flag march at different places. In the vulnerability mapping, the commanders of the central forces would be involved, said additional chief electoral officer. The commanders, said the official, would visit different areas to know about the details of the vulnerability mapping. The official said that this time the officials have drawn a communication network. Under which the address of the nearest PCO would be kept with poll officials and commanders of the forces. In the event of reported disturbances, the

¹³⁹ www.thetimesofindia.com, March 28, 2007

PCO owners would be required to inform the officials, said additional chief electoral officer. This plan is being set up in all districts.¹⁴⁰

Concerned over the violence in Lucknow and Kanpur, the Election Commission directed the poll officials to act fast in gathering advance information about any possible trouble ahead of the Assembly polls in Uttar Pradesh. "The Commission cautioned the officials about possible communal violence. We have cautioned them to be extra careful and gather enough information in advance," Chief Election Commissioner N. Gopalaswamy told after addressing over 200 Observers deployed for the last three phases of polls. UP will have seven-phased Assembly polls, beginning April 7. The CEC said that the poll officials have also been told to look at vulnerable areas and absentee voters. Gopalaswamy also brushed aside charges by Chief Minister Mulayam Singh Yadav that "indiscriminate" mass transfers of senior officials in the state by the EC resulted in the sectarian violence in Lucknow and Kanpur. The CEC also refused to comment on the Chief Minister's appeal to electorate to vote for him or he would have to go jail.¹⁴¹

Chief Electoral Officer A K Bishnoi said a notice had been issued to Uttar Pradesh Sports Minister R K Chowdhury for using an official vehicle while going to file nomination papers for Mohanlalganj seat of Lucknow. It had earlier imposed a fine on Chowdhury for using the official vehicle for attending a political meeting after the model code came into force.¹⁴²

Notice to Mulayam over caste remark

As per the model code neither a Political Party nor a contesting candidate should appeal to caste or communal feelings for securing votes. The poll panel issued a notice to CM Mulayam Singh Yadav for reportedly seeking votes on the basis of caste. Saying that he indulged in "corrupt practice", EC has issued a notice. Yadav is alleged to have sought votes from a particular caste at a public meeting at Lalitpur on March 30, 2007. He said, "Kitne Yadav hain hath uthao jo Bundela ko vote denge (The Yadavs who will vote for Bundela may raise their hands)," the EC

¹⁴⁰ www.thetimesofindia.com, April 2, 2007

¹⁴¹ www.thetimesofindia.com, April 3, 2007

¹⁴² www.thetimesofindia.com, April 6, 2007

quoted him. It amounts to violation of the model code of conduct and is a corrupt practice too under the Representation of People Act.¹⁴³

EC puts a stay on sugar relief package announced by union minister

According to the model code of conduct, from the time elections are announced by the Election Commission Ministers and other authorities shall not announce any financial grants in any form. But Union Minister Sharad Pawar had announced Rs 900-crore relief package for the sugar industry in violation of the commission's Model code of conduct. In view of the Uttar Pradesh elections, the EC, while putting a stay on the sugar relief package, noted that there appeared to be a "prime facie" case of violation of the model code of conduct by Pawar. The EC, citing a report in The Indian Express, asked the Cabinet Secretary to obtain an explanation from the minister on this issue. Threatening that such repeated violations would have serious implications and repercussions, the EC also asked the Cabinet Secretary to issue fresh guidelines to all ministries and government departments to abide by its instructions that the commission's prior approval has to be taken before announcing any schemes or projects which have a bearing on the elections. In the case of the sugar package, the EC pointed out that "UP is one of the major sugar producing states in the country" and announcement of subsidy to the sugar industry at this juncture was in violation of the EC's model code which is imposed to maintain a level playing field for all contesting parties and candidates.¹⁴⁴

Elections in Gujarat-2007

Importance of Gujarat

Gujarat is a State in the North-West coast of India. It is known locally as *Jewel of the West*. It has an area of 196,204 km² (75,755 sq mi) with a coastline of 1,600 km (990 mi), most of which lies on the kathiawar peninsula, and a population in excess of 60 million. Mahatma Gandhi, who spearheaded the Indian independence movement against British colonial rule, was a Gujarati. Muhammad Ali Jinnah, revered in Pakistan as Great Leader, Father of the Nation and first Governor General of Pakistan was from a Gujarati Muslim family in Rajkot."Iron Man of

¹⁴³ www.thetimesofindia.com, April 7, 2007

¹⁴⁴ www.theindianexpress.com, April 6, 2007

India", Sardar Vallabhbhai Patel, Independent India's first Deputy Prime Minister and Home Minister, was from Karamsad, Gujarat. The first capital of Gujarat was Ahmedabad. the capital was moved to Gandhinagar in 1970. In February 2002, Godhra train attack lead to state-wide riots, resulting in deaths of 1044 people – 790 Muslims and 254 Hindus, and hundreds missing still unaccounted for. Akshardham Temple was attacked by two terrorists in September 2002, killing 32 persons and injuring more than 80 others. National Security Guards intervened to end siege killing both terrorists. In 2007, elections were held in 2 phases. First phase on December 11 and the second face on December 16. The main objective behind choosing the state of Gujarat is to study how the Election Commission had prevented communal clashes and conducted elections effectively and impartially. The Commission kept a vigil on the Political parties and contesting candidates from the beginning to the end of the election process and checked them from making public speeches which lead to communal riots between different social groups.

Election Commission sent teams to Gujarat to review poll preparation

The Election Commission has sent six teams to Gujarat to review the poll preparations for the Assembly elections scheduled to be held this December. During their first visit, the officials reportedly received complaints from various quarters mainly pertaining to discrepancies in the electoral rolls. The second visit by EC officials is mainly to check the quality of electoral rolls and to see whether the Government has complied with the directives issued. The EC has also directed the Chief Electoral Officer to conduct vulnerability mapping in all the districts to identify absentee voters and trouble mongers so that required preparations can be done to hold elections in a peaceful manner.¹⁴⁵

Political Parties express different opinions on the number of phases of elections in the State of Gujarat

In their representations to the three-member election commission, the congress party and the NCP demanded single-phase Assembly polls in Gujarat, while the ruling BJP asked for election to be conducted in two-phases. The BSP asked for a four-phased election. The Congress team led by state unit President Bharat Solanki put forward the view that the phased elections would give

¹⁴⁵ www.the Indian express.com, September-19, 2007.

a chance to the ruling party to manipulate the polls while making a representation to Chief Election Commissioner N Gopalaswamy and Election Commissioners Navin Chawla and Y S Qureshi. The Congress has demanded that the Election Code of Conduct be implemented immediately. Solanki also demanded that officials who are supporting the present Government and have served for more than three years in one position be shifted to other departments.

The Congress also demanded that postings of police officers facing serious complaints or against whom judiciary has passed remarks for their negligent work during the 2002 Godhra riots, should be reviewed. It said sensitive booths should be identified in advance and special security be put in place for them. BJP MP Surendra Patel, who led the BJP delegation, said: "We have demanded that elections be held in two phases, following other states and a minimum gap of five days be kept between them." Meanwhile, the Election Commission asked the Gujarat Government to furnish the list of recently transferred officials and of "tainted" officials posted on poll duty during the 2002 Assembly elections.

Addressing mediapersons after meeting representatives of various political parties, Gopalaswamy said he had taken the action following complaints from some political parties that "tainted" officers were being brought back to those places where they were posted in the 2002 Assembly elections. The CEC said he had already held deliberations with the state's Chief Secretary and the Home Secretary on these issues, including security matters, for the forthcoming elections. Gopalaswamy said that the Government was also asked to furnish a list of vacancies, particularly at the level of deputy collectors and deputy superintendents of police. The Election Commission, according to Gopalaswamy, has also ordered the Government not to utilise contractual employees for election work as such employees were susceptible to be managed by the ruling party.¹⁴⁶

Announcement of election schedule for Gujarat polls by the Election Commission

The Election Commission announced the schedule of elections for Legislative Assembly of Gujarat. The elections will be conducted in two phases in Gujarat on December 11 and 16.

The Commission said that with the announcement of the schedule, model code of conduct for state had come into force with immediate effect. In Gujarat's first phase, elections will be held

¹⁴⁶ www.theindianexpress.com, October 5, 2007

for 87 Assembly constituencies notification for which will be issued on November 15. The last date for filing nominations is November 23 and the last date for withdrawal of candidature November 26.

Elections for the rest of the 95 constituencies in the state will be held in the second phase for which notification will be issued on November 21 and nominations can be filed till 28th of the month. The last date for withdrawal of nominations will be December 1. The counting of votes is scheduled for December 23 for both phases and the election process in Gujarat will be completed by December 26.¹⁴⁷

Election Commission convenes a meeting with all Political Parties to discuss about elections in Gujarat

In an all-party meeting called by the Election Commission, BJP State General Secretary Jayanti Barot said his party was unhappy with the duration of the Model Code of Conduct in the state. He said a 60-day period “will unnecessarily hamper development work in the state”. Criticising the Congress party, Barot said though the Code of Conduct is in place in Gujarat, the Union Ministry of Health and Welfare has released a half-page advertisement in some newspapers. He also drew the attention of the EC towards the coverage in Doordarshan and claimed that the local DoorDarshan Kendra was “blatantly favouring the Congress party”. He sought adequate instructions from the EC for a balanced coverage on DD.

Meanwhile, the Congress, in its presentation before the EC, alleged that the state machinery has spent Rs 750 crore over the past three months to promote Chief Minister Narendra Modi. Alleging that the Government has already sidelined the impartial IPS and IAS officers and given key postings to those officials who work in tandem with their political masters. Congress demanded that competent and impartial officials who left the state on deputation due to unfavourable work environment in the state be brought back to Gujarat for the elections. Bahujan Samaj Party General Secretary Nalin Bhatt, , in his representation, requested the Election Commission that “Vande Gujarat,” a Gujarati Channel, which has been campaigning for the Modi government for some time in the state be taken off air immediately.¹⁴⁸

¹⁴⁷ www.theindianexpress.com, October-11, 2007.

¹⁴⁸ www.theindianexpress.com, October-12, 2007.

Election Commission orders transfer of top policemen in Gujarat

The Election Commission is empowered to replace any official in the state under article 324(6). The commission allots election duty to only impartial officers so that it can discharge its constitutional duty of conducting elections to the Parliament and state legislatures in an impartial manner. In its first major move after announcement of the poll schedule in Gujarat, the Election Commission ordered transfer of eight police and civil officials in the state, including the DGP. The EC also said these officers would not be posted for any election-related work or post. Those transferred include DGP P C Pandey, Ahmedabad Commissioner of Police J Mahapatra, Border Range Deputy Inspector General I M Desai, Patan SP J N Rajgor, Rajkot SP N D Solanki, Tap SP S K Gadhavi, Valsad Collector D H Brahmbhatt and Gandhinagar Collector Sonal Mishra. The EC has also said that the SPs and Collectors, who have been transferred, shall not be posted in the same district or place in any other capacity.¹⁴⁹

In yet another move, three more Gujarat cadre Indian Police Service officers have been transferred by the Election Commission (EC) in the poll-bound State of Gujarat. State Election Commission sources confirmed that the EC had sought names for replacements to Ahmedabad Joint Police Commissioner P. K. Jha, Vadodara Police Commissioner P. C. Thakur and Anand Superintendent of Police D. S. Bhatt. The orders for transfer of the three IPS officers were issued along with the notification for the first phase of polling in 87 constituencies on December 11, 2007.¹⁵⁰

Collector bans 3 news channels

News channels Aaj Tak, CNN-IBN and NDTV were banned by Ahmedabad Collector, who is also the District Election Officer, on the ground that its telecast might incite violence in the district.

Sources in the State Election Commission said the Election Commission had not given any such order and the decision was taken independently by the Collector. The ban comes after the State

¹⁴⁹ www.theIndianexpress.com, October-16, 2007.

¹⁵⁰ www.hindu.com, November 16, 2007.

witnessed a blackout of Aaj Tak by cable operators when sting operation “Operation Kalank” was telecasted.¹⁵¹

Election Commission’s efforts to implement model code of conduct

According to the Model code of conduct of the Election Commission, the Government vehicles should not be used for furtherance of the interests of ruling party. But some ministers in Gujarat had used official vehicles for party purpose after the model code came into force. The Election Commission had pulled up violators of the code by issuing notices. The Election Commission has censured Minister of State for Railways Naranbhai Rathwa, Congress General Secretary B K Hari Prasada and BJP leader Purshotam Rupalia for violating its model code in force in Gujarat. Congressman Rathwa is alleged to have used a beacon- fitted RPF escort vehicle for moving from Vadodara airport to Circuit House during a visit on October 20 while Hari Prasada and Rupalia were pulled up for using "objectionable language" in public.¹⁵² Taking serious note of violation of model code of conduct, the Election Commission censured Gujarat Minister of State for Tribal Development Prabhatsinh Chauhan for misusing government vehicle ahead of assembly polls. The Election Commission had served a show-cause notice to Chauhan seeking explanation for allegedly misusing his official position by using government vehicle for non-official purpose. The Commission also directed that the cost for the use of government vehicle should be recovered from Chauhan and deposited in the government treasury and a compliance report sent to it by November 10. The EC said the Minister had visited his native place Halol in Godhra on October 14 in his official vehicle and travelled back to Gandhinagar next day. On the way he stopped at a hotel near Godhra Circuit House to meet party workers from his constituency.¹⁵³

Election Commissioner Navin Chawla visited Saurashtra and Kutch region and met leaders of various political parties as part of preparation of state assembly elections to be held in December, 2007. Chawla, after visiting Kutch region, held meetings with leaders of various political parties, collectors and police superintendents of eight districts of Saurashtra region. He also asked the police department to tighten its grip to control liquor transportation for

¹⁵¹ www.hindu.com,october27,2007.

¹⁵² www.thetimesofindia.com,November-3,2007.

¹⁵³ www.thetimesofindia.com,November-6,2007.

peaceful elections. Chawla said the Election Commission would send a general observer to each and every constituency to minimise bogus voting.¹⁵⁴

The Election Commission makes Photo-Identity cards must for voting in Gujarat elections

With a view to prevent the offence of personation, Chief Election Commissioner (CEC) N Gopalaswami said that Persons without photo-identity cards will not be allowed to cast their votes during the upcoming Gujarat assembly polls scheduled to be held on December 11 and 16. After reviewing the poll-preparedness with the district collector and police superintendents of five districts of Central Gujarat, Gopalaswami told that Photo identity cards have been issued to about 85 to 90 per cent of voters in all the five districts of Central Gujarat. Gopalaswami said that all those affected by the post-Godhra riots of 2002 have been issued photo-identity cards so that they can vote in the polls. About 99.99 per cent of the riot victims have been issued identity cards. Chief Election Commissioner (CEC) N Gopalaswami remarked that it is also the responsibility of the voters to get their identity cards. The Election Commission has been launching repeated campaigns for this purpose since the last six months and we still have not been able to locate 10 to 12 percent of the voters. The CEC also said that he has directed the state government to fill up all vacant posts of field level officers in the police department before the polls.¹⁵⁵

With a view to prevent statements creating or promoting enmity, hatred between different groups the Election Commission (EC) has directed mobile operators in Gujarat to keep an eye on "provocative" SMSes in the poll-bound state. Chief Electoral Officer V K Babbar met the officials of the six mobile companies -- Vodafone, Airtel, Idea, Tata Telecom, Reliance Communications and BSNL -- operating in Gujarat and asked them to provide names and addresses of cellphone users engaged in sending "mischievous" SMSes. With Assembly elections scheduled to be held on December 11 and 16, the Election Commission wants to keep a tab on provocative SMSes and those who do not conform to the model code of conduct. The EC will seek police action against mobile users found guilty of sending such SMSes.¹⁵⁶

¹⁵⁴ www.thetimesofindia.com, November-5, 2007.

¹⁵⁵ www.thetimesofindia.com, November-5, 2007.

¹⁵⁶ www.thetimesofindia.com, November8, 2007.

The Election Commission on 16-08-2007(Friday, Nov.17) imposed a ban on the use of SMS (short messaging service) through mobile phones by candidates or political parties 48 hours before polling for the Gujarat and Himachal Pradesh Assemblies. Chief Election Commissioner N. Gopalaswami, flanked by Election Commissioners Navin Chawla and S.Y. Quraishi, announced the ban. Mr. Gopalaswami said this was the first time the Commission had taken up such an exercise. And the move was aimed at tracking down the source of any mischievous SMS. “There will be no bulk SMS campaign 48 hours before the polling.”¹⁵⁷

BSP had urged the Election Commission not to allow IAS, IPS officials to contest polls

Bahujan Samajwadi Party (BSP) has urged the Election Commission not to allow IAS and IPS officials who resign from their post on the eve of assembly polls and contest elections. BSP Gujarat unit general secretary Nalin Bhatt took up the issue with Election Commission observer Manisha Patankar who was in the city for taking stock of 13 assembly segments of the district. The demand comes in wake of resignation of Jamnagar Municipal Commissioner B H Ghodesara who resigned from the post on Monday and joined ruling BJP to contest assembly election from Jodia segment in Jamnagar district where he worked as collector in the past. Bhatt said, when model code of conduct becomes operative, no IAS or IPS official should be allowed to resign from his post to contest the election.¹⁵⁸

BJP complains to Election Commission about Sonia's speech

The BJP filed a complaint with the Election Commission against Congress president Sonia Gandhi saying her speech at one of the election rallies violated the model code of conduct. General Secretary of the Gujarat unit of BJP, Jayanti Barot, said that we have submitted a complaint to the Election Commission against Sonia Gandhi. Sonia Gandhi, through her speech at Chikli in Navsari district, had tried to divide people on caste lines and arouse religious sentiment before the elections. The UPA chairperson had said in Navsari "those ruling Gujarat are

¹⁵⁷ www.hindu.com, November 17, 2007.

¹⁵⁸ www.thetimesofindia.com, November-14, 2007.

"dishonest" and "merchant of death". Barot said the BJP has requested the Commission to take immediate steps on the party's complaint.¹⁵⁹

The Election Commission has censored the material prepared by chief minister Narendra Modi for Campaign

All the political parties and contesting candidates should keep in mind the features of model code of conduct and prepare the election campaign material. The features of model code are explained in the beginning of the present chapter. The Election Commission has censored the material prepared by chief minister Narendra Modi's campaign machinery for the Gujarat polls. From the film, *Amrut Manthan*, the poll panel has asked for deletion of the part, which says "Gujarat's holy contribution to the country today is the story of *Amrut Manthan* and the fact is this has happened due to Gujarat state's dedicated Karmayogis' excellent efforts and one ordinary person's extraordinary foresight whose name is Shri Narendra Modi." All visuals related to terrorism in the film, 'India Tomorrow - The Gujarat Miracle', have been asked to be deleted. In the film, Modi lambasted the UPA government on how it has failed to counter terrorism and how post-2003, the state has not had a terror incident. According to the state chief electoral officer, all interviews taken in the places of worship and all footage with religious tilt have been asked to be clipped. This includes interviews of members of the Muslim community taken inside Jama Masjid in Ahmedabad. The EC asked BJP to delete one Abhignya Brambhatt's footage where she talks on terrorism. The portion in the film, which has an interview with a person called Shabbirbhai, is chopped. According to election officials, it violates the advertisement code and has "repulsive visuals of violence." Besides the terrorism-related footage, the EC also asked for cuts on the part on the socio-economic development model.¹⁶⁰

Election Commission issues notice to Modi over hate speech

According to the Model code of conduct no party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic and there shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of

¹⁵⁹ www.thehindu.com, December-3, 2007.

¹⁶⁰ www.thetimesofindia.com, December-3, 2007.

worship shall not be used as forum for election propaganda. Taking note of reports that he had made a "communal" appeal at an election rally, the Election Commission has sent a notice to Gujarat CM Narendra Modi. A complaint against Modi was filed by social activist Teesta Setalvad, who alleged that the speech at Mangrol in south Gujarat amounted to an open exhortation to violence and misuse of religion for political ends. Hence, it was violative of the model code of conduct, apart from being in breach of the rule of law. Taking into account various inputs, including video footage of the speech, the commission said that prima facie it was of the view that references to Sohrabuddin Sheikh, apparently killed in a fake encounter, and linking him to terrorism amounted to indulging in activity which might aggravate existing differences, create mutual hatred and cause tension between different communities. The EC notice said that it would involve violation of the provision of Clauses 1 and 3 of Item I of the Model Code of Conduct.¹⁶¹

The EC's notice to Gujarat CM Narendra Modi for a "communal" appeal at an election rally would involve violation of clause (1) and (3) of Item I of the Model Code of Conduct. The two clauses referred to in the EC notice categorically state that no party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic. It also says that there shall be no appeal to caste or communal feelings for securing votes. Mosques, churches, temples or other places of worship shall not be used as forums for election propaganda.

Modi, referring to the killing of Sohrabuddin, had asked what could be done to a man who stored illegal arms and ammunition. When the crowd shouted, "Kill him, kill him", Modi had said, "Well that is it. Do I have to take Sonia Gandhi's permission to do this? Hang me if I have done anything wrong." He had prefaced these remarks by citing Sonia's speech in which she referred to BJP - and by implication Modi - as a *maut ke saudagar*. Modi had said the question was: Who is the real "merchant of death" - Congress, which refused to hang Mohammed Afzal, convicted in the Parliament attack case, or the Gujarat CM? TOI reports from Gandhinagar say that the Surat district collector's report to the EC on Modi's controversial statement on Sohrabuddin is learnt to be nothing more than a factual recording of what all the CM had said at

¹⁶¹ www.thetimesofindia.com, December-7, 2007.

the public rally in Mangrol. Commission sources in Gandhinagar said the collector's report, which was received, was a "translation of all that Modi said", with the request to take "appropriate steps" as it deems fit. The report, which was first received by the office of the chief electoral officer of Gujarat, was promptly sent to the commission in Delhi. As the collector's report was "too wishy-washy", the commission issued a showcause notice to Modi on the basis of the CD of his speech.¹⁶²

At no point of time I justified the encounter, Modi tells EC

Gujarat Chief Minister Narendra Modi told the Election Commission that at no point of time he had justified the Sohrabuddin encounter killing and controversy over his election speech was based on "unverified and false media reports". In his reply to the commission's notice for which he was given some extra time, he said "at no stage, I have controverted the affidavit filed by the Gujarat Government in the Supreme Court of India. I have already clarified my position that I do not support fake encounters". Observing that his speech has to be read in its entirety, he said it was a political response to Congress President Sonia Gandhi referring him as those who rule the Gujarat as a 'Mout-ke-saudagar'. "Surely it cannot be policy of the EC first to ignore the violation of the Code of Conduct in her statement and then censor my political response to that statement," Modi said adding his speech was entirely against terrorism. "At no point of time, I have either justified the specific encounter of Sohrabuddin's case....," the Chief Minister said seeking withdrawal of the EC notice. The commission in its notice had said by linking the name of Sohrabuddin to terrorism in his speech amounted to indulging in activity which may aggravate existing differences, creating communal hatred and causing tension between different communities.¹⁶³

Gujarat Chief Minister Narendra Modi has said that it was Congress president Sonia Gandhi who provoked him into making his remarks on Sohrabuddin's killing during an election rally. In an exclusive interview to *Times Now*, Modi said that when Sonia Gandhi, in her first rally in Gujarat, called me a 'merchant of death', I had to react because in a democracy it is my duty to

¹⁶² www.the-times-of-india.com, December-7, 2007.

¹⁶³ www.hindu.com, December 8, 2007.

take the truth to the people of the country.¹⁶⁴ Modi said he and his government are against fake encounters and have taken a stand against it in the Supreme Court. He also said that fake encounters cannot be accepted. I have never justified it and I have always condemned it," in the midst of his poll campaign.¹⁶⁵

Gujarat Chief Minister Narendra Modi has denied "in its entirety" the charge made by the Election Commission, in the December 6 notice, that in a speech at Mangrol on December 4 he made an "open exhortation to violence and misused religion for political ends." Mr. Modi asserted that phrases attributed to him in various newspaper reports — Sohrabuddin Sheikh "got what he deserved" or that it amounted to a "confessional statement" of complicity in the murder of Sohrabuddin (who was killed by the Gujarat police in a fake encounter in 2005) — were not his phrases. "I have since received the copy of CD [of his Mangrol election speech] on the evening of 7th December 2007 at 5.45 p.m. I find none of the above statements are contained in my speech as recorded in the CD. He added: "Surely, it cannot be policy of the Election Commission first to ignore the violation of the Code of Conduct in her statement and then censor my political response to that statement." Finally, Mr. Modi said he spoke extensively on the problem of terrorism. "Am I to be prevented from giving my point that terrorism will not be allowed on the soil of Gujarat or that Congress is soft on the terrors and thereby helping maut ke saudagar? If Election Commission imposes any such regulation, it would offend our constitutional values and my right of free speech."¹⁶⁶

'Merchants of death' remark not meant for Modi: Congress

Apparently in the face of BJP's counter fire, the Congress said party chief Sonia Gandhi's 'merchants of death' remark was not aimed at Gujarat Chief Minister Narendra Modi. Union Minister Kapil Sibal told that Mrs Gandhi took no names... She said nothing wrong. She said what the state government has already admitted in the Supreme Court,

¹⁶⁴ www.thetimesofindia.com, December-6, 2007.

¹⁶⁵ www.thetimesofindia.com, December-6, 2007.

¹⁶⁶ www.thehindu.com, December 9, 2007

nothing more, nothing less. Mrs Gandhi said 'your state functionaries'. 'Merchants of death' was meant for the manner in which certain state functionaries were working. The Gujarat government's own counsel (KTS Tulsi) is saying Mr Modi should not have said it," Kapil said. Sibal also attacked Modi for saying Gandhi's speech provoked him into making the speech that has sparked a huge controversy over his justification of Sohrabuddin killing. Sibal also stated that Modi brought out advertisements that were communal in nature in Gujarati papers on November 28 and 30, much before Mrs Gandhi went to Gujarat and he has lied in saying he never said anything and that he was provoked.¹⁶⁷

Political Parties had urged the Election Commission to take action against Modi

The Communist Party of India (Marxist) sought prosecution of Gujarat Chief Minister Narendra Modi for his speech on December 4, justifying the killing of Sohrabuddin. "Mr. Modi's remarks have self-implicated him in the case. Since the case is before the Supreme Court and the proceedings are continuing, he should be prosecuted," Sitaram Yechury, CPI(M) Polit Bureau member and MP, told reporters. The Communist Party of India urged the Election Commission to disqualify Mr. Modi from contesting the Assembly polls and take punitive measures for his speech justifying Sohrabuddin killing. A delegation, led by Gurudas Dasgupta, CPI leader in the Lok Sabha, met Chief Election Commissioner N. Gopalaswami and submitted a memorandum.

¹⁶⁸

BJP general Secretary Arun Jaitly urges Election Commission to adopt even standards

Urging the Election Commission to adopt even standards in issuing notices to Congress president Sonia Gandhi and party general secretary Digvijay Singh also, BJP general secretary Arun Jaitley said the controversial remark of Chief Minister Narendra Modi was a political response to the allegations against him. The BJP has made a formal complaint to the Election Commission on Ms. Gandhi's statement reportedly referring to Mr. Modi as "maut ke saudagar" and Digvijay Singh's remarks that there was "Hindu terrorism" in Gujarat during their recent visits. "It becomes imperative that the EC acts on it because it is a Constitutional body entrusted with the

¹⁶⁷ www.thetimesofindia.com, December-7, 2007.

¹⁶⁸ www.hindu.com, December 9, 2007

responsibility of conducting free and fair elections,”¹⁶⁹ The Gujarat unit of BJP, in an open letter to the Election Commission, sought action against Congress president Sonia Gandhi and party leader Digvijay Singh, following its complaint to the constitutional body on December 2. The letter sought action against Ms. Sonia, Mr. Digvijay Singh who spoke about the “existence of Hindu terrorism in Gujarat”.¹⁷⁰

The Election Commission issued notices to Congress president Sonia Gandhi and Congress leader Digvijay Singh

The Election Commission issued notice to Congress president Sonia Gandhi for her election speech in Gujarat on December 1 that “those running the Gujarat government are liars, betrayers and merchants of fear and death.” The Commission also issued notice to Congress leader Digvijay Singh for his reported speech on December 3 on the “existence of Hindu terrorism in Gujarat.” The full Commission, comprising Chief Election Commissioner N. Gopalaswami and Commissioners Navin Chawla and S.Y. Quraishi, decided to issue notice to Ms. Gandhi after watching a compact disc of her speech at an election rally at Jamanpada, Chikhli (Navsari).

Acting on two complaints from the Bharatiya Janata Party, the Commission, in its notice, held that *prima facie* the statement made by Ms. Gandhi in the speech amounted to violation of the provisions of the Model Code of Conduct.

The Commission called upon her to respond by 12 noon of December 11 to decide on the further course of action. According to the complainants, Ms. Gandhi said in her speech: “during the rule of people who claim a ‘Bhaya mukt Samaj,’ nobody is safe. So many of my sisters, children and brothers have been exploited and are being exploited even now. Only criminals are safe; those who are getting protection from the government. The truth is that ... today, those running the Gujarat government are liars, betrayers and merchants of fear and death.”

¹⁶⁹ Ibid

¹⁷⁰ Ibid

Provisions of model code

The Commission, in its notice, referred to the provisions of the model code, which says, “No party or candidate shall indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic. Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.”The Commission, while seeking Ms. Gandhi’s response, sent copies of the complaints dated December 2 and 7 made by Jayantilal S. Barot, Gujarat BJP general secretary, and a copy of the compact disc relating to the speech.”¹⁷¹

Sonia Gandhi denies charge of model code violation

Congress president Sonia Gandhi asserted that she did not violate “any part of the model code of conduct” during her election campaign in Gujarat. In her reply to the Election Commission’s notice on her for the “merchants of death” comment made at an election rally in Gujarat, Ms. Gandhi said that there was “not the slightest violation of the model code of conduct.” The party, however, did not make public the contents of her reply. The notice was issued on a complaint filed by the Opposition Bharatiya Janata Party. Congress leader and general secretary Digvijay Singh also sent his reply to the EC’s notice on his alleged “Hindu terrorism” remark. He also said that he did not violate the model code. He has sought a week’s time to furnish “further detailed reply together with supporting material.”Congress spokesman Abhishek Singhvi said: “A detailed reply has been filed (by Ms. Gandhi) with the EC within the time-limit. The detailed facts and submissions demonstrate clearly why there is not the slightest violation of any part of the model code of conduct.”

Mr. Digvijay Singh challenged the allegation against him which was based on a newspaper report. He said that the newspaper report, which refers to my speech as delivered by me at a press conference at a hotel in Ahmedabad, is not correct and accurate. Mr. Singh further said he

¹⁷¹ www.hindu.com, December 10, 2007.

had not referred to or criticised any aspect of the private life of any BJP leader nor had he criticised or made allegations on unverified and distorted facts. Mr. Singh urged the Commission to ask the complainant, Jayantibhai Barot, BJP State general secretary, to furnish more “concrete material” rather than make a complaint on hearsay.¹⁷²

Election Commission asks Sonia Gandhi and Narendra Modi to Ensure adherence to Model Code in Future

After the Election Commission received responses from both the Leaders namely Narendra Modi and Sonia Gandhi it expressed displeasure over their speeches holding that they had violated the model code of conduct during the poll campaign in the State. Both the Leaders gave their responses within the time-limit fixed by the Election Commission. In their responses the Leaders stated that they have no intention to violate the model code and they have not violated the code. The responses were to some extent satisfied the Election Commission and hence the matter was closed with a caution. In separate orders, the Full Commission comprising Chief Election Commissioner N. Gopalaswami and Commissioners Navin Chawla and S.Y. Quraishi, in a unanimous decision, communicated its displeasure to Mr. Modi for his remarks over the encounter killing of Sohrabuddin Sheikh and to Ms. Gandhi for her *maut ke saudagar* (merchants of death) speech.

Election Commission in its order to Mr. Modi, said that some of the impugned utterances in your speech under reference had the effect of aggravating the existing differences to create mutual hatred or cause tension between different castes and communities and amounted to an appeal to caste or communal feelings. The amount of controversy and national debate which those utterances created all over the country bear ample testimony to the above fact of aggravating the existing differences between the main communities inhabiting the State of Gujarat.”

Rejecting Mr. Modi’s contention that his speech was a reaction to the remarks of Ms. Gandhi, the Commission said: “The justification ... for the utterances as reaction/counterblast to certain propaganda, as alleged by you, to have been carried out against you can also hardly be accepted.” The order said: “The Commission, after careful consideration of all aspects, has come

¹⁷² www.hindu.com, December 12, 2007.

to the conclusion that in the instant case, the model code of conduct has been violated. The Commission, therefore, has conveyed its displeasure and advised you to be more cautious in future so that the salutary provisions of model code of conduct are adhered to and duly observed in letter and spirit.”

In the case of Ms. Gandhi, the order said: “The sagacious advice and high expectations of the Supreme Court do not seem to have been given due respect in the instant case. Some of the impugned utterances in your speech under reference amount to an attack on the personal character or conduct of the political/administrative functionaries running the present Government of Gujarat.”The order said: “The Commission, after careful consideration of all aspects, has thus come to the conclusion that in the instant case, the model code of conduct has been violated. The Commission, therefore, conveys its displeasure and expects that in future the salutary provisions of model code of conduct will be adhered to and duly observed in its letter and spirit.”

In both the orders, the Commission pointed out that the model code “clearly lays down, inter alia, that political party and candidates shall not indulge in slander against each other and any criticism based on unverified allegation or distortion shall be avoided and that parties and candidates shall not indulge in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic. “The model code of conduct is intended to maintain and uphold democratic traditions of ‘issue based’ election campaign. It is, therefore, expected from all the stakeholders to adhere to the provisions of the model code of conduct so that free, fair and peaceful elections are conducted by the Commission as is expected of it, to ensure the vibrant working of the democracy in India.”¹⁷³

Summing up:

The Election Commission makes efforts to establish congenial atmosphere in the society for conducting elections as it is the constitutional duty of the Commission. The Commission also prevents communal clashes between various communities and establishes communal harmony and religious harmony. The Commission had issued notice to Bharatiya Janata Party for releasing a CD (Compact Disk) which contained derogatory remarks against a particular religion

¹⁷³ www.the hindu.com, December-23, 2007

(Islam) and prevented communal clashes in the state of Uttar Pradesh. The Election Commission also prevented the ruling party from misusing the official machinery for political gains during the time of elections. EC had also been issued a notice to Uttar Pradesh Sports Minister R K Chowdhury for using an official vehicle while going to file nomination papers for Mohanlalganj seat of Lucknow. The Election Commission has issued Notice to UP minister for using government vehicle for campaign. The Election Commission allotted election-duties only to impartial officers as the commission has to conduct the elections in an impartial manner. During the time of elections the Commission is empowered to make transfers the police officers, other state and central employees who participate in the conduction of elections. Parliamentary standing committee turned down EC proposal to bar 'criminals'. It indicates that the Election Commission has limited power in rule-making. There is need to make the Commission's advice or recommendation mandatory for the Parliament to accept and make a law in accordance with the proposal of the Commission. Samajwadi Party criticized Election Commission for transferring the government staff and stated that the Commission is acting on the direction of the Central government. Hence, there is need to establish only a Caretaker government at the centre as this recommendation was already made by the Commission. The poll panel issued a notice to CM Mulayam Singh Yadav for reportedly seeking votes on the basis of caste. The Model code states that there shall be no appeal to caste or communal feelings for securing votes. The Election Commission had put a stay on the sugar relief package, announced by a central Minister Sharad Power as the announcement is a code violation.

The Election Commission had successfully prevented communal clashes by issuing the notices to those who tried to incite communal violence through their speeches during the election campaigns in the state of Gujarat. The Election Commission had issued notice to Indian National Congress Party President, Sonia Gandhi for making statement that those who rule Gujarat are merchants of death. In her reply to the notice, Sonia Gandhi stated that she did not violate any part of the model code and had never referred Modi's name in her speech. The Election Commission had finally given an order to her to be cautious in future while campaigning at the time of elections. The Election Commission had issued notice to Narendra modi of Bharatiya Janata Party for defending encounter death of Sohrabuddin in a Public Speech as part of election campaign. Modi in his reply to the notice stated that he had only given political response to

Sonia's statement and had not violated the election code. Finally, the Election Commission had given an order to him and asked him to be cautious in future during the election campaigns. The Election Commission had also issued notice to Digvijay Singh of Congress party for making a statement that there exists Hindu terrorism in the state of Gujarat. Digvijay in his reply to the notice said that he only criticized Gujarat government for its policies and never mentioned Hindu terrorism. The Election Commission ordered transfer of eight police and civil officials in the state, including the DGP to conduct the elections in an impartial manner. The commission received complaints from the opposition parties that they are acting in favour of the ruling party to provide level playing field to all the contesting candidates to contest in the elections.

CHAPTER-3

The Performance of the Election Commission in Andhra Pradesh

From 2004 to 2009

Introduction

In the third chapter, the performance of the Election Commission in Andhra Pradesh from 2004 to 2009 is explained. In 1956 elections to the first assembly were held in Andhra Pradesh. In 2004 elections were conducted to 12th legislative assembly and in 2009 elections were conducted to 13th legislative assembly. In 2008 by-elections were also conducted in A.P. In 2009, the Andhra Pradesh State Legislative Assembly has 294 seats representing 23 districts. From 1956 to 1958 the Andhra Pradesh Legislature was Unicameral and from 1958 when the Council was formed, it became bicameral and continued till 1 June 1985 when the Legislative Council was abolished and the Andhra Pradesh Legislature once again Unicameral until March 2007 when it was reestablished and elections were held for its seats as per The Andhra Pradesh Legislative Council Bill, 2004.

Election Commission of India makes transfers in Andhra Pradesh

Article 324 (6) of the Indian Constitution empowers the Election Commission to seek necessary staff for conducting elections. The Commission has to allot election duties to only those officials who would implement its decisions in an impartial manner. If the Election Commission comes to know that a particular officer is showing partiality towards a particular party or a contesting candidate it either transfers or removes the officer from election duty. The Election Commission of India ordered that SIs working in stations of their home constituencies (native place) should also be shifted to other segments. The same guidelines should apply to MROs. Twenty mandal revenue officers (MROs) are transferred out of the Assembly constituencies in which they have been working in Anantapur district, as per the directions of the Election Commission of India (ECI). In the Police Department, only one Circle Inspector is likely to be moved out as per the ECI norms. The ECI communication dated February 25 to the district administration stated that any police officer of the rank of Sub-Inspector or Station House Officer working in a station or

stations within the geographical limits of an Assembly constituency for four out of the last five years should be shifted out to stations in other constituencies. The District Revenue Officer, V. Mohan Rao, told that there were about 20 MROs who would fall into the specifications issued by the ECI. Accordingly, they would be transferred to other constituencies. However, the Police Department had no such problem except the CI of Bathalapalli. The Superintendent of Police, Anil Kumar, explained that there were no SIs in the district who would attract the ECI norms. The SI of Kundurpi was a native of the same constituency but he was transferred to a police station in another constituency recently.¹⁷⁴

As per the directions of the Election Commission the Anantapur district administration has requested the neighbouring Cuddapah administration to depute 9,100 polling personnel for the ensuing elections. Similarly, half the requirement of Cuddapah district will be met by Anantapur. Two to three personnel of the polling parties, comprising one presiding officer and five polling officers each, will be from the neighbouring district. The polling parties will be heterogeneous groups picked through random generation by computers. The polling parties will know about their destination only 24 hours before the commencement of polling. In all, the district will require 16,572 polling personnel for the coming elections. Coupled with 10 per cent reserve personnel the requirement will be 18,219. Of them, 9,114 will be deputed from Cuddapah district. Of the 2,762 polling stations 1,335 will be general, 720 for men and 707 for women. Counting of votes for all 14 Assembly and two Lok Sabha constituencies will be done at the district headquarters. Further, the administration has proposed shifting of eight polling stations due to the shifting of designated institutions to other premises and nomenclature changes to 137 polling stations. Election expenditure observers will camp in their respective constituencies from day one of election notification till the end of polling.¹⁷⁵ To bring polling stations closer to habitations, within 2 km from polling areas, the Election Commission has approved Anantapur district administration's proposal to change location of 11 polling stations. According to the District Collector and District Election Officer, Y.V. Anuradha, polling stations with change in locations are spread in Uravakonda (2), Kadiri (1), Kalyanadurg (6) and Tadipatri (2). Besides,

¹⁷⁴ www.hindu.com, February-29, 2004.

¹⁷⁵ www.hindu.com march-31, 2004.

counting of votes pertaining to all 14 Assembly segments will be taken up at the district headquarters this year. The Collector has urged political parties to follow the model code of conduct and warned them against intimidation of voters. She also warned officials against misuse of official position. A meeting has been convened with the political parties on March 15 on the observation of model code of conduct. Returning officers and assistant returning officers have also been told to tour their constituencies from March 15. MROs have been asked to identify the problematic villages. The District Election Officer has also appealed to the print and electronic media against the use of names and photographs of the district officials in advertisements being issued by the people's representatives. She stated that some people's representatives were issuing advertisements on the progress of various schemes as their achievements along with the officials' photographs.¹⁷⁶

The Election Commission questioned the government how it could entrust election related responsibilities to Mr. Prakash against whom it had recommended disciplinary action when he was Visakhapatnam Collector and has chosen Kurnool district Collector M. Dana Kishore to replace Praveen Prakash as Ranga Reddy district Collector. The Commission picked Mr. Kishore from the panel of three names submitted by the Andhra Pradesh government on its directions after it ordered the immediate transfer of Mr. Prakash. Chittoor Collector M. Ravichandra and his Medak counterpart Piyush Kumar were the other IAS officers suggested by the government.¹⁷⁷

All major opposition parties, including the TDP-led "grand alliance" and BJP, had sought the replacement of Yadav for praising the Chief Minister at a meeting to educate the police officers on the Model Code of Conduct for elections during his official tour of Kurnool district.¹⁷⁸ After DGP Shyam Sunder Prasad Yadav praised the state government at a police meeting in Kurnool, the Election Commission of India shunted him out from the top post on charges of having violated the model code of conduct. The decision to remove Yadav was taken at a meeting of the full commission in New Delhi and the same was conveyed to chief electoral officer I V Subba

¹⁷⁶ www.hindu.com, march-12, 2004.

¹⁷⁷ www.hindu.com, April 27, 2008.

¹⁷⁸ www.the-times-of-india.com, March 11, 2009.

Rao. The EC has asked the state to submit a panel of three names from which they will name a successor to Yadav. K R Nandan, A K Mohanty and P Goutham Kumar are the seniormost officers after Yadav in the state.¹⁷⁹ The Election Commission had recommended appointment of IPS officer A K Mohanty as the next DGP of Andhra Pradesh. Mohanty will replace S S P Yadav, who was transferred by the EC for reportedly praising Chief Minister Y S Rajsekhar Reddy during an official tour, thus violating the poll code.¹⁸⁰

The Election Commission removed the Returning officer (RO) of Chilakaluripet constituency of Guntur District, B Venkata Reddy, following a complaint lodged by the TDP. The TDP alleged that Venkata Reddy was a classmate of the minister and was appointed as project director (PD) of DRDA a few days before the election schedule was released. District collector Jayesh Ranjan relieved the official from duties within an hour after receiving the directive from chief electoral officer I V Subba Rao. Venkata Reddy was not only removed as RO, but also from the post of PD as the state government repatriated him to his parent department of labour and employment. The TDP leaders alleged that the official was brought to the district to facilitate the win of likely Congress nominee Marri Rajasekhar, who is the sitting MLA. Mannava Subbarao of TDP, who filed the complaint, said the official was brought to ensure the defeat of Prattipati Pulla Rao, probable TDP candidate. Meanwhile, additional project director at DRDA A Ramakrishna Reddy has been made the RO of Chilakaluripet segment. Venkata Reddy, a deputy commissioner in labour department in Ongole, was hurriedly appointed as PD, DRDA. While a joint director (DRO rank) cadre official is eligible for the DRDA PD post, Venkata Reddy is only a deputy director (RDO) rank official. Venkata Reddy's brother Busireddy Malleswara Reddy is a businessman and chief election agent of Kanna Lakshminarayana.¹⁸¹

the Election Commission suspended Deputy Superintendent of Police of Adoni in Kurnool district, T. S. Krishna Murthy, and ordered an inquiry against him for “negligence of duty”. Chief Electoral Officer I. V. Subba Rao, who announced this at a media-briefing of the day’s decisions taken by the EC and election-related developments, however, refrained from citing any specific

¹⁷⁹ www.the times of India.com, March 19, 2009.

¹⁸⁰ www.the times of India.com, March 22, 2009.

¹⁸¹ www.the times of India.com, March 20, 2009.

instance of negligence on the part of Mr Murthy in spite of repeated queries, saying it was not proper to reveal the details in the best interests of elections. It is said that the decision by the EC followed complaints by political parties against Mr Murthy that he was favouring a political party and a report submitted by the Director-General of Police. The EC also shifted Mr Y. Nagi Reddy from East Godavari district which he is serving as Superintendent of Police, following a similar report by the DGP accompanied by comments by CEO. Ms Charu Sinha has been appointed in his place.¹⁸²

With a view to conduct the elections in an impartial manner The Election Commission of India has appointed 22 senior IAS officers from other states as observers for the constituencies going to the polls in the first phase on April 16 to the state of Andhra Pradesh in 2009. The observers for the constituencies that fall under Hyderabad, Secunderabad and Ranga Reddy districts are Tarkeswarnath Singh, UP (Hyderabad); Harjit Singh, Punjab (Secunderabad); K S Kropha, Assam-Mizoram (Malkajgiri); and K R Srinivasan of Karnataka (Chevella). Each observer will be assisted by one more IAS officer and an IRS officer for accounting purpose.¹⁸³

Mr. Subba Rao said the EC had appointed S. Subbaiah, and N. Sivasailam, both senior IAS officers from other States, as special observers on May 11, 2008 for by-elections. They would submit reports on the goings-on regularly and issue notices to the guilty for any violation of election code. These would be in addition to 48 general/expenditure observers already named, and micro-observers to be posted for sensitive/troublesome polling stations. He instructed the election officials in the districts to ensure random selection of EVMs compulsorily at constituency and polling station levels in the light of apprehensions that a particular set of EVMs might be sent to a specific constituency/polling station after pre-setting its programme.¹⁸⁴

Central observers, deputed to inspect the election-related work and verify the expenses by candidates in 2004. The District Election Officer and Karimnagar District Collector, Sumita Dawra, said that the general observers, A. K. Tiwari, the joint managing director, KUIDFC, Bangalore and A. M. Solanki, additional secretary to Government of Gujarat (agriculture), would

¹⁸² www.hindu.com, April 08, 2009.

¹⁸³ www.the-times-of-india.com, March 25, 2009.

¹⁸⁴ www.hindu.com, May 11, 2008

be in charge of election work of Peddapalli and Karimnagar Parliament constituencies, respectively. The expenditure observers for these constituencies are Babu Joseph, the joint commissioner of IT, Range-II, Kanpur and H. Patidar, the Commissioner of IT, Ahmedabad, the Collector said in a press note issued here. Voters of these constituencies can submit their representations to these officials, the release added.¹⁸⁵ The staff from other states will discharge their duties without caring the party in power and in way this measure would help the Election Commission in conducting the elections in an impartial manner.¹⁸⁶

Hyderabad District Election Officer (DEO) and MCH Commissioner, Chitra Ramachandran, has given a 24-hour notice to the heads of Governmental departments, public sector undertakings, banks and educational institutions to immediately furnish a list of personnel required for election duties. Ms. Ramachandran said for a smooth conduct of elections to the Lok Sabha and the Assembly, a large number of poll personnel were required and they are to be requisitioned from the offices mentioned above. She said individual requisitions were sent by 13 Returning Officers to the officials concerned in the proforma presented by the Election Commission. But, certain heads of offices were not furnishing the required information promptly causing delay in the finalising drafting of poll personnel to various polling stations. If the necessary information was not forthcoming within the stipulated deadline, further action would be taken against the defaulting officers as per the provisions of the Representation of People of Act, 1951, she said.¹⁸⁷

Election Commission decides to use four languages in the EVM

As it is the responsibility of the Election Commission to enable each and every voter to cast his vote the commission uses only known languages to the voters in the Electronic Voting Machines for indicating names of the contestants. Ajay Sawhney, Additional Chief Electoral Officer in-charge of EVMs and other matters said that Electronic voting machines (EVM) will use a four-language formula to indicate the names of contestants against their party symbols for the first

¹⁸⁵ www.hindu.com, April-02, 2004

¹⁸⁶ www.hindu.com, April-02, 2004

¹⁸⁷ www.hindu, march-28, 2004.

time in the coming elections in the State. EVMs will indicate the names on its display panel called 'balloting unit' which replaces the conventional ballot paper. The names will be only in Telugu in case of 278 out of 294 Assembly constituencies going to the polls, but they will also be in Telugu and Maratha for the constituencies of Jukkal, Madhole and Boath. For the 13 constituencies in Hyderabad and Secunderabad, Urdu and English will be used apart from Telugu. The language formula will continue for Hyderabad and Secunderabad Lok Sabha seats also. As there is Maratha-speaking belt bordering Maharashtra, the machines meant for Adilabad and Nizamabad Lok Sabha constituencies will indicate the names in Telugu and Maratha. For the rest of the 38 Lok Sabha seats, the display will be only in Telugu.

Ajay Sawhney, Additional Chief Electoral Officer in-charge of EVMs and other matters said that 'Rugged and sturdy,' EVMs can withstand an attack by a mob. They have been made simple and easy to operate and tamper-proof with the introduction of a few new features.

A chip has been inducted into the machine which renders its memory non-volatile even in the face of disturbance caused by hooligans. It is not vulnerable to interruptions in power supply as the unit is run on specially made batteries that can sustain operation for 40 hours at a stretch. The chip is such that it can be removed and stored for any verification of votes in case of litigation later and facilitating reuse of the machine for a second election.

Mr. Sawhney said that they will keep two machines in each of the 56,033 polling stations in the State, one for the Assembly and the other for the Lok Sabha, and maintain a reserve of about 50 in each Assembly constituency and 12-15 with zonal officers for meeting emergencies. On the polling day, one ECIL (Electronics Corporation of India Limited, the public sector agency which is making the machines) engineer, will be available in each Assembly constituency to attend to repairs. The number of polling stations is likely to swell with about 200 auxiliary stations are being set up following pleas for opening them in weaker sections areas or for avoiding long distance or congestion at booths.¹⁸⁸

¹⁸⁸ www.hindu.com February-28,,2004.

Election Commission stops distribution of bags with CM's photo

When the Model code of conduct of the Election Commission is in force the photos of ministers should not be attached to public properties. These photos will influence the voters and is advantageous to the ruling party alone. As it is the duty of the Election Commission to act in a non-partisan manner the Andhra Pradesh election authorities have ordered immediate stoppage of distribution of bags bearing the Chief Minister's picture and action against the officials responsible for it. The Chief Electoral Officer, M. Narayana Rao, said it was a "poll violation". The additional CEO, Ajay Sawhney, said as per the inquiry report of the district election officer, Adilabad, the bags were given to the members of the Chief Minister's Empowerment of Youth (CMEY) attending a training programme at Adilabad from February 9 till the first week of March. The Department of Youth Services was asked to stop the distribution. The distribution was done by the Andhra Pradesh Industrial and Technical Consultancy Organisation, which conducted the training programme. Meanwhile, the Congress brought to the notice of the CEO, 12 more booklets allegedly published without print line and circulated by Telugu Desam functionaries. R. Ananda Bhaskar and T. Sammi Reddy of the APCC demanded that he initiate action.¹⁸⁹

Congress team submits memo to EC

A delegation of Andhra Pradesh Congress Committee (APCC) led by its spokesman, K. Rosaiah, submitted a memorandum to the Election Commission, urging it to inquire as to who was behind the publication of a dozen booklets on the development works undertaken by the Telugu Desam Government. Submitting 12 separate memoranda, the delegation said the print line was missing from the latest set of publication and charged that the TDP had committed a violation of model code of conduct. Besides, Mr. Rosaiah, the delegation included All India Congress Committee (AICC) secretary, V. Hanumanth Rao, Nandi Yellai, ex-MP and senior leader, K. Amos. After receiving the complaint the Election Commission, ordered an inquiry on the booklet "100

¹⁸⁹ www.hindu.com, march-18, 2004.

Months of Development" by the State police and declared as "discontinued" the distribution of cycles, gas connections and the like which, as per complaints, "is still going on" in the State. The Chief Election Commissioner, T. S. Krishna Murthy, displayed the controversial booklet highlighting the achievements of the Chandrababu Naidu Government to mediapersons at a press conference and stated that it contained no print line indicating the printer's name as required by law. He said it was not proper to bring out a publication without mentioning these details and announced that he had directed the Hyderabad Police Commissioner to probe the matter and initiate action if it was found prima facie that relevant election law was violated. The Chief Election Commissioner said he had received complaints from other parties that distribution of cycles, gas connections etc was "still going on" at some places and issued orders to the Chief Secretary to discontinue them.¹⁹⁰

Election Commission formulates new norms for voters, officials

The Election Commission had formulated new rules for conducting elections effectively and impartially. It is the duty of the Election Commission to facilitate every voter to cast his vote at the time of elections. Proxy voting for the benefit of service voters, issue of voter slips inside the polling station and keeping a record of voters refusing to vote on entering the booth after the ballot is released are among the fresh set of rules coming to force on polling day. With proxy voting, it will now be possible for a registered voter to exercise his franchise twice, one for himself and later for the service voter stationed elsewhere in the country. A service voter is somebody working for a paramilitary force or the armed forces. Earlier, they were voting through a postal ballot but this time they can authorise an existing voter in the twin cities to vote on their behalf. Service voters appointing proxies are categorised as Classified Service Voters (CSVs). The Returning Officers concerned will be supplying the list of such CSVs to the presiding officers from where the proxies can vote. And, the proxy in turn can record the ballot on behalf of the CSV at the assigned polling station as any other voter. Identification is the same as any other ordinary elector with the only difference for the proxy being the indelible ink to be applied on the middle finger of the left hand. If the proxy is also exercising his franchise, ink is

¹⁹⁰ www.hindu.com, march-13, 2004.

to be applied as usual on the left forefinger, senior officials involved with the election work explain. Unlike manual ballot papers where presiding officers sign on ballot papers, for EVMs it is the Returning Officer's signature that is assigned on all. Five polling officers will be on duty at all polling stations having strength of up to 1,200 voters.

The first polling officer is in charge of the marked copy of electoral roll to identify the elector, the second official puts indelible ink and registers the voter, the third gives the voter slip containing the serial number and number as per the electoral roll registration, the fourth collects the voter's slip and releases the ballot from the control unit of EVM for Parliament. Finally, the fifth official releases the ballot for the Assembly constituency. In case, a voter refuses to vote for some reason after the ballot is released from the EVM, the Presiding Officer (PO) has to record the same on the register. And, if such a 'reluctant voter' is the last elector in that particular booth, the PO has to switch off the machine. This time, the PO is also allowed to enter the voting chamber - after the vote is cast - in case the EVM shows an error.¹⁹¹

Election Commission had disqualified ineligible contestants

The Representation of People Act, 1951 empowers the Election Commission to disqualify all those who fail to submit the expenditure details within the fixed date by the commission. Whoever exceeds the permitted expenditure limit are also disqualified under the Act. Nearly 71 persons from the State have been disqualified from contesting elections in 2004 either for Lok Sabha or Assembly, for non-submission of accounts indicating the expenditure made by them as candidates during the 1999 elections. Of them, 13 contested for the Lok Sabha elections and 58 for the Assembly. The three-year disqualification will end in June next for those of the Lok Sabha and in August for those of the Assembly. Among the 13 persons of the Lok Sabha, five were from Secunderabad, four from Vijayawada and one each from Bapatla, Ongole, Rajampet and Cuddapah. The 58 names of the Assembly contestants come from a cross-section of constituencies and no single constituency dominates. All of them attracted the punishment under Section 10 (A) of the Representation of the People Act, which makes it mandatory for

¹⁹¹ [www.hindu](http://www.hindu.com), march-18, 2004.

contestants to submit expenditure details within a time-limit.¹⁹²The Election Commission has also barred 16 candidates of various parties and independents from contesting any election for three years for their violation of the model code of conduct during the 1999 elections. The candidates have been disqualified for contesting elections for three years from June 6, 2001 to June 6, 2004 under the People Representation Act, 1951. The candidates barred from contesting elections are: two independents and one Anna TDP candidate who contested from Nallamada, two independents contested from Hindupur, two independents from Penukonda, three independents from Gooty, one independent from Singanamala, two independents and one Anna TDP candidate from Dharmavaram and two independents from Tadipatri.¹⁹³

Election Commission rejected nominations

The Election Commission had strictly implemented the eligibility rules to contest in the elections to the Lok Sabha and Andhra Pradesh State Assembly. The Commission had allowed only the eligible candidates in the fray and rejected the nomination papers of ineligible candidates. As many as 100 nominations were rejected in the State of Andhra Pradesh. They included 30 in the city of Hyderabad. The Additional Chief Electoral Officer, Ajay Swahney, told that the rejections were mostly due to non-submission of 'B' forms by candidates within the time stipulated, underage of candidates mentioned in nominations and insufficient number of proposals for candidates. Mr. Sawhney said the submission of 'A' form by which the competent person in the party would authorise another in the same party to issue 'B' form for a candidate was also a must as per the Clause 13 of the Election Symbols Reservation and Allotment order of 1968. The nomination filed by Nattu Narendra Yadav for the Srikakulam Lok Sabha

¹⁹² www.hindu, march-27, 2004.

¹⁹³ www.hindu, march-28, 2004.

constituency has been rejected under the criminal antecedents provisions of the election law. He filed his papers as an Independent.¹⁹⁴

Nominations of the two Bahujana Samaj Party's candidates for the Visakhapatnam-II and Pendurthy Assembly constituencies were rejected. The papers of Goddu Gokuldas for the Visakhapatnam-II were rejected because he was underaged and in the case of Pendurthy, Patiwada Appa Rao's name was not found in the voters list. three out of the 14 nominations filed for the Visakhapatnam parliamentary constituency were rejected. For the Anakapalle Lok Sabha seat, the nomination of the Telugu Desam Party's dummy candidate, Adari Tulasi Rao, was rejected. In the case of 13 Assembly constituencies, 30 out of the 111 nominations filed were rejected. The rejected included the dummy candidates of the TDP, the Congress and the CPI, because their papers were without the B- Forms issued by their parties. The nomination of K.P. Rangaiah, a resident of Hyderabad, who submitted his papers on behalf of the Telengana Rashtra Samiti (TRS) for the Visakhapatnam parliamentary seat were not accepted due to insufficient number of proposers.

Pendurthy saw the maximum number of nominations, six, being rejected while only at Payakaraopeta, among the 13 Assembly constituencies, all the nominations, numbering five, were found to be in order. The nomination papers of the Congress rebel candidate, Md. Gurfan, and his brother Farukh Khan, were rejected. Both of them mentioned their age as 23 years in the affidavit while the minimum age required for contesting the elections is 25 years.¹⁹⁵

Election Commission takes steps to prevent rigging and impersonation

As it is the duty of the Election Commission to prevent electoral offences at the time of elections and conduct elections effectively and impartially the Commission had taken measures. Cuddapah District Collector, Jayesh Ranjan, said that voters of polling stations with a history of rigging and impersonation should produce photo-identity cards for casting their votes. He said that to check

¹⁹⁴ www.hindu.com, April-03, 2004

¹⁹⁵ www.hindu.com, April-03, 2004

movement of villagers to polling stations in other villages for rigging, the police would undertake a house-to-house search in the enlisted villages and book cases against persons who were not present in villages. Mr. Ranjan warned that the votes of political functionaries who reside elsewhere, but go to their native villages to rig on the polling day would be cancelled. A list of mandal presidents, ZPTC and MPTC members who had a record of indulging in such malpractice was prepared and their names would be removed from the voters' lists. He also stated that Shadow parties would trail candidates and important leaders to check their movement. The Collector said that Police escort would be provided to SCs and STs in villages, where they were prevented from voting in previous elections and general voters would be allowed after they voted first.

Election Commission takes steps in the naxalite-affected areas

The State of Andhra Pradesh is one of the naxalite-affected states in India. Keeping in view the violence and disturbance caused by the naxals to disrupt the election process the Election Commission had taken steps to conduct elections effectively by infusing confidence in the voters. Additional Director General of Police (Coordination), B.M. Ramalingeswara Rao, told that a survey for utilising the services of helicopters in the naxalite-affected areas comprising 20 mandals in Guntur district and Markapur in Prakasam district has been made and depending on the necessity for movement of electronic ballot boxes and men, the helicopters will be utilized. After touring the Palnadu area and holding discussion with para-military forces in the field, Mr Rao held a meeting of all the DSPs, CIs, and SIs at the District Police Office and briefed them about the strategy to be adopted for the smooth conduct of the coming election. Every affected village was being visited by a police party on a daily basis to thwart any untoward incidents and planting of landmines or Claymore mines. About 40 parties of the Border Security Force, Indo-Tibetan Border Police, and the Central Reserve Police Force personnel were combing all the naxalite-affected villages in Guntur district. The para-military presence in the villages would be the highest-ever during elections and people can confidently come out for voting, said Mr. Rao. Three companies of the BSF, three of CRPF, three of ITBP and four of the A.P. Special Police would be deployed in the district and 10 more companies of paramilitary forces out of the total number allocated for Guntur would be arriving in stages as the date of polling approaches. the Guntur Range Deputy Inspector General of Police, Anjani Kumar, said. "There is need to take

additional precaution during the election and all the candidates would be provided the best possible security by giving them advice on their movement in naxalite-affected areas," the DIG said.¹⁹⁶

Petition on poll symbol dismissed

A division bench of the A.P. High Court comprising the Chief Justice, Devinder Gupta, and the Judge, G. Rohini, dismissed a writ petition filed by the BC United Front seeking allotment of election symbol 'chair' for its candidates in the coming elections in the State. The writ petitioner claimed that it was a registered political party and could seek an exclusive symbol. The petitioner said that the chair symbol was not kept free as it was allotted to local party in Uttaranchal. It was contended that this was not proper and such reservation to a party in Uttaranchal could not be a ground to deny the symbol here. The Bench took note of the fact that the symbol was no more in the list of free symbols and the petitioner could not have claim for it and dismissed the writ petition.¹⁹⁷ The petitioner should have approached the Election Commission about the common symbol and should have sought its advice in getting a common symbol since it is the concerned authority for allocating symbols.

Election Commission takes steps to control anti-social elements

In order to combat violence and group clashes in the state the Election Commission had directed the police to take measures. The Vijayawada police have set up check-posts in the city to carry out round-the-clock frisking operations in view of the ensuing elections. The check-posts have been set up at: Tumalapalem, Prakasam Barrage, Kanakdurgamma Varadhi, Pantakalva, NTPC Road, Gudavalli and Chodavaram, the Vijayawada Police Commissioner, A. B. Venkateswara Rao, said. Each check-post will have eight police personnel headed by an Assistant Sub-Inspector or a Head Constable, who have been provided with wireless sets. Mr. Rao said it has been decided to 'bind over' anti-social elements as a precautionary measure.¹⁹⁸

¹⁹⁶ www.hindu.com, march-30 ,2004

¹⁹⁷ www.hindu.com, April-01, 2004.

¹⁹⁸ www.hindu.com, April-03, 2004

EC restricts processions for filing nominations

With a view to prevent clashes between various political parties and contesting candidates at the nomination filing offices the Commission had reduced the number of persons and the number of vehicles to be accompanied along with the candidate into the office. The Election Commission has decided to allow only four persons to accompany the contesting candidate while filing the nomination. The commission will view any violation of this seriously and the nomination will be rejected, Chief Electoral Officer I.V. Subba Rao said. At an all-party meeting, Mr. Subba Rao told political representatives that a convoy of three vehicles would be permitted for the candidates and all other vehicles accompanying them should be at least 100 metres away from the venue of filing nominations. The returning officers had been asked to enforce the rule strictly and action would be initiated against those officials who were found guilty of not implementing the rules strictly. In addition, it was decided to constitute enforcement squad at constituency level to monitor the election proceedings in the 10 districts going to polls. The two-member squads comprising an official each from the Revenue and the Police departments would report about the irregularities whenever they occur. Special cells at all district headquarters are set up to receive complaints of poll malpractices and returning officers had been asked to file their reports on a regular basis..¹⁹⁹ District Election Officer and GHMC Commissioner C.V.S.K. Sarma at a meeting held with representatives of all political parties , while explaining the code of conduct to the parties requested them not paste any posters on walls. He sought their cooperation in conducting a free and fair poll. The contact numbers of all returning officers will be made available soon.²⁰⁰

Election Commission denied permission for some government programmes

As it is the duty of the Election Commission to establish level playing field to all the political parties and contesting candidates to contest in the elections the commission had denied permission to the government by terming the programmes as mass contact programmes and the ruling party may influence the voters. The Election Commission has rejected permission for

¹⁹⁹ www.hindu.com, May 04, 2008.

²⁰⁰ www.hindu.com, May 02, 2008.

conduct of “praja patham” for the second time, kept the decision on “rythu chaitanya yatra” on hold and barred implementation of the repealed Urban Land Ceiling law. Causing acute embarrassment to the government, the Commission again rejected its plea to allow “praja patham” in the ten districts where byelections were being held. The government’s contention that it was an ongoing programme, aimed at identifying problems faced by people, especially in summer was turned down by the Commission. The Commission again held that “praja patham” was a “mass contact” programme, and, therefore, could not be allowed in places where byelections were due.

The government suffered another blow, when the Commission kept its decision “pending” on the representation made by it to clear conduct of “rythu chaitanya yatras” and “rythu sadassus” in the ten districts. It shocked the officials who had even announced the schedule beginning May 17. the Commission also barred the government from going ahead with the scheme formulated to regularise the occupation of lands coming under the purview of the Urban Ceiling Land Act. Chief Electoral Officer I. V. Subba Rao who received fax messages conveying the Commission’s decisions, told that the Commission suggested that the scheme could be implemented only after byelections. The UCL (Urban Ceiling Land) Act was repealed through an amendment adopted by the Assembly recently. A proposal made by the government for acquiring land in Godavarikhani area of Karimnagar district was disapproved by the Commission. It also ordered halt to recruitment of Village Revenue Officers but exempted those made on compassionate grounds. The only consolation for the government was clearance of its proposal to recruit Hindi pandits for schools, but with the condition that posting orders should be issued only after the byelections. Its proposals to issue notification facilitating private parties to set up junior colleges and allow input subsidy to farmers who lost crops in the recent hailstorms and rain were also cleared.²⁰¹

Foolproof measures initiated by authorities for smooth conduct of elections notwithstanding, instances of disruption of the polling process for want of clarity from higher officials are not uncommon. The election authorities are firm that there will be no failure in communicating instructions to ground level staff on different issues. Leveraging technology, the office of the

²⁰¹ www.hindu.com, May 07, 2008.

Chief Electoral Office (CEO) has adopted 'Instaxx', instantaneous access to exceptional information system, for the byelections slated for May 29. Developed by the Centre for Good Governance and tailor-made for election purposes, the software involves instant messaging to officials at various levels, right from assistant returning officers at the constituency level to the CEO. It combines the functions of the Short Messaging Service, e-mail and fax. The moment the CEO's office receives communication from the Election Commission, it will be sent as SMS to the mobile phones of field-level officials followed by e-mails to their respective mail IDs.²⁰²

The Election Commission (EC) has finally given clearance, though with strings attached, to the Andhra Pradesh government's proposal to undertake Rythu Chaitanya Yathra programme from May 17 to June 3 throughout the State, including ten districts where byelections will be held.

Its green signal has averted a confrontation between the State government and the EC as the Cabinet adopted a resolution on Friday deciding to go ahead with the programme in view of the coming month's kharif season. The EC, however, laid down the condition that the programme should be conducted by officials and political functionaries be barred from participation. They should not make any promises involving financial benefit to the farmers, according to a communication received by Chief Electoral Officer I. V. Subba Rao from the Commission. The EC's decision paves way for the government to go ahead with all the three farmers' programmes -- RCY, Rythu Sadassus and training of the 50,000 Adarsha Rythus (progressive farmers). Agriculture Minister N. Raghuveera Reddy, who fumed at the EC earlier, thanked the Commission and assured that no political functionary would be involved in the RCY. Meanwhile, the government issued orders lifting the ban on transfer of its employees from May 15 to June 6 to facilitate their shifting to fulfil requests and meet administrative exigencies. The EC had given its nod to these transfers last week with the condition not to disturb employees engaged in election work.²⁰³

Keeping in view the unemployment in the country, the Election Commission has said that it has no objections to the Government continuing the process of registering new households and

²⁰² www.hindu.com, May 08, 2008.

²⁰³ www.hindu.com, May 11, 2008.

issuing job cards during the model code of conduct. The EC's directive would help the Government, which is trying to accommodate the increasing number of jobless workers under the NREGS (National Rural Employment Guarantee Scheme). The Central Government has already informed the state governments to continue registration of new households and issue new job cards to job seekers.²⁰⁴ The Election Commission has given clearance to new works under the Sampoorna Grameena Rozgar Yojana (SGRY) subject to availability of funds released by the Ministry of Rural Development directly to panchayats, prior permission from the district election officer (Collector) and provision in 2003-04 annual action plan. The commission, however, disallowed any such new work or benefit under Indira Awas Yojana (IAY) housing scheme and fresh assistance to self-help groups under Swarnajayanti gram Swrozgar Yojana (SGSY).

Explaining the commission's fresh guidelines received by the state election authorities today, the Additional Chief Electoral Officer, Ajay Sawhney, told reporters here this evening that the works which were in progress under SGRY might be continued and funds earmarked for these works could be released. If a panchayat completed on-going works and required new wage-employment works, it could go ahead if the funds were already released by the Ministry. He clarified that the beneficiaries who were sanctioned housing schemes under IAY could be assisted as per norms if the works were already grounded. He said, no new constructions could be taken up or assistance sanctioned to fresh beneficiaries till the completion of elections, he said. Under SGSY, only those self-help groups which received part of the subsidy/grant would have to be provided with the balance instalments.²⁰⁵

Chief Electoral Officer I. V. Subba Rao has barred the State government from issuing advertisements highlighting the various schemes like Jalayagnam, Indiramma, free power and old age pensions in the context of byelections. He, however, said these kinds of ads could be issued at the cost of Congress party as part of its campaign.²⁰⁶ The CEO, after a review on liquor movement, asked the government to keep the 10 districts dry without liquor from 5 pm on May

²⁰⁴ www.theindianexpress.com, April 2, 2009.

²⁰⁵ www.hindu.com, April-04, 2004

²⁰⁶ Ibid.

27 to 5 pm on May 29 in view of polling on May 29. He also clarified that the Liquor sale would not be allowed in these districts on June 1 when counting of votes would be taken up.²⁰⁷

Poll officials pull down illegal cutouts

The Political parties and contesting candidates should not display any cut-outs or banners without the permission the election authorities concerned. The commission is empowered to remove the illegally displayed banners and cut-outs. Election authorities have pulled down 36 cut-outs of important leaders like Y. S. Rajasekhara Reddy, N. Chandrababu Naidu and K. Chandrasekhar Rao in the 10 districts of Telanga region in Andhra Pradesh where bypolls are being held, as they were erected in violation of code of conduct. All of them have been found installed on public properties defacing these properties or on private properties without owners' permission as required under the election law. Briefing reporters on the action-taken reports on violations sent in by the Collectors of these districts, Chief Electoral Officer I. V. Subba Rao said a record number of 66,000 posters illegally put up in these districts, were removed by authorities along with 2,000 banners and 12,000 flags. In all, 1,800 wall-writings had been erased. Cases had been booked in all these cases.²⁰⁸

Hyderabad district election officials slapped a notice on the Tourism Minister and TDP candidate for the Secunderabad Assembly constituency, T. Srinivas Yadav,. Election officials had asked the candidate to pay the expenditure incurred by the Municipal Corporation of Hyderabad towards engaging labour and vehicles for removing the banners, cut outs, flags and other campaign material on the roads amounting to Rs. 3,402. The Returning Officer for the constituency and Additional Commissioner of the MCH (Secunderabad zone), A. Rajeshwara Rao, has asked Mr. Yadav to pay the amount by way of a challan to the MCH, Secunderabad zone treasury within 24 hours of the receipt of notice. The payment demand notice comes a day after the election authorities had slapped a show cause notice for violation of election laws and model code of conduct on the extravagant show put up by the Minister while filing nomination papers. The election officials said in their payment notice that the banners, flags, buntings and

²⁰⁷ www.hindu.com, May 10, 2008.

²⁰⁸ Ibid.

other publicity material continued to be on display even after 8.30 p.m. on Friday on the roads leading from Clock Tower to Secunderabad railway station, Sangeet theatre, Chilkalaguda crossroads to Suresh theatre and so on. Therefore, the engineering officials of divisions 11 and 12 were directed to remove them and the bill was passed onto Mr. Srinivas Yadav.²⁰⁹

Election Commission prevents various Political parties and contesting candidates from violating model code of conduct.

The Election Commission issued notice to Finance Minister K. Rosaiah for his announcement at a press conference that a scheme was on the anvil to control prices of essential commodities. The EC also sought an explanation from Warangal Collector and Superintendent of Police on why they remained silent when the Congress party held an election meeting to campaign for its candidate for Hanamkonda Lok Sabha constituency Konda Surekha, in the premises of a government school at Julywada after a complaint was made by the Telugu Desam. Home Minister K. Jana Reddy and Major Irrigation Minister Ponnala Lakshmaiah of Congress party were also served notices for participating in the meeting.²¹⁰ They replied that they are not aware of the location of the government school. The EC issued final orders over the replies submitted by Ministers K. Jana Reddy (Home) and P. Lakshmaiah (Major Irrigation) with regard to the code violation indulged in by them, “advising” them to “be cautious” in future so that there would not be any scope for complaint.²¹¹

The Election Commission issued a notice to former Andhra Pradesh Chief Minister Chandrababu Naidu asking him to explain why action should not be initiated against him for violating the model code of conduct by holding a public meeting beyond 10 p.m. on May 19. In the notice, the Commission pointed out that the code had come into force on April 16 (when the elections were announced) in all the 10 districts of Andhra Pradesh in which 22 of the Assembly and Lok Sabha constituencies fall “and this includes Mahabubnagar district.” The notice said Mr. Naidu held a

²⁰⁹ www.hindu.com march-28, 2004.

²¹⁰ www.hindu.com, May 23, 2008.

²¹¹ www.hindu.com, May 29, 2008.

meeting of the Telugu Desam Party in village Rajapur, Balanagar in Mahabubnagar district on May 19 without the permission of the competent authorities. He also held the meeting beyond the prescribed time limit for campaigning, using a loudspeaker, and thus had violated the directions issued by the Supreme Court on the use of loudspeakers. The Commission said it had been confirmed that these incidents had, indeed, happened and the local police had booked a case under the Indian Police Act. The Commission asked Mr. Naidu to explain to the notice by 12 noon of May 25.²¹²

The TDP president, in his reply to the EC's notice, explained that his meeting was attended by only 150-200 people and he had used only a hand-held mike and not loud speakers. Telugu Desam Party president N. Chandrababu Naidu asserted that he had not violated the model code in his campaign in Jadcherla Assembly constituency of Mahbubnagar district recently. "I did not use mike or address the meeting beyond the 10 p.m. deadline. I only went to have my dinner in a private farm house," Mr. Naidu maintained. He alleged that the Congress leaders, who were facing the wrath of the EC for violating election code, had lodged a false complaint against him.²¹³ The EC cautioned Mr. Naidu to be more careful in future so that there would be neither violation of its standing orders nor scope for any complaint.

The Election Commission (EC) has finally served a notice on Chief Minister Y. S. Rajasekhara Reddy for violating the model code of conduct by addressing an election meeting in a Government junior college at Khanapur in Adilabad district on May 17. It has asked him to show cause by Wednesday noon why action should not be initiated against him. In respect of the Chief Minister, the Commission found *prima facie*, after an inquiry by election officials, that three lapses were committed at Khanapur. It was held in a Government institution, no permission was taken from the police and a portion of the compound wall demolished to facilitate the public meeting. Chief Electoral Officer I. V. Subba Rao told reporters here that the Khanapur police had

²¹² www.hindu.com, May 24, 2008.

²¹³ www.hindu.com, Sunday, May 25, 2008.

booked a case on May 17 itself for organizing the meeting without permission under Sections 427 (causing damage to public property) and 448 (trespass) read with section 188 of IPC.²¹⁴

CEO reviews arrangements

There will be Chief Electoral Officer for every state in the country. It is the responsibility of the Chief Electoral Officer to take measures for conducting elections in the state in an impartial manner. The Chief Electoral Officer acts under the Central Election Commission. The Officer reviews situations in the state from time to time and takes decisions. Polling arrangements and the law and order situation in connection with the May 29 by-elections were reviewed on Sunday by Chief Electoral Officer I.V. Subba Rao with the Collectors and Superintendents of Police. Medak district Collector Piyush Kumar warned the polling staff who remained absent from the mandatory training classes in their respective areas that action could be initiated under the Representation of People's Act section 134. In all 2,100 government employees were drafted for the poll related duties and more than 400 were found absent.²¹⁵ Mr. Rao, told that all arrangements had been completed. Ballot papers, electronic voting machines and other materials had been received by the returning officers. They would be shifted to the polling stations on May 28. In all, 45,000 personnel were being deployed spread over 8,389 polling stations. He said 2,600 micro-level observers had been positioned in sensitive polling stations and photo-identity cards issued for the agents. In 800 all-women polling stations, the agents would be women and they too would be given photo identity cards. Instructions were also issued to officials to ensure that no public meeting or procession was held from 5 p.m. of May 27 to 5 p.m. of May 29. There should also be no outsiders in the constituencies. Besides, there should not be any publicity in the electronic media during that 48-hour period. Officials were instructed on the conduct of mock-polling half hour before the polling, he said.²¹⁶

Chief Electoral Officer I. V. Subba Rao has asked presiding officers of the polling stations not to enter the enclosure of 'balloting unit' of the Electronic Voting Machines (EVM) where voters

²¹⁴ www.hindu.com, May 28, 2008.

²¹⁵ www.hindu.com, Saturday, May 24, 2008.

²¹⁶ *Ibid.*

will cast their votes. He warned that a re-poll will be ordered if they do so. He said the Election Commission decided to order re-poll wherever the presiding officer or other polling officials entered the 'balloting unit' enclosures, in view of regular complaints that these officials tampered with the balloting unit to favour a candidate in the name of explaining their functioning to innocent voters.²¹⁷

Illiterate voters could not vote by using the EVM

The Election Commission had introduced the Electronic Voting Machine instead of ballot paper for casting vote at the time of polling. It has become difficult for illiterate voters to cast vote through EVM. Some of the instances where voters could not vote by using EVM are explained in the present chapter. Officials on poll duty spent some anxious moments when they failed to hear the beep sound of the Electronic Voting Machines (EVMs) in some polling booths of Jadcherla Assembly constituency on the polling day. It was not faulty EVMs that caused the confusion, but the lack of awareness among the illiterate voters. A number of voters put their thumb impression on the party symbols instead of the button on the machines. Notwithstanding such isolated problems, the constituency recorded heavy polling of 67 per cent. Incident-free polling was reported from the constituency. Available trends indicate close contest between the Congress and the TDP. As per the procedure, voters were made to either affix their signature before the presiding officer or put thumb impression. Voters walked into the special enclosure and put their thumb impression on the party symbols and came out. On checking the machines, officials found the symbols full of ink. Such instances were reported from Balanagar, Jadcherla and Boothpur mandals. During a visit to the polling station at ZP High School at Balanagar, an elderly women voter Bheemani Narsamma said she could not identify the button and put her thumb impression on the symbol. Officials manning the booths also confirmed this activity. Polepally, the sleepy village that shot into limelight after 13 displaced people of the Pharma Special Economic Zone (SEZ) entered the electoral battle too experienced a similar situation. An election official said they had to repeatedly clean the EVMs as the symbols were not visible.²¹⁸

²¹⁷ Ibid.

²¹⁸ www.hindu, Friday, May 30, 2008.

EC declines common symbol for Chiranjeevi's Party

In a setback to Telugu superstar Chiranjeevi ahead of polls, the Election Commission has declined to allot a common symbol to his party on the ground that only recognized political parties get it. In an order passed the Election Commission pointed out that a common election symbol cannot be granted to his "Praja Rajyam" party merely on the basis of membership, Election Commission sources said. The Commission said that a party should contest elections and get required number of votes to get recognition and a common symbol. Chiranjeevi, who floated Praja Rajyam amid much fanfare in August 2008, had sought "Rail Engine" as a common symbol for his party. The Commission said that only recognized political parties are eligible for a permanent election symbol while "registered" parties will have to choose from the 'free symbols' available.²¹⁹ The Election Commission of India assured that the Prajarajyam Party (PRP) would get preference in choosing a free symbol from those available for independent candidates in the state.²²⁰

Election Commission permission to Candidates

The Election Commission has given permission to candidates contesting the Lok Sabha and assembly elections to use any number of vehicles but with a rider that they have to be accounted for. The EC said that there has never been any restriction on the number of vehicles a candidate could use for campaigning, provided the prior permission of the Returning Officer was taken in the matter. Deputy Election Commissioner R Balakrishnan told that a candidate was free to use any number of vehicles. But he or she has to give account for using them.²²¹ The incurred expenses are added to the election expenditure of the candidate. With a view to facilitate Political parties and candidates in fray to contact every voter in the state permitted to undertake door-to-door canvassing from 10 p.m. to 6 a.m. but without using public address system. Clarifying this at a press conference Chief Electoral Officer I. V. Subba Rao said the campaigning during the

²¹⁹ www.the times of India.com, March13, 2009.

²²⁰ www.the times of India.com, March17, 2009.

²²¹ www.the times of India.com, March31, 2009.

restricted hours would have to be cleared by the local police, although it would be without any noise.²²²

Election Commission orders to contain illegal cash distribution

As it is the duty of the Election Commission to check electoral offences like bribery during the time of elections the commission ordered the police to contain illegal transportation in the vehicles. Excessive money usage by the political parties and candidates at the time of elections will result in the corruption after forming the government. Some of the cases related to illegal cash distribution are explained in the present chapter. The police have seized cash which was carried without proper evidence in many parts of the state. Some of the cases related to illegal cash transportation are explained in the present chapter. Vigorous checking of vehicles, frisking, and raids on hotels and guesthouses by the police have yielded nearly Rs 7 crore in cash allegedly meant for election purposes. The police and paramilitary forces manning pickets across the state have found currency bundles stashed away under the seats, trunks, inside rice bags and fruit crates. With Chief Electoral Officer I V Subba Rao issuing a stern warning to the police and paramilitary forces not to show any leniency, no one, not even VIP cars, can pass the pickets without being checked. About 450 pickets and check-points have been set up on highways and roads, outside every city, town and village across the state. Gun-toting personnel from paramilitary and police force manually check each and every vehicle and frisk passengers. The police in Nalgonda seized Rs 42 lakh in cash and 21 kg of silver bars from two cars. In Warangal, Rs 20 lakh was found in one car while Rs 10 lakh was found from a mini-truck in Mahbubnagar. About Rs 2 lakh was seized from a car carrying workers of J Krishna Rao, the Congress candidate from Kollapur in Mahbubnagar district. In East Godavari, the police seized Rs 10 lakh from a convoy of three vehicles; Praja Rajyam Party leader and former minister of Prohibition and Excise in the TDP government, T Sitaram, was traveling in one of the cars. In Hyderabad and Secunderabad, the police seized Rs 40 lakh, including Rs 10 lakh from a person on a two-wheeler.

Chief Electoral Officer I V Subba Rao says the check-posts have been set up to prevent illegal and unaccounted money from changing hands, smuggling of arms and explosives, and flow of

²²² www.hindu.com, April 10, 2009.

free liquor. Except for a jewellery delivery boy and a recovery agent of a private bank, none of the persons from whom cash was seized has been able to tell the source of the money, who it belonged to and for what purpose. Nagi Reddy, SP of East Godavari has said that we seized bundles of cash from the vehicles of at least six businessmen. They were unable to explain where they were taking the money.²²³

Chief Electoral Officer (CEO) I.V. Subba Rao said that if the credentials of source and purpose of expenditure are convincing, the money seized by the police is being returned to its owners concerned. We have returned about Rs. 5-6 crore as against Rs. 15 crore that was seized so far. The CEO has made it clear that the unaccounted money seized by the police in vehicle checks would go to the State exchequer and “Our intention is not to harass anybody. I want all those carrying cash either to carry proper evidence or use banking services till April 23. If the persons carrying huge amounts of cash could not disclose a credible source, the money was being confiscated after filing a case and deposited in a judicial magistrate’s court. Wherever the magistrate did not have a strong room to protect the money, the same was deposited in government sub-treasuries. The parties/persons concerned were being given 24-hour time to prove that the seized money had a proper source and a legitimate purpose of expenditure. Additional Director-General of Police (L&O) A.K. Khan said that the police were asked to issue receipts to all those from whom money was being confiscated. The Income Tax department was also roped in to deal with the cases of seized money.²²⁴

The police seized Rs. 2.07 lakh cash in two separate incidents in Nellore district during checking of vehicles. They recovered Rs. 1.07 from a two-wheeler and Rs. 1 lakh from a person who was proceeding at Pellakur village.²²⁵ In four separate instances of seizure of cash under the limits of Vijayawada police commissionerate, a total of Rs. 43.11 lakh was seized by the police from different individuals. The police seized Rs. 35.26 lakhs of cash from two vehicles. The police found Rs. 33.26 lakh of unaccounted cash in an ambassador car near Challapalli Bungalow and seized the same. The Vijaya Dairy claimed ownership of the cash and expressed its willingness to show the documents in proof. The police said that the cash would be handed over to the dairy,

²²³ www.theindianexpress.com, April04, 2009.

²²⁴ www.hindu.com, April08, 2009.

²²⁵ www.hindu.com, April08, 2009.

only after verifying the records. At the same spot, the police seized Rs. 2 lakh of unaccounted cash from Tummala Venkateswara Rao, a railway contractor.

The One-Town police seized Rs. 5.85 lakh of unaccounted cash and took two persons into custody near Kanakadurga Vaaradhi. As part of checking of vehicles, the police stopped a Scorpio coming from Tadepalli side and found a briefcase with the cash. As the two persons travelling in the vehicle – Puli Chandrasekhar and I. Nageswara Rao – failed to produce the accounts of the cash, the police seized it and began investigating into it.

In a separate instance, the Gannavaram police seized Rs.2 lakh from a car coming from Chatrai. Nandipati Prabhakar Rao, who was travelling in the vehicle, was stopped at Kolanupalli checkpoint on the outskirts of Gannavaram and cash was seized from him.²²⁶ The Three Town Police seized a vehicle and recovered Rs. 19 lakh from a person identified as V.M. Irfan in Kurnool. Sub-Inspector Muralidhar Reddy, told that after intercepting a vehicle (KL 11AC 6300), they found Rs. 19 lakh unaccounted cash on Irfan, who was found to be an employee of Jayajyothi Cements. Irfan claimed that the amount was meant for wages of the workers. But the police suspected the veracity of the claim and referred the matter to the Income Tax officials. Meanwhile, the police carried out raids extensively in the district and seized a huge number of country made rifles and crude bombs. At Basvapuram in Mahanandi mandal, four guns and five bombs were recovered. Four persons were held in the incident. At Pinnapuram in Panyam, six persons were held and three guns were seized. At Barakala Tanda, three guns were sized and four were held.²²⁷

The city police seized Rs. 5.68 lakh of unaccounted cash during the vehicle checks late on Wednesday night in various parts of the city, Vijayawada. The Satyanarayanapuram police seized Rs. 1.9 lakh from Narni Chiranjeevi at Budameru Bridge, while the One-Town police seized Rs. 1.24 lakh from Uddhanti Sivannarayana and Nageswara Rao and Rs. 53,250 from B. Venugopal Reddy of Penumaka in Guntur district. Guntur District police seized Rs.24 lakhs from various places during vehicular checking, the largest amount seized on a single day. In the first instance, police seized Rs.16 lakh from one Venkata Ramana at Medikonduru mandal. The

²²⁶ www.hindu.com, April10, 2009.

²²⁷ www.hindu.com, April10, 2009.

police also seized Rs.5.4 lakhs from one Venkata Nagarjuna at Atchampet and seized Rs.2.67 lakh from a businessman at Prathipad.²²⁸

The Medak police seized over Rs. 26 lakh in three different incidents across the district. According to the police, Rs. 15 lakh was seized from a private company executive. As the required bills were not produced by him, the amount was handed over to income tax officials for investigation. In another incident, the police raided a lodge at Zaheerabad and seized Rs. 4.3 lakh cash, 210 grams of gold and 3 kg silver from two businessmen. In yet another incident at Ramachandrapuram, police reportedly seized Rs. 7 lakh. The police seized Rs.10.40 lakh from two persons in two different incidents at Jalalpur village near Andhra - Karnataka check post. police seized Rs.7 lakh from one Sayed Basith travelling in a bus. It is said Basith, who belongs to Shadnagar in the district, was proceeding to Shapur in Karnataka to purchase cotton there. In the second incident, the Narayanpet police seized Rs.3.40 lakh from one Ramesh, who also belongs to Shadnagar, while he was going to Shapur to purchase cotton. A police team led by Inspector Ravinder, Sub-Inspector Venkateshwarlu and Chennaiah along with constables Balaswamy, Eshwar and others conducted vehicle checking on the Andhra – Karnataka border.²²⁹

The Election Commission, on its part, is leaving no stone unturned to cut off distribution of cash and liquor. Police check posts stop every other vehicle on the National and State highways for a thorough search to look for cash whose source and destination cannot be legitimately explained by the occupants. All liquor shops are being forced to strictly adhere to the rule that no one can drink outside or inside it. Police have cracked down on ‘family dhabas’ abutting the highways which are known to allow drinking. Belt shops have been shut down. A police constable said at a check post near Gajwel in Medak district that they had seized over Rs. 20 lakh in cash being illegally transported by political parties. He said most of this money was recovered from Congress candidates.²³⁰

²²⁸ www.hindu.com, April10, 2009.

²²⁹ www.hindu.com, April12, 2009.

²³⁰ www.hindu.com, April13, 2009

Election Commission permits alternative cards for electors' photo identity cards

As it is very difficult for every voter to get electors' photo identity cards the Election Commission with a view to enable every voter to cast his vote at the time of voting permitted other identity apart from electors' photo identity cards. People not possessing electors' photo identity cards (EPICs) can cast their votes in the elections by producing any one of the following 13 statutory documents: 1. passport, 2. driving licence, 3. PAN card, 4. photo identity card issued by any Central/State Government Department, public enterprises/public limited companies or local bodies, 5. passbook (containing photograph) of any nationalised bank wherein account is opened prior to February 28, 2009 or post office or Kisan Credit card, 6. registered deeds or pattas having photographs, 7. SC/ST/OBC certificate issued before February 28, 2009, 8. pension book/pension payment order of ex-servicemen, ex-servicemen widow/dependent certificate, old age/widow pension order, 9. photo identity card of freedom fighter, 10. weapon license issued before February 28, 2009, 11. disability certificate (containing photo) issued before February 28, 2009, 12. health insurance card issued by the Labour Ministry and 13. National Rural Employment Guarantee Scheme job card.²³¹

The Election authorities had arranged toll-free phone for poll complaints

Many political parties and contesting candidates are violating the model code and committing electoral offences like cash distribution but are escaping the punishment from the Election Commission. In order to punish the violators, a round-the-clock, toll free phone, 1091, has been set up at the Superintendent of Police (Rural) office to receive election-related complaints, according to SP Akun Sabharwal. He said in a press release that any information relating to violation of election code or that of anti-social elements could be conveyed by ringing up the number. Assuring people that details of those giving information would not be revealed, he appealed to them to pass on information and do their bit for the conduct of a peaceful election. The Hyderabad city police have set up election control room with phone number '1090.' People

²³¹ www.hindu.com, April12, 2009.

can inform the police about the violations to the model code of conduct and distribution of liquor and cash by dialling the number.²³²

Election Commission issues checks on TV channels

With a view to preventing television channels from influencing voters, the Election Commission announced a ban on telecast of programmes by satellite and local channels from 4 p.m. on April 14 to 4 p.m. on April 16 when polling in Phase I elections will be over. The ban applies to all election-related programmes like panel discussions and even press-meets by candidates and others, apart from display of visuals of public meetings, rallies and the like. The programmes can be resumed from 4 p.m. on April 16 and continued up to 5 p.m. on April 21 when the campaigning for the Phase II polling (April 23) will close. The Election Commission has implemented the provisions of the Representation of People act very strictly and effectively.

Representation of people act imposes prohibition of public meetings during period of forty- eight hours ending with four fixed for conclusion of poll and states that no person shall display to the public any election matter by means of cinematograph, television or other similar apparatus. Chief Electoral Officer I. V. Subba Rao said action would be initiated against those defying the ban under Section of 126 of the Representation of People Act which specified a two-year jail term or fine or both as punishment for using “any matter intended or calculated to influence the result of the election.” The CEO said that the “facts about the polling” could, however, be telecast on the polling day but without eliciting opinions of voters and others. When it was pointed that the ban would amount to prevention of campaigning under the Phase II, Mr. Rao said the programmes telecast by satellite channels would go State-wide, nationwide and even worldwide. As such, it would be technically impossible to restrict these programmes to Phase II polling areas alone.²³³

Chief Electoral Officer I. V. Subba Rao asked outsiders campaigning for candidates and parties to leave the constituencies by 4 p.m. on April 14, 2009 when the canvassing would come to a close or face action under law. Any outsider remaining in a constituency area after the close of

²³² www.hindu.com, April12, 2009.

²³³ www.hindu.com, April12, 2009.

the campaigning—be it a party worker or a State-level leader - would be seen as staying back to influence the voters in one way or the other and stifle with the voting pattern, he warned.

Mr. Subba Rao reiterated that the telecast of all type of programmes, which would influence voters, including panel discussions, press conferences and poll analysis, would have to be stopped by all TV channels from 4 p.m. on April 14. Mr. Rao also interacted with the Collectors and Superintendents of Police. He said he would hold talks with the cell phone companies, including BSNL on Monday, to ensure that no small message service was flashed seeking votes, during the period from 4 p.m. on April 14 to 4 p.m. on April 16. Quoting a directive from the EC, he said no “election matter” could appear in newspapers dated April 15 and May 14, the date fixed for polling elsewhere in the country. Meanwhile, the CEO finalised a communication plan for smooth conduct of polling in the State under which control rooms would function round-the-clock.²³⁴

Election Commission issues directions to print medium

Some of the printing agencies are not mentioning their names in the advertisements of the contesting candidates and hence creating confusion for the Election Commission for estimating the candidate’s election expenditure. If the contesting candidate exceeds the expenditure limit fixed by the Election Commission the elected candidate is disqualified. Krishna District Collector N. Sridhar, in his capacity as District Election Officer, asked managements of newspapers to strictly abide by the restrictions imposed under Section 127A of the Representation of the Peoples Act, 1951, while publishing advertisements relating to elections. Spelling out the set of guidelines to be followed by the print media stipulated by the Election Commission, Mr. Sridhar said that if an advertisement was published with the consent or knowledge of the candidate, it should be treated as authorised by the candidate(s) concerned and accounted for in the election expenditure of the candidate(s). If the candidate did not authorize the advertisement, then action could be taken for publishing matter in violation of Section 171H of IPC (incurring expenditure in advertisement without written authority from the candidate(s) concerned. Mr. Sridhar asked media managements to maintain a complete record of all the material published during the elections. If the identity of the publisher was not indicated in the

²³⁴ www.hindu.com, April13, 2009

advertisement, then the information had to be furnished to the returning officer concerned as and when required, he said that this was necessary for the purpose of calculating the election expenditure of the candidate(s). P.S. Pradyumna, Municipal Commissioner and Returning Officer for the Vijayawada Central Assembly constituency stated that Managements of printing presses that print election material, including wall posters and pamphlets, must follow the model code of conduct, Mr. Pradyumna said that the printers must publish the name and address of their press on the pamphlets and posters, besides printing the details of the number of copies.²³⁵ With a view to prevent electoral offences in the polling booths Medak District Election Officer and Collector Peeyush Kumar said that services of 150 digital cameramen and 100 videographers would be used to record the election process in sensitive and hyper-sensitive areas. Mr. Kumar said that arrangements are in place for the smooth conduct of elections in two Lok Sabha and 10 Assembly constituencies in Medak district for 2009 Assembly elections.²³⁶

Election Commission failed to update electoral rolls accurately

Many eligible voters could not find their names in the voters list and hence could not vote on the polling day. So, there is need to update electoral rolls accurately so that all eligible voters will cast their vote at the time of elections. Many eligible voters have expressed angry with the Election authorities. Some of the incidents are explained in the present chapter. The electoral roll revision exercise of the Municipal Corporation of Hyderabad (MCH) fell flat on its face when thousands of voters in the twin cities and surrounding municipalities with valid Electoral Photo Identity Cards (EPICs) were deprived of their right to vote. Many found their names struck off from the rolls. Enraged voters staged dharnas in the hot sun for several hours at Malkajgiri, Marredpally, Punjagutta, Ramanthapur and Uppal demanding the authorities to restore their right to vote.

A large group of voters staged a sit-in at the Zilla Parishad High School in Malkajgiri hoping they would get a chance to vote, but to no avail. After prolonged arguments with the police, they were shooed away. At Government Polytechnic, East Marredpally, angry residents of Addagutta

²³⁵ www.hindu.com, April12, 2009.

²³⁶ www.hindu.com, April14, 2009

gheraoed officials and demanded to know how their names disappeared all of a sudden from the voters' list.

"Are we dead that our names have been deleted? What are these photo identity cards for? We used them in the last elections. How come they turned invalid overnight?" Sarojini Devi, a resident of Malkajgiri, sought to know. But their arguments were put aside by the officials. In a string of polling booths in Malkajgiri under Secunderabad Cantonment Assembly constituency, half of the voters found their names missing. In booth no. 127 covering three streets of Vani Nagar, of the 965 voters only 506 found their names in the list. In the adjoining booth no. 126, only 655 figured in the list out of the 1,100 voters in the area.

"Some lazy enumerator of the Municipal Corporation of Hyderabad has robbed me of the right to vote. Even the President, A.P.J. Abdul Kalam, was keen on every Indian exercising his franchise," an incensed senior citizen, Gajendran, said at the S.P. College polling station in Padmaraonagar. A resident of Skandagiri Temple Layout, he and his wife, Mythili, had come to vote only to be turned away by the polling staff. "We have been voting for the last 40 years and have genuine voter identity cards. How can they just remove our names," he demanded. Interestingly, the names of his children with whom the couple stays figured in the list. "My mother's name is in the list, but mine is missing, though we stay together. What is the logic behind this," questioned K.L.N. Murthy, a resident of Sainagar working for Baan. "How is that my wife's name is missing while my name is there when we both enrolled at the same time," Gangadhar wanted to know at Lal Darwaza. Krishna Rao, a 65-year-old man agitated at being shown the door, fumed, "I had voted during the MCH polls also. Within two years they decided I do not exist."

People living at Nayaknagar in Chandrayanagutta were seen arguing with the police and poll officials as the names of many were missing despite having I-cards. "This colony has been there since 1976 and we never faced this situation," was the refrain. "Why did you give me the card if you do not even know why my name was deleted," Mr. Khaleeluddin shouted at officials in Saidabad. The wife of M.S.S. Sharma, Latha, was crestfallen as her husband's name figured in the list but not hers. "We shifted our house but officials assured us there was no need for fresh enrolment," she complains.

The Returning Officer of Secunderabad Assembly constituency, M. Rajeshwar Rao, airing his helplessness, said the final electoral list was published on January 20 and people were asked to check the lists displayed in MRO and ERO offices and on the Internet as well. "We have looked into all complaints we got till March 23. We cannot do anything for those who did not check the lists and found their names missing now," he maintained. The argument of the voters was that they were in the dark about checking the final revised electoral list since they already had an identity card.²³⁷

At the Jubilee Hills Public School, filmstar of yesteryears, Muralimohan was visibly angry when he found his name missing in the electoral rolls.²³⁸ The 67-year-old Mekala Ailaiah of a village in Alair mandal of Nalgonda District felt it is a prestigious issue. Mr. Ailaiah gave a tough time for the poll officials when he found that his name was missing from the electoral rolls. Shell-shocked by the "deadly mistake" committed by the officials, he sobbed like a child in front of other voters. He showed his voter identify card (No: AP/41/291/555034) and ration card in support of his claim. He took up the matter to the poll officials and registered his protest for "unceremoniously excluding" his name from the voters' list. "I never migrated to other place. I don't know why they deleted my name from the list. They might have thought that I had passed away," the furious farmer maintained adding that he had been exercising his franchise in every election without fail. As he was sent away from the polling booth due to non-inclusion of his name in the voters' list, Mr. Ailaiah staged a dharna at the polling booth. He demanded that he must be allowed to cast his vote, "since I am alive and I am very much eligible to vote." All Opposition parties joined hands with Mr. Ailaiah and staged a dharna in protest against the "injustice" done to the elderly person. Opposition leaders took cudgels on his behalf and bargained for a vote for him resulting in the halting of polling for sometime.

"We can't allow him to vote as his name is not figured in the electoral rolls. We don't know why his name was deleted even after the verification. We feel sorry for him," a poll official said. Later the revenue officials met Mr. Ailaiah and conveyed their inability for helping him. They

²³⁷ www.thehindu.com, April 21, 2004

²³⁸ www.thehindu.com, May 30, 2008

assured him that he would be given a vote in the next elections. After a great deal of persuasion by the officials, Mr. Ailaiah went home with a heavy heart.²³⁹

Political parties ‘advice to Election Commission on electoral rolls

Many Political parties have advised the Election Commission on updation of electoral rolls after they came to know that many eligible voters could not exercise their voting right on the polling day. The Lok Satta Party has suggested that post offices be made the nodal agencies for voter registration thereby ensuring that the voters’ lists become flawless. The party President Jayaprakash Narayan said that the Election Commission has, in the last one decade, brought down the percentage of errors from 40 in urban areas and 15 in rural areas to 12 and 5 respectively. The percentage of errors was still high and unacceptable in the present day. He said that in its present form, the voter registration process doesn’t associate the citizen with the process. If the post office is made the nodal agency and the post master is authorised to register and delete the names of voters on a continuous basis, such errors would not creep in. In such a system, he said, an appeal mechanism could also be provided to redress people’s grievances, if any.²⁴⁰ Telugu Desam Party president N. Chandrababu Naidu has demanded that the Election Commission launch a special drive to update all voter lists before the next general elections in Andhra Pradesh. Addressing a press conference here on Friday, Mr. Naidu said that the EC should concentrate on updating the voter lists, as the names of voters belonging to some communities and those in TDP strongholds were being deleted in a planned way. “I don’t know if the officers are incompetent or doing it on purpose, or doing it at the behest of Congress leaders,” he wondered.²⁴¹

Over 2,000 fail to vote Due to lack of proper information about Identity Cards

Many voters are not aware of the permitted identity cards apart from voter identity card to cast the vote on the polling day by the Election Commission and are not going inside the polling

²³⁹ www.thehindu.com, May 30, 2008

²⁴⁰ www.hindu.com, May 30, 2008.

²⁴¹ www.hindu.com, May 31, 2008.

booth to cast their vote because they thought that without voter identity card they are not allowed to cast their vote. So, there is need to create awareness among the voters about the permitted identity cards to cast their vote by the election authorities. More than 2,000 voters could not exercise their franchise on April 16, 2009 in 197 polling stations in the entire Assembly segment of Rampachodavaram of East Godavari district as the polling officials or administration failed to explain them in advance that any of the 16 identity cards can be considered to cast vote. From Rampachodavaram to Gurthedu about 100 to 150 tribals said that they had ration cards and last time voting cards, but no one outside polling station told them whether they could vote with that card or not. Particularly, in front of Daragadda, Aakumamidi Thota, Bodlanka and Gurthedu polling stations a number of tribals went back without casting their vote in the first hour. “Our people from Boddagandi, Bobbilova, Jajivalasa, Lingavaram, Polova, Chaparai and Jalagalova villages returned without casting their vote,” said Kondla Swami Reddy of Jajivalasa, Andela Ramaiah of Bobbilova and Pallam Mangi Reddy of Chaparai and Bonangi Trinath of Godugu Mamidi. All these voters walked 5 km to 15 km to reach their polling booths.²⁴²

Polling Stations located at faraway places

Due to the location of polling stations at faraway places to their villages many voters faced a lot of problems in casting their vote on the polling day. So, there is need to locate the polling stations very nearer to the villages and enable all the voters to cast their right. Forty voters in the remote tribal hamlet of Gandibandala on the Andhra Pradesh-Orissa border had to trek a distance of 50 km to cast their vote on April 16, 2009. They began their day by starting at 4 a.m. to reach Boitali in G. Madugula mandal of Visakhapatnam district at 9 a.m., reflecting their enthusiasm to take part in voting.

Despite the poll boycott call and two-day bandh called by the CPI (Maoist) who have a sway over several hamlets in the agency areas in the district forming part of Eastern Ghats, the tribals including women and the aged trekked long distances in G. Madugula, GK Veedhi, Chintapalle, Koyyuru and other mandals, braving all odds.

²⁴² www.thehindu.com, April 17, 2009

Of the 1,500-odd voters, 50 per cent trekked hilly terrain, traversing a distance of 22 km in three hours to reach Gulelu polling station from Bangaram panchayat in Pedabayalu mandal. Lombaru Appalaraju, a resident of Boitali, said several tribals were put to hardship by being made to walk long distances to cast their vote. Sarpanch Kidari Bhimbabu said that instead of allotting Goraneerudu polling station, some 1,500 of nearby Kunturla panchayat should have been permitted to vote at the Boraneerudu booth to avoid walking a long distance.²⁴³

"Vote veyyadumu ma janma hakku" (voting is our birth right), said Gaduta Ram Padal, a girijan farmer, after voting at Chaparaki, trekking five kilometres, on April 20. Many other girijans like Padal were keen to vote, ignoring the PW's boycott-poll call at GK Veedhi, Chintapalli, Koyyuru, Sileru and other mandals. The voters of Gorligunde, Bojjulabanda, Godampalli, Yegulam, Chagerpalli, Panasaladdu and Kotapanta of Visakhapatnam District trekked 10 to 12 km. to reach RV Nagar to vote.²⁴⁴

Voters run around to identify polling stations

At the time of voting voters had to run from polling station to polling station to cast their vote because of lack of information about the polling station where they have to cast their vote. So, there is need to provide information about the polling booth to all the voters one day before the polling day. An instance was that of 81-year-old Aryadevi originally from Vijayawada but a resident of Jubilee Hills for the last 12 years. But when polling officers could not find her name in the list, she was told to try other polling stations in the vicinity. In Banjara and Jubilee Hills many voters many were angry as they had tough time locating the correct polling station with no voter's slips delivered to them beforehand.

Another instance was that Seventy-five-year-old P.V.Murthy and his wife Ramani were exasperated that they had been running around checking for the polling station in which they could vote. "We have been to five polling stations but could not find our names . What is the use of these ID cards then? When we are residing in Jubilee Hills how come our names are not listed in polling stations in this area?" he asked. Some voters suggested that if names are missing in one list, then there is another amended list. But the polling officers were not showing it to voters

²⁴³ www.thehindu.com, April 17, 2009

²⁴⁴ www.thehindu.com, April 21, 2004

unless they insisted, they said. The polling officers added to the confusion in some booths at Padmavathinagar, Borabanda, Polling Station No.410. Even as polling agents were drawing attention that there is amended list, a polling officer said they could not allow one to vote if the name was not in the list they have.²⁴⁵

Election Commission faces problems from boycott calls

The Election Commission could not conduct elections because of the boycott calls given by some voters in the state. Political parties after forming the government should satisfy each and every villager in terms of fulfilling promises and developing the villages so that the villagers will not express discontentment towards the parties and candidates and show interest in participating the election process. About 1,000 voters of this tiny village in P.A. Pally mandal of Nalgonda District boycotted polling on 20th April, 2004 protesting against the delay in the Government providing a rehabilitating package for them. Almost all houses in the village are almost inundated with water seeping in from the nearby Akkampally Balancing Reservoir, from where water is being supplied to the twin cities. The walls and floors are always wet due to the impact of the leakage of water. "Already more than 100 houses caved in due to the seepage. We have sleepless nights fearing collapse of the roofs," said one villager. About 270 families live in the village. The villagers also said that the Government had even ignored the recommendation by revenue officials. "The RDO inspected our houses and said we deserved rehabilitation but till date nobody visited us," another villager lamented. "No leader has visited our village during the campaign. Hence, we have decided to boycott the poll to teach a lesson to the politicians and officials," a woman said.²⁴⁶

The tribals of Kondai, Malyala, Dondla, Ilapur, Chityala, Bhupathipuram and several other hamlets located far from the Eturunagaram mandal of Warangal District have decided to boycott the polls. They stated that they do not know that they can fight and get a bridge over the Kondai rivulet or what the ITDA is meant for. All put together, there are 1,110 votes. An elderly person of Kondai hamlet says "Until the candidate comes here and promises the bridge, we want to boycott the polls this time. As a result of overflow, we are losing crops in more than 100

²⁴⁵ www.thehindu.com, May 30, 2008

²⁴⁶ www.thehindu.com, April 21, 2004

acres."²⁴⁷ In Nandigama village of Kollapur Assembly segment of Mahabubnagar District voters boycotted the polling till noon complaining that no developmental works were being implemented. In Nandaram village of Kodangal constituency of Mahabubnagar District, the entire village boycotted the polling alleging that 200 eligible persons could not find place in the voters list.²⁴⁸

Misuse of government machinery by the Party in Power

The Election Commission found that the party in power had misused the government vehicles and public places like secretariat. There is need to impose president's rule in the states so that the party in power will have no chance of misusing the official machinery. A former Congress legislator was said to have complained that only Congress sympathisers were being targeted. He was, however, assured that others too would be taken in.²⁴⁹ The former Leader of Opposition, Y.S. Rajasekhara Reddy, has accused the ruling party (TDP) of deliberately tampering the "ballot papers" on the Electronic Voting Machines to scuttle the chances of the Opposition in the elections. He said the TD Government had prompted the printing in a manner as to benefit out of the poor display of rivals symbols. At no time in independent India could one recall such an instance where so glaringly a scheme was engineered in favour of the ruling party, he said.²⁵⁰

The Andhra Pradesh Congress Committee (APCC) has complained to the Election Commission about the alleged "manipulation" in the software of the Electronic Voting Machines (EVMs) in favour of Telugu Desam Party (TDP) and wanted the EC to take the necessary steps to ensure a free and fair poll. K. Keshava Rao, APCC spokesman, said the party sent the letter received from an election officer of Polytechnic College at Ramanthapur here. The officer pointed to the alleged manipulation ensuring that after 75 votes were polled against TDP, the remaining would be diverted in its favour automatically. He said this was detected during a demonstration of EVMs. When it was brought to the notice of the District Returning Officer, the officer was

²⁴⁷ www.thehindu.com, April 17, 2004

²⁴⁸ www.thehindu.com, April 21, 2004

²⁴⁹ www.thehindu.com, April 29, 2004

²⁵⁰ www.thehindu.com, April 19, 2004

admonished and asked not to leak the news. "It is a shocking development and the Chief Electoral Officer should see that no party takes advantage".²⁵¹

The AICC general secretary and in-charge of party affairs in Andhra Pradesh, Ghulam Nabi Azad, on April 23, 2004 said that he was still sceptical that the Chief Minister, N. Chandrababu Naidu, might "play another mischief" to subvert the polls. Any attempt on the part of the State Government to rig the election by unfair means will have dire consequences, he warned and urged the various Government agencies involved in the poll process not to "oblige" the State Government and land in trouble. To substantiate his charge Mr. Azad cited two instances of 'mischief' sought to be played by Mr. Naidu. One the TDP's 'initial attempt' to enrol around 1.2 crore bogus voters. Another, he alleged, was with regard to the printing of party symbols on the Electronic Voting Machines (EVMs). He said the TDP Government got the party symbols to be affixed on the EVM's, printed in Government-owned printing press and bigger in size than the others. This act of the State Government was highly condemnable, Mr. Azad charged. He said initially the media and later the Congress State party leaders took up the issue with the State Election Commissioner who intervened in time to set things right. "I am still sceptical that Mr. Naidu will have another trick up his sleeve," he said and urged the media, voters and the EC to be vigilant.²⁵²

The Telugu Desam Party sought action against police for illegally detaining 12 contesting candidates in the Jadcherla Assembly constituency. These candidates were contesting demanding justice for farmers of Polepalli who lost their lands to the Special Economic Zone. In a memorandum to CEO I.V. Subba Rao, TDP general secretary M.A. Shariff recalled Saturday's events when candidates were allegedly detained for several hours . He said police were acting at the behest of ruling party (Congress Party).²⁵³ The Telugu Desam Party has sought action by the Chief Election Commissioner against Chief Minister Y.S. Rajasekhara Reddy and the Vice-Chairman and Managing Director of APSRTC for violating the model code of conduct by utilising the facilities provided by the public undertaking. In a letter to the CEC, M. A. Shariff, the TDP general secretary, demanded the prosecution of the two in accordance with the

²⁵¹ www.thehindu.com, April 20, 2004.

²⁵² www.thehindu.com, April 24, 2004.

²⁵³ www.thehindu.com, May 26, 2008.

Representation of People's Act. Mr. Shariff contended that provision of a bullet-proof bus by APSRTC to Dr. Reddy, and its use by him, amounted to the misuse of official machinery and the violation of the code.²⁵⁴

The TDP complained to the state election commission that chief minister Y S Rajasekhara Reddy violated the model code of conduct by holding a press conference in the state secretariat in which he made political comments. Rajasekhara Reddy had questioned the credibility of former chief minister N Chandrababu Naidu and said that no one will believe his promises. He had said that Naidu had backstabbed not only his father-in-law N T Ramarao but the people of the state as well by doing away with schemes like total prohibition and Rs 2-a-kg rice scheme. Taking strong objection to this, TDP leader G Muddukrishnamma Naidu said that the chief minister had misused the state secretariat for poll campaign. CEO I V Subba Rao said he would examine the matter after examining the text of the chief minister's statement. The TDP also brought the matter to the notice of the task force headed by former election commissioner K J Rao.²⁵⁵

Summing up:

Despite some failures like not updating electoral rolls accurately, location of polling booths at faraway places the Election Commission has conducted elections effectively in the state of Andhra Pradesh and gave no scope for major problems like booth-capturing, rigging and pouring of ink into the ballot boxes. The Election Commission has rejected various nominations on various grounds and has disqualified some contestants for not submitting election expenditure details during the previous elections. The Commission had also removed top police official (Director-General of Police) for praising the Chief Minister Dr. Y.S.Rajasekhara Reddy of Indian National Congress party in 2009.

The Election Commission had to a large extent stopped the illegal distribution of cash to the voters by conducting checks and raids. The Commission has given clearance to the government to implement certain schemes like NREGP and Rythu Chaitanya yatras keeping in view the

²⁵⁴ www.thehindu.com, May 27, 2008.

²⁵⁵ www.thetimesofindia.com, March 7, 2009

welfare of the people. The Election Commission had checked the misuse of official machinery and position by the ruling party by issuing notices to the violators. The Election Commission issued notice to Finance Minister K. Rosaiah of Congress party for his announcement at a press conference that a scheme was on the anvil to control prices of essential commodities. The EC sought an explanation from the Congress party candidate Konda Surekha who held an election meeting to campaign for Hanamkonda Lok Sabha constituency, in the premises of a government school at Julywada after a complaint was made by the Telugu Desam Party. The Commission also served notices to Home Minister K. Jana Reddy and Major Irrigation Minister Ponnala Lakshmaiah of Congress party for participating in the meeting. Three Leaders have replied that they are not aware of the location of Government School. The EC issued final orders over the replies submitted by Ministers K. Jana Reddy (Home Minister), Konda Surekha and P. Lakshmaiah (Minister for Major Irrigation) with regard to the code violation indulged in by them, “advising” them to “be cautious” in future so that there would not be any scope for complaint.

The Election Commission has served a notice on Chief Minister Y. S. Rajasekhara Reddy of Congress party for violating the model code of conduct by addressing an election meeting in a Government junior college at Khanapur in Adilabad district on May 17. The Commission had asked him to be careful in future and should not violate any provision of the code. The Election Commission issued a notice to former Andhra Pradesh Chief Minister Chandrababu Naidu of Telugu Desam Party for violating the model code of conduct by holding a public meeting beyond 10 p.m. on May 19. The TDP president, in his reply to the Election Commission’s notice, explained that his meeting was attended by only 150-200 people and he had used only a hand-held mike and not loud speakers. The EC cautioned Mr. Naidu to be more careful in future so that there would be neither violation of its standing orders nor scope for any complaint.

CHAPTER IV

The Perceptions of experts and Politicians on the Election Commission

Introduction:

In the fourth chapter, the opinions of politicians and experts are included. A Questionnaire is prepared and the data is collected by conducting the personal Interviews. The Questionnaire contained various questions including Whether the Election Commission has to be a single-member body or Multi-member body, Whether the Election Commission should have separate staff or not for discharging its duties, Which one is better for voting whether the Electronic Voting Machine (EVM) or Ballot paper, Whether the President's rule should be imposed at the centre and in the states during the time of election and so on. Non-random sampling method is used in selecting the respondents. 20 per cent of the respondents are MLAs (Members of Legislative Assembly), 10 per cent of the respondents are M.Ps (Members of Parliament), 30 per cent of the respondents are village Sarpanches, 2 per cent of the respondents are Election Commissioners, 18 per cent of the respondents are academicians and 20 per cent of the respondents are Research scholars.

Table 1

Opinions of all the respondents on whether the Election Commission should be a single-member body or multiple-member body

S. No	Opinion	No. of respondents
1	Multi-member body	70 (70%)
2	Single-member body	30 (30%)
		100 (100%) total respondents

In the table 1, the opinions expressed by the respondents on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that 70 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member body because if there are more members the entire work can be divided among the

members and be done easily. Another 30 percent of the respondents have expressed that the Election Commission should be a single-member body because the difference of opinion will not arise in the decision making on various aspects like number of phases, dates of conducting elections and so on.

Table 1.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of MLAs	No. of respondents
1	Multi-member body	14 (70%)
2	Single-member body	06 (30%)
		20 (100%) Total respondents

In the table 1.i, the opinions expressed by M.L.As on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that 70 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member body. Another 30 percent of the respondents have expressed that the Election Commission should be a single-member body.

Table1.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Multi-member body	5 (50%)
2	Single-member body	5 (50%)
		10 (100%) total respondents

In the table 1.ii, the opinions expressed by M.Ps on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that 50 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member

body. Another 50 percent of the respondents have expressed that the Election Commission should be a single-member body.

Table1.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Multi-member body	20 (66.67%)
2	Single-member body	10 (33.33%)
		30 (100%) total respondents

In the table 1.iii, the opinions expressed by Sarpanches on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that about 66 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member body. Another 33 percent of the respondents have expressed that the Election Commission should be a single-member body.

Table 1.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Multi-member body	15 (83.33%)
2	Single-member body	03 (16.67%)
		18 (100%) total respondents

In the table 1.iv, the opinions expressed by Academicians on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that about 83 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member body. Another 16 percent of the respondents have expressed that the Election Commission should be a single-member body.

Table 1.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Multi-member body	15 (75%)
2	Single-member body	05 (25%)
		20 (100%) total respondents

In the table 1.v, the opinions expressed by Research Scholars on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that 75 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member body. Another 25 percent of the respondents have expressed that the Election Commission should be a single-member body.

Table 1.vi

Opinions of only Election Commissioners are shown below.

S. No	Opinion of Election Commissioners	No. of respondents
1	Multi-member body	1 (50%)
2	Single-member body	1 (50%)
		2 (100%) total respondents

In the table 1.vi, the opinions expressed by Election Commissioners on whether the Election Commission should be a single-member body or multiple-member body are shown. It shows that 50 per cent of the respondents have expressed that the Election Commission of India should be a multiple-member body. Another 50 percent of the respondents have expressed that the Election Commission should be a single-member body.

Table-2

Opinions of all the respondents on whether the Election Commission should have separate staff or not for discharging its duties

S. No	Opinion	No. of respondents
1	Should have separate staff	80 (80%)
2	Need not to have separate staff	20 (20%)
		100 (100%) total respondents

In the table 2, the opinions of the respondents on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that 80% of the respondents have expressed the view that the Election Commission should have the separate staff so that updating of electoral rolls can be done in time and proper training can be given to the voters on how to cast their vote. Another 20% have expressed the opinion that the Election Commission need not to have the separate staff because of the absence of work regularly as the elections are held only once for every five years and there will be heavy financial burden.

Table 2.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Should have separate staff	16 (80%)
2	Need not to have separate staff	04 (20%)
		20 (100%) total respondents

In the table 2.i, the opinions of the M.L.As on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that 80% of the respondents have expressed the view that the Election Commission should have the separate staff. Another 20% have expressed the opinion that the Election Commission need not to have the separate staff.

Table 2.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Should have separate staff	07 (70%)
2	Need not to have separate staff	03 (30%)
		10 (100%) total respondents

In the table 2.ii, the opinions of the M.Ps on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that 70% of the respondents have expressed the view that the Election Commission should have the separate staff. Another 30% have expressed the opinion that the Election Commission need not to have the separate staff.

Table 2.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Should have separate staff	25 (83.33%)
2	Need not to have separate staff	05 (16.67%)
		30 (100%) total respondents

In the table 2.iii, the opinions of the Sarpanches on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that about 83% of the respondents have expressed the view that the Election Commission should have the separate staff. Another 16% have expressed the opinion that the Election Commission need not to have the separate staff.

Table 2.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	Should have separate staff	15 (83.33%)
2	Need not to have separate staff	03 (16.67%)
		18 (100%) total respondents

In the table 2.i, the opinions of the Academicians on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that about 83% of the respondents have expressed the view that the Election Commission should have the separate staff. Another 16% have expressed the opinion that the Election Commission need not to have the separate staff.

Table 2.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	Should have separate staff	16 (80%)
2	Need not to have separate staff	04 (20%)
		20 (100%) total respondents

In the table 2.v, the opinions of the M.L.As on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that 80% of the respondents have expressed the view that the Election Commission should have the separate staff. Another 20% have expressed the opinion that the Election Commission need not to have the separate staff.

Table 2.vi

Opinions of only Election Commissioners are shown below.

S. No	Opinion of Election Commissioners	No. of respondents
1	Should have separate staff	01 (50%)
2	Need not to have separate staff	01 (50%)
		02(100%) total respondents

In the table 2.vi, the opinions of the Election Commissioners on whether the Election Commission should have separate staff or not for discharging its duties are shown. It shows that 50% of the respondents have expressed the view that the Election Commission should have the separate staff. Another 50% have expressed the opinion that the Election Commission need not to have the separate staff.

Table 3

Opinions of all the respondents on which one is better for voting whether the Electronic Voting Machine or ballot paper

S. No	Opinion	No. of respondents
1	Electronic Voting Machine	60 (60%)
2	Ballot paper	40 (40%)
		100 (100%) total respondents

In the table 3, the opinions of the respondents on the question that which one is better for voting whether the Electronic Voting Machine or ballot paper are shown. It shows that 60 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting because it takes very less time for voting through EVM and there is no scope for manipulation. The remaining 40 per cent of the respondents have expressed the view that ballot paper is better for voting because illiterate voters can cast their vote comfortably.

Table 3.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	Electronic Voting Machine	15 (75%)
2	Ballot paper	05 (25%)
		20 (100%) total respondents

In the table 3.i, the opinions of the M.L.As on the question that which one is better for voting whether the Electronic Voting Machine or ballot paper are shown. It shows that 60 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting. The remaining 40 per cent of the respondents have expressed the view that ballot paper is better for voting.

Table 3.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	Electronic Voting Machine	05 (50%)
2	Ballot paper	05 (50%)
		10 (100%) total respondents

In the table 3.ii, the opinions of the M.Ps on the question that which one is better for voting whether the Electronic Voting Machine or ballot paper are shown. It shows that 50 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting. The remaining 50 per cent of the respondents have expressed the view that ballot paper is better for voting.

Table 3.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	Electronic Voting Machine	17 (56.67 %)
2	Ballot paper	13 (43.33 %)
		30 (100%) total respondents

In the table 3.iii, the opinions of the Sarpanches on the question that which one is better for voting whether the Electronic Voting Machine or ballot paper are shown. It shows that about 56 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting. The remaining 43 per cent of the respondents have expressed the view that ballot paper is better for voting.

Table 3.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	Electronic Voting Machine	10 (55.56)
2	Ballot paper	08 (44.44)
		18 (100%) total respondents

In the table 3.iv, the opinions of the Academicians on the question that which one is better for voting whether the Electronic Voting Machine or ballot papers are shown. It shows that about 55 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting. The remaining 44 per cent of the respondents have expressed the view that ballot paper is better for voting.

Table 3.v Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	Electronic Voting Machine	12 (60%)
2	Ballot paper	08 (40%)
		20 (100%) total respondents

In the table 3.v, the opinions of the Research Scholars on the question that which one is better for voting whether the Electronic Voting Machine or ballot papers are shown. It shows that 60 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting. The remaining 40 per cent of the respondents have expressed the view that ballot paper is better for voting.

Table 3.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Electronic Voting Machine	01 (50%)
2	Ballot paper	01 (50%)
		02 (100%) total respondents

In the table 3.vi, the opinions of the Election Commissioners on the question that which one is better for voting whether the Electronic Voting Machine or ballot papers are shown. It shows that 50 per cent of the respondents have expressed the opinion that Electronic voting machine is better for voting. The remaining 50 per cent of the respondents have expressed the view that ballot paper is better for voting.

Table-4

Opinions of all the respondents on whether the President's rule should be imposed at the Centre and in the States during the time of elections

S. No	Opinion	No. of respondents
1	President's rule should be imposed	70 (70%)
2	President's rule should not be imposed	30 (30%)
		100 (100%) total respondents

In the table-4, the opinions of the respondents on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that 70 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections so that the party in power will have no scope for utilizing government machinery. And the remaining 30 per cent have expressed the opinion that President's rule should not be imposed during the time of election because the right of the ruling party is taken away by the president's rule.

Table 4.i

Opinions of Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	President's rule should be imposed	15 (75%)
2	President's rule should not be imposed	05 (25%)
		20 (100%) total respondents

In the table-4.i, the opinions of the M.L.As on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that 75 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections. And the remaining 25 per cent have expressed the opinion that President's rule should not be imposed during the time of election.

Table 4.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	President's rule should be imposed	06 (60%)
2	President's rule should not be imposed	04 (40%)
		10 (100%) total respondents

In the table-4.ii, the opinions of the M.Ps on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that 60 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections. And the remaining 40 per cent have expressed the opinion that President's rule should not be imposed during the time of election.

Table 4.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	President's rule should be imposed	23 (76.67%)
2	President's rule should not be imposed	07 (23.33%)
		30 (100%) total respondents

In the table-4.iii, the opinions of the Sarpanches on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that about 76 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections. And the remaining 23 per cent have expressed the opinion that President's rule should not be imposed during the time of election.

Table-4.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	President's rule should be imposed	12 (66.67%)
2	President's rule should not be imposed	06 (33.33%)
		18 (100%) total respondents

In the table-4.iv, the opinions of the Academicians on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that about 66 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections. And the remaining 33 per cent have expressed the opinion that President's rule should not be imposed during the time of election.

Table 4.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	President's rule should be imposed	13 (65%)
2	President's rule should not be imposed	07 (35%)
		20 (100%) total respondents

In the table-4.v, the opinions of the Research Scholars on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that 65 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections. And the remaining 35 per cent have expressed the opinion that President's rule should not be imposed during the time of election.

Table 4.vi

Opinions of only Election Commissioners are shown below

S. No	Opinion of Election Commissioners	No. of respondents
1	President's rule should be imposed	01 (50%)
2	President's rule should not be imposed	01 (50%)
		02 (100%) total respondents

In the table-4.vi, the opinions of the Election Commissioners on whether the President's rule should be imposed at the Centre and in the States during the time of elections are shown. It shows that 50 per cent of the respondents have expressed the view that President's rule should be imposed during the time of elections. And the remaining 50 per cent have expressed the opinion that President's rule should not be imposed during the time of election.

Table 5

Opinions of all the respondents whether the power of deregistration of Political Parties should be given to the Election Commission

S. No	Opinion	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	60 (60%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	40 (40%)
		100 (100%) total respondents

In the table-5, the opinions of all the respondents about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that 60 per cent of the respondents have expressed the opinion that the power of deregistration of political parties should be given to the Election Commission so that the leaders of various Political Parties will strictly obey the rules and decisions of The Election Commission. Another 40 per cent of the respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission because the party system will not sustain in the country.

Table 5.i

Opinions of Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	12 (60%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	08 (40%)
		20 (100%) total respondents

In the table-5.i, the opinions of the M.L.As about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that 60 per cent of the respondents have expressed the opinion that the power of deregistration should be given to the Election Commission. Another 40 per cent of the respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission.

Table 5.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	06 (60%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	04 (40%)
		10 (100%) total respondents

In the table-5.ii, the opinions of the M.Ps about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that 60 per cent of the respondents have expressed the opinion that the power of deregistration should be given to the Election Commission. Another 40 per cent of the respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission.

Table 5.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	20 (66.67%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	10 (33.33%)
		30 (100%) total respondents

In the table-5.iii, the opinions of the Sarpanches about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that about 66 per cent of the respondents have expressed the opinion that the power of deregistration should be given to the Election Commission. Another 33 per cent of the respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission.

Table 5.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	10 (55.56%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	08 (44.44%)
		18 (100%) total respondents

In the table 5.iv, the opinions of the Academicians about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that about 55 per cent of the respondents have expressed the opinion that the power of deregistration should be given to the Election Commission. Another 44 per cent of the respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission.

Table 5.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	11 (55%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	09 (45%)
		20 (100%) total respondents

In the table-5.v, the opinions of the Research Scholars about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that 55 per cent of the respondents have expressed the opinion that the power of deregistration should be given to the Election Commission. Another 45 per cent of the respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission.

Table 5.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Power of deregistration of Political Parties should be given to the Election Commission	01 (50%)
2	Power of deregistration of Political Parties should not be given to the Election Commission	01 (50%)
		02 (100%) total respondents

In the table-5.vi, the opinions of the Election Commissioners about whether the power of deregistration of Political Parties should be given to the Election Commission are shown. It shows that 50 per cent of the respondents have expressed the opinion that the power of deregistration should be given to the Election Commission. Another 50 per cent of the

respondents have expressed the view that the power of deregistration of Political Parties should not be given to the Election Commission.

Table-6

Opinions of all the respondents on who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services

S. No	Opinion	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	40 (40%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	60 (60%)
		100 (100%) total respondents

In the table-6, the opinions of the respondents about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that 40 per cent of the respondents have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners as the judges will have good knowledge on various rules, acts and laws relating to the elections. And the remaining 60 per cent of the respondents have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India because these officers will have good rapport with the staff and can implement rules very effectively.

Table 6.i Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	10 (50%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	10 (50%)
		20 (100%) total respondents

In the table-6, the opinions of the M.L.As about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that 50 per cent of the respondents have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners. And the remaining 50 per cent of the respondents have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India.

Table 6.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	04 (40%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	06 (60%)
		10 (100%) total respondents

In the table 6.ii, the opinions of the M.Ps about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that 40 per cent of the respondents have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners. And the remaining 60 per cent of the respondents have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India.

Table 6.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	10 (33.33%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	20 (66.67%)
		30 (100%) total respondents

In the table-6.iii, the opinions of the Sarpanches about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that about 33 per cent of the respondents have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners. And the remaining 66 per cent of the respondents have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India.

Table 6.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	05 (27.78%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	13 (72.22%)
		18 (100%) total respondents

In the table-6.iv, the opinions of the Academicians about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that about 27 per cent of the respondents have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners.

And the remaining 72 per cent of the respondents have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India.

Table 6.v Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	10 (50%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	10 (50%)
		20 (100%) total respondents

In the table-6.v, the opinions of the Research Scholars about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that 50 per cent of the respondents have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners. And the remaining 50 per cent of the respondents have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India.

Table 6.vi Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Only Supreme Court Judges should be appointed as the Election Commissioners	01 (50%)
2	Only Officers of All-India Services should be appointed as the Election Commissioners	01 (50%)
		02 (100%) total respondents

In the table-6, the opinions of the Election Commissioners about who should be appointed as the Election Commissioners in India whether the Supreme Court judges or the officers of all-India services are shown. It shows that 50 per cent of Former Election Commissioners have expressed the opinion that only Supreme Court judges should be appointed as the Election Commissioners. And the remaining 50 per cent have expressed the view that only officers of all-India services should be appointed as the Election Commissioners in India.

Table-7

Opinions of all the respondents on the need to introduce state-funding of elections in India are shown below.

S. No	Opinion	No. of respondents
1	State-funding of elections should be introduced in India	80 (80%)
2	State-funding of elections should not be introduced in India	20 (20%)
		100 (100%) total respondents

In the table-7, the opinions of the respondents on the question that Is there need to introduce state-funding of elections in India are shown. It shows that 80 per cent of the respondents have expressed the opinion that the state-funding of elections should be introduced in India so that the economically poor people will come forward to contest in the elections and will have chance to become members of legislative bodies. The remaining 20 per cent of the respondents have expressed the view that the state-funding of elections should not be introduced in India because everyone will show interest to contest in the election and the task of conducting elections becomes very difficult for the Election Commission.

Table 7.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	State-funding of elections should be introduced in India	16 (80%)
2	State-funding of elections should not be introduced in India	04 (20%)
		20 (100%) total respondents

In the table-7.i, the opinions of the M.L.As on the question that is there need to introduce state-funding of elections in India are shown. It shows that 80 per cent of the MLAs have expressed the opinion that the state-funding of elections should be introduced in India. The remaining 20 per cent of the MLAs have expressed the view that the state-funding of elections should not be introduced in India.

Table 7.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	State-funding of elections should be introduced in India	07 (70%)
2	State-funding of elections should not be introduced in India	03 (30%)
		10 (100%) total respondents

In the table-7.ii, the opinions of the M.Ps on the question that is there need to introduce state-funding of elections in India are shown. It shows that 70 per cent of the M.Ps have expressed the opinion that the state-funding of elections should be introduced in India. The remaining 30 per cent of the MPs have expressed the view that the state-funding of elections should not be introduced in India.

Table 7.iii Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	State-funding of elections should be introduced in India	25 (83.33%)
2	State-funding of elections should not be introduced in India	05 (16.67%)
		30 (100%) total respondents

In the table-7.iii, the opinions of the Sarpanches on the question that is there need to introduce state-funding of elections in India are shown. It shows that about 83 per cent of the Sarpanches have expressed the opinion that the state-funding of elections should be introduced in India. The remaining 16 per cent of the Sarpanches have expressed the view that the state-funding of elections should not be introduced in India.

Table 7.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	State-funding of elections should be introduced in India	15 (83.33%)
2	State-funding of elections should not be introduced in India	03 (16.67%)
		18 (100%) total respondents

In the table 7.iv, the opinions of the Academicians on the question that is there need to introduce state-funding of elections in India are shown. It shows that about 83 per cent of the academicians have expressed the opinion that the state-funding of elections should be introduced in India. The remaining 16 per cent of the academicians have expressed the view that the state-funding of elections should not be introduced in India.

Table 7.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	State-funding of elections should be introduced in India	16 (80%)
2	State-funding of elections should not be introduced in India	04 (20%)
		20 (100%) total respondents

In the table-7.v, the opinions of the Research Scholars on the question that Is there need to introduce state-funding of elections in India are shown. It shows that 80 per cent of the Research Scholars have expressed the opinion that the state-funding of elections should be introduced in India. The remaining 20 per cent of the Research Scholars have expressed the view that the state-funding of elections should not be introduced in India.

Table 7.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of former Election Commissioners	No. of respondents
1	State-funding of elections should be introduced in India	01 (50%)
2	State-funding of elections should not be introduced in India	01 (50%)
		02 (100%) total respondents

In the table-7.vi, the opinions of the Election Commissioners on the question that Is there need to introduce state-funding of elections in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that the state-funding of elections should be introduced in India. The remaining 50 per cent of the former Election Commissioners have expressed the view that the state-funding of elections should not be introduced in India.

Table 8

Opinions of only all the respondents whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections

S. No	Opinion	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	60 (60%)
2	The use of money by the contesting candidates and Political Parties should not be banned	40(40%)
		100 (100%) total respondents

In the table-8, the opinions of the respondents about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections are shown. It shows that 60 per cent of the respondents have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned so that the malpractices like distributing money to voters will come to an end during the time of elections. the remaining 40 per cent of the respondents have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned so that the contesting candidates will have good scope to campaign well and develop good rapport with people.

Table 8.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	12 (60%)
2	The use of money by the contesting candidates and Political Parties should not be banned	08(40%)
		20 (100%) total respondents

In the table-8.i, the opinions of the M.L.As about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections are shown. It shows that 60 per cent of the M.L.As have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned. The remaining 40 per cent of the M.L.As have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned.

Table 8.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	06 (60%)
2	The use of money by the contesting candidates and Political Parties should not be banned	04(40%)
		10 (100%) total respondents

In the table 8.ii, the opinions of the M.Ps about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections are shown. It shows that 60 per cent of the M.Ps have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned. The remaining 40 per cent of the M.Ps have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned.

Table 8.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	20 (66.67%)
2	The use of money by the contesting candidates and Political Parties should not be banned	10(33.33%)
		30 (100%) total respondents

In the table-8.iii, the opinions of the Sarpanches about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections are shown. It shows that about 66 per cent of the sarpanches have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned. The remaining 33 per cent of the saepanches have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned.

Table 8.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	10 (55.56%)
2	The use of money by the contesting candidates and Political Parties should not be banned	08(44.44%)
		18 (100%) total respondents

In the table-8.iv, the opinions of the Academicians about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections

are shown. It shows that about 55 per cent of the academicians have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned. The remaining 44 per cent of the academicians have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned.

Table 8.v Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	11 (55%)
2	The use of money by the contesting candidates and Political Parties should not be banned	09(45%)
		20 (100%) total respondents

In the table 8.v, the opinions of the Research Scholars about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections are shown. It shows that 55 per cent of the Research Scholars have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned. The remaining 45 per cent of the Research Scholars have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned.

Table 8.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No. of respondents
1	The use of money by the contesting candidates and Political Parties should be banned during the time of elections	01 (50%)
2	The use of money by the contesting candidates and Political Parties should not be banned	01 (50%)
		02 (100%) total respondents

In the table 8.vi, the opinions of the Election Commissioners about whether the use of money by the contesting candidates and Political Parties should be banned or not during the time of elections are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that the use of money by the contesting candidates and Political Parties should be banned. The remaining 50 per cent of the former Election Commissioners have expressed the view that the use of money by the contesting candidates and Political Parties should not be banned.

Table-9

Opinions of all the respondents about whether the compulsory voting should be introduced or not in India

S. No	Opinion	No. of respondents
1	Compulsory voting should be introduced	20 (20%)
2	Compulsory voting should not be introduced	80 (80%)
		100 (100%) total respondents

In the table-9, the opinions of the respondents about whether the compulsory voting should be introduced or not in India are shown. It shows that 20 per cent of the respondents have expressed the opinion that compulsory voting should be introduced in India so that every voter will cast his vote without fail during the time of elections. And the remaining 80 per cent of the respondents have expressed the view that compulsory voting should not be introduced in India because in a democratic country like India rights guaranteed to the citizens will get affected.

Table 9.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Compulsory voting should be introduced	04 (20%)
2	Compulsory voting should not be introduced	16 (80%)
		20 (100%) total respondents

In the table-9.i, the opinions of the M.L.As about whether the compulsory voting should be introduced or not in India are shown. It shows that 20 per cent of the M.L.As have expressed the opinion that compulsory voting should be introduced in India. And the remaining 80 per cent of the M.L.As have expressed the view that compulsory voting should not be introduced in India.

Table 9.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Compulsory voting should be introduced	02 (20%)
2	Compulsory voting should not be introduced	08 (80%)
		10 (100%) total respondents

In the table 9.ii, the opinions of the M.Ps about whether the compulsory voting should be introduced or not in India are shown. It shows that 20 per cent of the M.Ps have expressed the opinion that compulsory voting should be introduced in India. And the remaining 80 per cent of the M.Ps have expressed the view that compulsory voting should not be introduced in India.

Table 9.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Compulsory voting should be introduced	08 (26.67%)
2	Compulsory voting should not be introduced	22 (73.33%)
		30 (100%) total respondents

In the table 9.iii, the opinions of the Sarpanches about whether the compulsory voting should be introduced or not in India are shown. It shows that about 20 per cent of the sarpanches have expressed the opinion that compulsory voting should be introduced in India. And the remaining 73 per cent of the sarpanches have expressed the view that compulsory voting should not be introduced in India.

Table-9.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Compulsory voting should be introduced	03 (16.67%)
2	Compulsory voting should not be introduced	15 (83.33%)
		18 (100%) total respondents

In the table-9.iv, the opinions of the Academicians about whether the compulsory voting should be introduced or not in India are shown. It shows that about 16 per cent of the academicians have expressed the opinion that compulsory voting should be introduced in India. And the remaining 83 per cent of the academicians have expressed the view that compulsory voting should not be introduced in India.

Table-9.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Compulsory voting should be introduced	02 (10%)
2	Compulsory voting should not be introduced	18 (90%)
		20 (100%) total respondents

In the table-9.v, the opinions of the Research Scholars about whether the compulsory voting should be introduced or not in India are shown. It shows that 10 per cent of the Research Scholars have expressed the opinion that compulsory voting should be introduced in India. And the remaining 90 per cent of the Research Scholars have expressed the view that compulsory voting should not be introduced in India.

Table-9.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of former Election Commissioners	No. of respondents
1	Compulsory voting should be introduced	01 (50%)
2	Compulsory voting should not be introduced	01 (50%)
		02 (100%) total respondents

In the table-9.vi, the opinions of the respondents about whether the compulsory voting should be introduced or not in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that compulsory voting should be introduced in India. And the remaining 50 per cent of the former Election Commissioners have expressed the view that compulsory voting should not be introduced in India.

Table-10

Opinions of all the respondents about how much time can be enough for conducting by-elections for the Election Commission

S. No	Opinion	No. of respondents
1	6 months	30 (30%)
2	3 months	40 (40%)
3	1 months	30 (30%)
		100 (100%) total respondents

In the table-10, the opinions of the respondents about how much time can be enough for conducting by-elections for the Election Commission. It shows that 30 per cent of the respondents have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections because updating electoral rolls needs at least four months of time. Another 40 per cent of the respondents have expressed the view that three (3) months of time is enough for the Election Commission for conducting the by-elections because the absence of legislative member will hamper the development of the constituency. And the remaining 30 per cent of the respondents have expressed the opinion that only one (1) month of time is enough for the Election Commission for conducting the by-elections because the problems of the people of the constituency will be aggravated if the period is long.

Table-10.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	6 months	05 (25%)
2	3 months	06 (30%)
3	1 months	09 (45%)
		20 (100%) total respondents

In the table-10.i, the opinions of the M.L.As about how much time can be enough for conducting by-elections for the Election Commission. It shows that 25 per cent of the M.L.As have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections. Another 30 per cent of the M.L.As have expressed the view that three (3) months of time is enough for the Election Commission. And the remaining 45 per cent of the M.L.As have expressed the opinion that only one (1) month of time is enough for the Election Commission for conducting the by-elections.

Table10.ii Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	6 months	02 (20%)
2	3 months	03 (30%)
3	1 months	05 (50%)
		10 (100%) total respondents

In the table-10.ii, the opinions of the M.Ps about how much time can be enough for conducting by-elections for the Election Commission. It shows that 20 per cent of the M.Ps have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections. Another 30 per cent of the M.Ps have expressed the view that three (3) months of time is enough for the Election Commission. And the remaining 50 per cent of the M.Ps have expressed the opinion that only one (1) month of time is enough for the Election Commission for conducting the by-elections.

Table-10.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	6 months	10 (33.33%)
2	3 months	12 (40.00%)
3	1 months	08 (26.67%)
		30 (100%) total respondents

In the table-10.iii, the opinions of the Sarpanches about how much time can be enough for conducting by-elections for the Election Commission. It shows that about 33 per cent of the sarpanches have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections. Another 40 per cent of the sarpanches have expressed the view that three (3) months of time is enough for the Election Commission. And the remaining 26 per cent of the sarpanches have expressed the opinion that only one (1) month of time is enough for the Election Commission for conducting the by-elections.

Table-10.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	6 months	05 (27.78%)
2	3 months	08 (44.44%)
3	1 months	05 (27.78%)
		18 (100%) total respondents

In the table-10.iv, the opinions of the Academicians about how much time can be enough for conducting by-elections for the Election Commission. It shows that about 27 per cent of the academicians have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections. Another 44 per cent of the academicians have expressed the view that three (3) months of time is enough for the Election Commission. And the remaining 27 per cent of the academicians have expressed the opinion that only one (1) month of time is enough for the Election Commission for conducting the by-elections.

Table-10.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	6 months	07 (35%)
2	3 months	10 (50%)
3	1 months	03 (15%)
		20 (100%) total respondents

In the table-10.v, the opinions of the Research Scholars about how much time can be enough for conducting by-elections for the Election Commission. It shows that 35 per cent of the Research Scholars have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections. Another 50 per cent of the Research Scholars have expressed the view that three (3) months of time is enough for the Election Commission. And the remaining 15 per cent of the Research Scholars have expressed the opinion that only one (1) month of time is enough for the Election Commission for conducting the by-elections.

Table-10.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	6 months	01 (50%)
2	3 months	01 (50%)
		02 (100%) total respondents

In the table-10.vi, the opinions of the Election Commissioners about how much time can be enough for conducting by-elections for the Election Commission. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that six (6) months of time is enough for the Election Commission for conducting by-elections. Another 50 per cent of the Former

Election Commissioners have expressed the view that three (3) months of time is enough for the Election Commission.

Table-11

Opinions of all the respondents about what should be the minimum age for voting in India

S. No	Opinion	No. of respondents
1	21 years	30 (30%)
2	20 years	30 (30%)
3	18 years	40 (40%)
		100 (100%) total respondents

In the table-11, the opinions of the respondents about what should be the minimum age for voting in India are shown. It shows that 30 per cent of the respondents have expressed the view that twenty one (21) years should be the minimum age for voting because the citizens will possess good knowledge at this age and choose right person as their representative in the legislative bodies. Another 30 per cent of the respondents have expressed the opinion that twenty (20) years should be the minimum age for voting because the young should be given chance to choose their representatives. And the remaining 40 per cent of the respondents have expressed the opinion that 18 years should be the minimum age for voting in India because the citizens will reach graduation level at this age.

Table-11.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	21 years	07 (35%)
2	20 years	07 (35%)
3	18 years	06 (30%)
		20 (100%) total respondents

In the table-11.i, the opinions of the M.L.As about what should be the minimum age for voting in India are shown. It shows that 35 per cent of the M.L.As have expressed the view that twenty one (21) years should be the minimum age for voting. Another 35 per cent of the M.L.As have expressed the opinion that twenty (20) years should be the minimum age for voting. And the remaining 30 per cent of the M.L.As have expressed the opinion that 18 years should be the minimum age for voting in India.

Table-11.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	21 years	02 (20%)
2	20 years	02 (20%)
3	18 years	06 (60%)
		10 (100%) total respondents

In the table-11.ii, the opinions of the M.Ps about what should be the minimum age for voting in India are shown. It shows that 20 per cent of the M.Ps have expressed the view that twenty one (21) years should be the minimum age for voting. Another 20 per cent of the M.Ps have expressed the opinion that twenty (20) years should be the minimum age for voting. And the remaining 60 per cent of the M.Ps have expressed the opinion that 18 years should be the minimum age for voting in India.

Table-11.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	21 years	10 (33.33%)
2	20 years	10 (33.33%)
3	18 years	10 (33.33%)
		30 (100%) total respondents

In the table-11.iii, the opinions of the Sarpanches about what should be the minimum age for voting in India are shown. It shows that about 33 per cent of the sarpanches have expressed the view that twenty one (21) years should be the minimum age for voting. Another 33 per cent of the sarpanches have expressed the opinion that twenty (20) years should be the minimum age for voting. And the remaining 33 per cent of the sarpanches have expressed the opinion that 18 years should be the minimum age for voting in India.

Table-11.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	21 years	05 (27.78%)
2	20 years	05 (27.78%)
3	18 years	08 (44.44%)
		18 (100%) total respondents

In the table-11.iv, the opinions of the Academicians about what should be the minimum age for voting in India are shown. It shows that about 27 per cent of the academicians have expressed the view that twenty one (21) years should be the minimum age for voting. Another 27 per cent of the Academicians have expressed the opinion that twenty (20) years should be the minimum age

for voting. And the remaining 44 per cent of the Academicians have expressed the opinion that 18 years should be the minimum age for voting in India.

Table-11.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	21 years	05 (25%)
2	20 years	06 (30%)
3	18 years	09 (45%)
		20 (100%) total respondents

In the table-11.v, the opinions of the Research Scholars about what should be the minimum age for voting in India are shown. It shows that 25 per cent of the Research Scholars have expressed the view that twenty one (21) years should be the minimum age for voting. Another 30 per cent of the Research Scholars have expressed the opinion that twenty (20) years should be the minimum age for voting. And the remaining 45 per cent of the Research Scholars have expressed the opinion that 18 years should be the minimum age for voting in India.

Table-11.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of former Election Commissioners	No. of respondents
1	21 years	01 (50%)
2	18 years	01 (50%)
		02 (100%) total respondents

In the table-11.i, the opinions of the former Election Commissioners about what should be the minimum age for voting in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the view that twenty one (21) years should be the minimum age

for voting. And the remaining 50 per cent of the former Election Commissioners have expressed the opinion that 18 years should be the minimum age for voting in India.

Table-12

Opinions of all the respondents about whether the Election Commissioners should be considered for further appointment after retirement are shown below.

S. No	Opinion	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	60 (60%)
2	Election Commissioners should not be considered for appointment after retirement	40 (40%)
		100 (100%) total respondents

In the table-12, the opinions of the respondents about whether the Election Commissioners should be considered for further appointment after retirement are shown. It shows that 60 per cent of the respondents have expressed the opinion that the Election Commissioners should be considered for appointment after retirement so that they will have good scope to serve the nation in different capacities. And the remaining 40 per cent of the respondents have expressed the view that the Election Commissioners should not be considered for appointment after retirement because they will influence the authorities and pave the way for corruption in the country.

Table-12.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	12 (60%)
2	Election Commissioners should not be considered for appointment after retirement	08 (40%)
		20 (100%) total respondents

In the table-12.i, the opinions of the M.L.As about whether the Election Commissioners should be considered for further appointment after retirement are shown. It shows that 60 per cent of the M.L.As have expressed the opinion that the Election Commissioners should be considered for appointment after retirement. And the remaining 40 per cent of the M.L.As have expressed the view that the Election Commissioners should not be considered for appointment after retirement.

Table-12.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	06 (60%)
2	Election Commissioners should not be considered for appointment after retirement	04 (40%)
		10 (100%) total respondents

In the table-12.ii, the opinions of the M.Ps about whether the Election Commissioners should be considered for further appointment after retirement are shown. It shows that 60 per cent of the M.Ps have expressed the opinion that the Election Commissioners should be considered for

appointment after retirement. And the remaining 40 per cent of the M.Ps have expressed the view that the Election Commissioners should not be considered for appointment after retirement.

Table-12.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	19 (63.33%)
2	Election Commissioners should not be considered for appointment after retirement	11 (36.67%)
		30 (100%) total respondents

In the table-12.i, the opinions of the Sarpanches about whether the Election Commission should be considered for further appointment after retirement are shown. It shows that about 63 per cent of the sarpanches have expressed the opinion that the Election Commissioners should be considered for appointment after retirement. And the remaining 36 per cent of the sarpanches have expressed the view that the Election Commissioners should not be considered for appointment after retirement.

Table-12.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	10 (55.56%)
2	Election Commissioners should not be considered for appointment after retirement	08 (44.44%)
		18 (100%) total respondents

In the table-12.iv, the opinions of the Academicians about whether the Election Commissioners should be considered for further appointment after retirement are shown. It shows that about 55 per cent of the academicians have expressed the opinion that the Election Commissioners should be considered for appointment after retirement. And the remaining 44 per cent of the academicians have expressed the view that the Election Commissioners should not be considered for appointment after retirement.

Table-12.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	12 (60%)
2	Election Commissioners should not be considered for appointment after retirement	08 (40%)
		20 (100%) total respondents

In the table-12.v, the opinions of the Research Scholars about whether the Election Commissioners should be considered for further appointment after retirement are shown. It shows that 60 per cent of the Research Scholars have expressed the opinion that the Election Commissioners should be considered for appointment after retirement. And the remaining 40 per cent of the Research Scholars have expressed the view that the Election Commissioners should not be considered for appointment after retirement.

Table-12.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Election Commissioners should be considered for appointment after retirement	01 (50%)
2	Election Commissioners should not be considered for appointment after retirement	01 (50%)
		02 (100%) total respondents

In the table-12.vi, the opinions of the former Election Commissioners about whether the Election Commissioners should be considered for further appointment after retirement are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that the Election Commissioners should be considered for appointment after retirement. And the remaining 50 per cent of the former Election Commissioners have expressed the view that the Election Commissioners should not be considered for appointment after retirement.

Table-13

Opinions of all the respondents about whether there should be State Election Commissions in India

S. No	Opinion	No. of respondents
1	There should be State Election Commissions in India	80(80%)
2	There should not be State Election Commissions in India	20(20%)
		100(100%) total respondents

In the table-13, the opinions expressed by the respondents about whether there should be State Election Commissions in India are shown. It shows that 80 per cent of the respondents have

expressed the opinion that there should be State Election Commissions in India so that the task of updating electoral rolls and conducting elections to legislative bodies becomes easy for the Election Commission. And the remaining 20 per cent of the respondents have expressed the view that there should not be State Election Commissions in India because there will arise difference of opinion on various issues related to elections between chief election commissioner and the state election commissioners.

Table-13.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	There should be State Election Commissions in India	16(80%)
2	There should not be State Election Commissions in India	04(20%)
		20(100%) total respondents

In the table-13.i, the opinions expressed by the M.L.As about whether there should be State Election Commissions in India are shown. It shows that 80 per cent of the M.L.As have expressed the opinion that there should be State Election Commissions in India. And the remaining 20 per cent of the M.L.As have expressed the view that there should not be State Election Commissions in India.

Table-13.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	There should be State Election Commissions in India	08 (80%)
2	There should not be State Election Commissions in India	02 (20%)
		10 (100%) total respondents

In the table-13.ii, the opinions expressed by the M.Ps about whether there should be State Election Commissions in India are shown. It shows that 80 per cent of the M.Ps have expressed the opinion that there should be State Election Commissions in India. And the remaining 20 per cent of the M.Ps have expressed the view that there should not be State Election Commissions in India.

Table 13.iii Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	There should be State Election Commissions in India	25 (83.33%)
2	There should not be State Election Commissions in India	05 (16.67%)
		30 (100%) total respondents

In the table-13.iii, the opinions expressed by the Sarpanches about whether there should be State Election Commissions in India are shown. It shows that about 83 per cent of the Sarpanches have expressed the opinion that there should be State Election Commissions in India. And the remaining 16 per cent of the Sarpanches have expressed the view that there should not be State Election Commissions in India.

Table-13.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	There should be State Election Commissions in India	14 (77.78%)
2	There should not be State Election Commissions in India	04 (22.22%)
		18 (100%) total respondents

In the table-13.iv, the opinions expressed by the Academicians about whether there should be State Election Commissions in India are shown. It shows that about 77 per cent of the academicians have expressed the opinion that there should be State Election Commissions in India. And the remaining 22 per cent of the academicians have expressed the view that there should not be State Election Commissions in India.

Table 13.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	There should be State Election Commissions in India	16(80%)
2	There should not be State Election Commissions in India	04(20%)
		20(100%) total respondents

In the table-13.v, the opinions expressed by the Research Scholars about whether there should be State Election Commissions in India are shown. It shows that 80 per cent of the Research Scholars have expressed the opinion that there should be State Election Commissions in India. And the remaining 20 per cent of the Research Scholars have expressed the view that there should not be State Election Commissions in India.

Table-13.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	There should be State Election Commissions in India	01 (50%)
2	There should not be State Election Commissions in India	01 (50%)
		02 (100%) total respondents

In the table-13.vi, the opinions expressed by the former Election Commissioners about whether there should be State Election Commissions in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that there should be State Election Commissions in India. And the remaining 50 per cent of the former Election Commissioners have expressed the view that there should not be State Election Commissions in India.

Table-14

Opinions of all the respondents about how much should be the maximum expenditure limit for an Assembly constituency in India

S. No	Opinion	No. of respondents
1	15 Lakhs	40(40%)
2	10 Lakhs	30 (30%)
3	5 Lakhs	30 (30%)
		100 (100%) total respondents

In the table-14, the opinions of the respondents about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 40 per cent of the respondents have expressed the opinion that fifteen Lakhs (15, 00,000) should be the maximum expenditure limit for an assembly constituency so that the contesting candidates will

have opportunity to tour the entire constituency in their own vehicles and campaign well. Another 30 per cent of the respondents have expressed the view that ten Lakhs (10, 00,000) should be the maximum expenditure limit for an assembly constituency because the contesting candidates will reduce their on vehicles and focus on visiting the villages on foot. And the remaining 30 per cent of the respondents have expressed the opinion that five Lakhs (5,00,000) should be the maximum expenditure limit for an assembly constituency so that the people belonging to lower income groups will come forward to contest in the elections in India.

Table-14.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	15 Lakhs	08 (40%)
2	10 Lakhs	07 (35%)
3	5 Lakhs	05 (25%)
		20 (100%) total respondents

In the table-14.i, the opinions of the M.L.As about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 40 per cent of the M.L.As have expressed the opinion that fifteen Lakhs (15, 00,000) should be the maximum expenditure limit for an assembly constituency. Another 35 per cent of the M.L.As have expressed the view that ten Lakhs (10, 00,000) should be the maximum expenditure limit for an assembly constituency. And the remaining 25 per cent of the M.L.As have expressed the opinion that five Lakhs (5,00,000) should be the maximum expenditure limit for an assembly constituency.

Table-14.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	15 Lakhs	04 (40%)
2	10 Lakhs	02 (20%)
3	5 Lakhs	04 (40%)
		10 (100%) total respondents

In the table-14.ii, the opinions of the M.Ps about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 40 per cent of the M.Ps have expressed the opinion that fifteen Lakhs (15,00,000) should be the maximum expenditure limit for an assembly constituency. Another 20 per cent of the M.Ps have expressed the view that ten Lakhs (10,00,000) should be the maximum expenditure limit for an assembly constituency. And the remaining 40 per cent of the M.Ps have expressed the opinion that five Lakhs (5,00,000) should be the maximum expenditure limit for an assembly constituency.

Table-14.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	15 Lakhs	12(40.00%)
2	10 Lakhs	10 (33.33%)
3	5 Lakhs	08 (26.67%)
		30 (100%) total respondents

In the table-14.iii, the opinions of the Sarpanches about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 40 per cent of the Sarpanches have expressed the opinion that fifteen Lakhs (15,00,000) should be the maximum expenditure limit for an assembly constituency. Another 33 per cent of the Sarpanches

have expressed the view that ten Lakhs (10,00,000) should be the maximum expenditure limit for an assembly constituency. And the remaining 26 per cent of the Sarpanches have expressed the opinion that five Lakhs (5,00,000) should be the maximum expenditure limit for an assembly constituency.

Table-14.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	15 Lakhs	07(38.89%)
2	10 Lakhs	05 (27.78%)
3	5 Lakhs	06 (33.33%)
		18 (100%) total respondents

In the table-14.iv, the opinions of the Academicians about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 38 per cent of the academicians have expressed the opinion that fifteen Lakhs (15,00,000) should be the maximum expenditure limit for an assembly constituency. Another 27 per cent of the academicians have expressed the view that ten Lakhs (10,00,000) should be the maximum expenditure limit for an assembly constituency. And the remaining 33 per cent of the academicians have expressed the opinion that five Lakhs (5,00,000) should be the maximum expenditure limit for an assembly constituency.

Table-14.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	15 Lakhs	08 (40%)
2	10 Lakhs	05 (25%)
3	5 Lakhs	07 (35%)
		20 (100%) total respondents

In the table-14.v, the opinions of the Research Scholars about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 40 per cent of the Research Scholars have expressed the opinion that fifteen Lakhs (15,00,000) should be the maximum expenditure limit for an assembly constituency. Another 25 per cent of the Research Scholars have expressed the view that ten Lakhs (10,00,000) should be the maximum expenditure limit for an assembly constituency. And the remaining 35 per cent of the Research Scholars have expressed the opinion that five Lakhs (5,00,000) should be the maximum expenditure limit for an assembly constituency.

Table-14.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of former Election Commissioners	No. of respondents
1	15 Lakhs	01 (50%)
2	10 Lakhs	01 (50%)
		02 (100%) total respondents

In the table-14, the opinions of the former Election Commissioners about how much should be the maximum expenditure limit for an Assembly constituency in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that fifteen Lakhs (15,00,000) should be the maximum expenditure limit for an assembly constituency. Another 50

per cent of the former Election Commissioners have expressed the view that ten Lakhs (10,00,000) should be the maximum expenditure limit for an assembly constituency.

Table-15

Opinions of all the respondents on how much should be the maximum expenditure limit for a Parliamentary constituency

S. No	Opinion	No. of respondents
1	6 Lakhs	20 (20%)
2	10 Lakhs	40 (40%)
3	25 Lakhs	40 (40%)
		100 (100%) total respondents

In the table-15, the opinions of the respondents on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows that 20 per cent of the respondents have expressed the opinion that six lakhs (6, 00,000) should be the maximum expenditure limit for a Parliamentary constituency so that poor people will come forward to contest in the elections. Another 40 per cent of the respondents have expressed the view that ten lakhs (10, 00,000) should be the maximum expenditure limit for a Parliamentary constituency so that the contesting candidates will have good scope to campaign well and develop rapport with the people of the constituency. And the remaining 40 per cent of the respondents have expressed the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency so that the number of contesting candidates will come down and the task of conducting elections through EVM (Electronic Voting Machine) or ballot paper becomes easy for the Election Commission.

Table-15.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	6 Lakhs	03 (15%)

2	10 Lakhs	06 (30%)
3	25 Lakhs	11 (55%)
		20 (100%) total respondents

In the table-15.i, the opinions of the Members of Legislative Assembly on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows that 15 per cent of the M.L.As have expressed the opinion that six lakhs (6, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. Another 30 per cent of the M.L.As have expressed the view that ten lakhs (10, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. And the remaining 55 per cent of the M.L.As have expressed the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency.

Table-15.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	6 Lakhs	02 (20%)
2	10 Lakhs	04 (40%)
3	25 Lakhs	04 (40%)
		10 (100%) total respondents

In the table-15.ii, the opinions of the M.Ps on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows that 20 per cent of the M.Ps have expressed the opinion that six lakhs (6, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. Another 40 per cent of the M.Ps have expressed the view that ten lakhs (10, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. And the remaining 40 per cent of the M.Ps have expressed the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency.

Table-15.iii

Opinions of only Sarpanchs are shown below.

S. No	Opinion of Sarpanchs	No. of respondents
1	6 Lakhs	05 (16.67%)
2	10 Lakhs	10 (33.33%)
3	25 Lakhs	15 (50.00%)
		30 (100%) total respondents

In the table-15.iii, the opinions of the Sarpanchs on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows that about 16 per cent of the Sarpanchs have expressed the opinion that six lakhs (6,00,000) should be the maximum expenditure limit for a Parliamentary constituency. Another 33 per cent of the Sarpanchs have expressed the view that ten lakhs (10,00,000) should be the maximum expenditure limit for a Parliamentary constituency. And the remaining 50 per cent of the Sarpanchs have expressed the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency.

Table 15.iv Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	6 Lakhs	05 (27.78%)
2	10 Lakhs	10 (55.56%)
3	25 Lakhs	03 (16.67%)
		18 (100%) total respondents

In the table-15.iv, the opinions of the Academicians on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows that about 27 per cent of the academicians have expressed the opinion that six lakhs (6,00,000) should be the maximum expenditure limit for a Parliamentary constituency. Another 55 per cent of the academicians have expressed the view that ten lakhs (10, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. And the remaining 16 per cent of the Academicians have expressed

the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency.

Table-15.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	6 Lakhs	05 (25%)
2	10 Lakhs	09 (45%)
3	25 Lakhs	06 (30%)
		20 (100%) total respondents

In the table-15.v, the opinions of the Research Scholars on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows that 25 per cent of the Research Scholars have expressed the opinion that six lakhs (6, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. Another 45 per cent of the Research Scholars have expressed the view that ten lakhs (10, 00,000) should be the maximum expenditure limit for a Parliamentary constituency. And the remaining 30 per cent of the Research Scholars have expressed the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency.

Table-15.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	10 Lakhs	01 (50%)
2	25 Lakhs	01 (50%)
		02 (100%) total respondents

In the table-15.vi, the opinions of the former Election Commissioners on how much should be the maximum expenditure limit for a Parliamentary constituency are shown. It shows 50 per cent of the former Election Commissioners have expressed the view that ten lakhs (10, 00,000) should

be the maximum expenditure limit for a Parliamentary constituency. And the remaining 50 per cent of the former Election Commissioners have expressed the opinion that twenty five lakhs (25, 00,000) should be the maximum expenditure limit for a Parliamentary constituency.

Table-16

Opinions of only all the respondents about the need for election symbols in India

S. No	Opinion	No. of respondents
1	There is need for election symbols in India	80 (80%)
2	There is no need for election symbols in India	20 (20%)
		100 (100%) total respondents

In the table-16, the opinions of all the respondents about the need for election symbols in India are shown. It shows that 80 per cent of the respondents have expressed the opinion that there is need for election symbols in India because the illiterate voters can easily recognize and cast their vote by looking at the symbols. Another 20 per cent of the respondents have expressed the view that there is no need for election symbols in India because the right candidates cannot be chosen by the voters because of the common symbols allotted to the recognized regional and national Political Parties.

Table-16.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	There is need for election symbols in India	16 (80%)
2	There is no need for election symbols in India	04 (20%)
		20 (100%) total respondents

In the table-16.i, the opinions of the M.L.As about the need for election symbols in India are shown. It shows that 80 per cent of the M.L.As have expressed the opinion that there is need for election symbols in India. Another 20 per cent of the M.L.As have expressed the view that there is no need for election symbols in India.

Table-16.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	There is need for election symbols in India	08 (80%)
2	There is no need for election symbols in India	02 (20%)
		10 (100%) total respondents

In the table-16.ii, the opinions of the M.Ps about the need for election symbols in India are shown. It shows that 80 per cent of the M.Ps have expressed the opinion that there is need for election symbols in India. Another 20 per cent of the M.Ps have expressed the view that there is no need for election symbols in India.

Table-16.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	There is need for election symbols in India	25 (83.33%)
2	There is no need for election symbols in India	05 (16.67%)
		30 (100%) total respondents

In the table-16.iii, the opinions of the Sarpanches about the need for election symbols in India are shown. It shows that about 83 per cent of the sarpanches have expressed the opinion that there is need for election symbols in India. Another 16 per cent of the sarpanches have expressed the view that there is no need for election symbols in India.

Table-16.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	There is need for election symbols in India	15 (83.33%)
2	There is no need for election symbols in India	03 (16.67%)
		18 (100%) total respondents

In the table-16.iv, the opinions of the Academicians about the need for election symbols in India are shown. It shows that about 83 per cent of the academicians have expressed the opinion that there is need for election symbols in India. Another 16 per cent of the academicians have expressed the view that there is no need for election symbols in India.

Table-16.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	There is need for election symbols in India	15 (75%)
2	There is no need for election symbols in India	05 (25%)
		20 (100%) total respondents

In the table-16.v, the opinions of the Research Scholars about the need for election symbols in India are shown. It shows that 75 per cent of the Research Scholars have expressed the opinion that there is need for election symbols in India. Another 25 per cent of the Research Scholars have expressed the view that there is no need for election symbols in India.

Table-16.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	There is need for election symbols in India	01 (50%)
2	There is no need for election symbols in India	01 (50%)
		02 (100%) total respondents

In the table-16.vi, the opinions of the former Election Commissioners about the need for election symbols in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that there is need for election symbols in India. Another 50 per cent of the former Election Commissioners have expressed the view that there is no need for election symbols in India.

Table-17

Opinions of all the respondents about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses

S. No	Opinion	No. of respondents
1	3 years	40 (40%)
2	5 years	40 (40%)
3	6 years	20 (20%)
		100 (100%) total respondents

In the table-17, the opinions of the respondents about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that 40 per cent of the respondents have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years because the candidates will an opportunity to contest in the next assembly or parliament election and rectify their mistake. Another 40 per cent of the respondents have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years so that the candidates will remain outside the legislative bodies for one term. And the remaining 20 per cent of the respondents have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for six (6) years so that the candidates will never commit that mistake again when they contest in the election.

Table-17.i Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	3 years	08 (40%)
2	5 years	08 (40%)
3	6 years	04 (20%)
		20 (100%) total respondents

In the table-17.i, the opinions of the M.L.As about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that 40 per cent of the M.L.As have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years. Another 40 per cent of the M.L.As have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years. And the remaining 20 per cent of the M.L.As have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for six (6) years.

Table-17.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	3 years	04 (40%)
2	5 years	04 (40%)
3	6 years	02 (20%)
		10 (100%) total respondents

In the table-17.ii, the opinions of the M.Ps about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that 40 per cent of the M.Ps have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years. Another 40 per cent of the M.Ps have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years. And the remaining 20 per cent of the M.Ps have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for six (6) years.

Table-17.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	3 years	12 (40%)
2	5 years	12 (40%)
3	6 years	06 (20%)
		30 (100%) total respondents

In the table-17.iii, the opinions of the sarpanches about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that 40

per cent of the sarpanches have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years. Another 40 per cent of the sarpanches have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years. And the remaining 20 per cent of the sarpan sarpanches have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for six (6) years.

Table-17.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	3 years	07 (38.89%)
2	5 years	07 (38.89%)
3	6 years	04 (22.22%)
		18 (100%) total respondents

In the table-17.iv, the opinions of the Academicians about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that about 38 per cent of the academicians have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years. Another 38 per cent of the academicians have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years. And the remaining 22 per cent of the academicians have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for six (6) years.

Table-17.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	3 years	08 (40%)
2	5 years	08 (40%)
3	6 years	04 (20%)
		20 (100%) total respondents

In the table-17.v, the opinions of the Research Scholars about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that 40 per cent of the Research Scholars have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years. Another 40 per cent of the Research Scholars have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years. And the remaining 20 per cent of the Research Scholars have expressed the opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for six (6) years.

Table-17.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of former Election Commissioners	No. of respondents
1	3 years	01 (50%)
2	5 years	01 (50%)
		02 (100%) total respondents

In the table-17.vi, the opinions of the former Election Commissioners about for how many years the candidate should be disqualified for not submitting the accounts of electoral expenses are shown. It shows that 50 per cent of the former Election Commissioners have expressed the

opinion that the candidates who do not submit the accounts of electoral expenses within the given time should be disqualified for three (3) years. Another 50 per cent of the respondents have expressed the view that the candidates who fail to submit the accounts of electoral expenses within the stipulated time should be disqualified for a period of five (5) years.

Table-18

Opinions of all the respondents about whether the exit polls should be completely banned or not in India are shown below.

S. No	Opinion	No. of respondents
1	Exit polls should be completely banned	80 (80%)
2	Exit polls should not be banned	20 (20%)
		100 (100%) total respondents

In the table 18, the opinions of the respondents about whether the exit polls should be completely banned or not in India are shown. It shows that 80 per cent of the respondents have expressed the opinion that exit polls should be completely banned in India because the illiterate voters will be in confusion by looking at the news papers that whether the elections are already over. The remaining 20 per cent have expressed the view that exit polls should not be banned in India because Political Parties will have an opportunity to strengthen their position where they are said to be weak.

Table-18.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	Exit polls should be completely banned	16 (80%)
2	Exit polls should not be banned	04 (20%)
		20 (100%) total respondents

In the table-18, the opinions of the M.L.As about whether the exit polls should be completely banned or not in India are shown. It shows that 80 per cent of the M.L.As have expressed the opinion that exit polls should be completely banned in India. The remaining 20 per cent of M.L.As have expressed the view that exit polls should not be banned in India.

Table-18.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	Exit polls should be completely banned	08 (80%)
2	Exit polls should not be banned	02 (20%)
		10 (100%) total respondents

In the table-18.ii, the opinions of the M.Ps about whether the exit polls should be completely banned or not in India are shown. It shows that 80 per cent of the M.Ps have expressed the opinion that exit polls should be completely banned in India. The remaining 20 per cent of M.Ps have expressed the view that exit polls should not be banned in India.

Table-18.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Exit polls should be completely banned	25 (83.33%)
2	Exit polls should not be banned	05 (16.67%)
		30 (100%) total respondents

In the table-18.iii, the opinions of the Sarpanches about whether the exit polls should be completely banned or not in India are shown. It shows that about 83 per cent of the Sarpanches have expressed the opinion that exit polls should be completely banned in India. The remaining 16 per cent of Sarpanches have expressed the view that exit polls should not be banned in India.

Table-18.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Exit polls should be completely banned	15 (83.33%)
2	Exit polls should not be banned	03 (16.67%)
		18 (100%) total respondents

In the table 18.iv, the opinions of the Academicians about whether the exit polls should be completely banned or not in India are shown. It shows that about 83 per cent of the academicians have expressed the opinion that exit polls should be completely banned in India. The remaining 16 per cent of academicians have expressed the view that exit polls should not be banned in India.

Table-18.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Exit polls should be completely banned	15 (75%)
2	Exit polls should not be banned	05 (25%)
		20 (100%) total respondents

In the table-18.v, the opinions of the Research Scholars about whether the exit polls should be completely banned or not in India are shown. It shows that 75 per cent of the Research Scholars have expressed the opinion that exit polls should be completely banned in India. The remaining 25 per cent of Research Scholars have expressed the view that exit polls should not be banned in India.

Table-18.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Exit polls should be completely banned	01 (50%)
2	Exit polls should not be banned	01 (50%)
		02 (100%) total respondents

In the table 18.vi, the opinions of the former Election Commissioners on whether the exit polls should be completely banned or not in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that exit polls should be completely banned in India. The remaining 50 per cent of former Election Commissioners have expressed the view that exit polls should not be banned in India.

Table-19

Opinions of all the respondents about who should be empowered to disqualify the Members of Parliament

S. No	Opinion	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	20 (20%)
2	Speaker of the Parliament in consultation with the Election Commission	40 (40%)
3	Only the Election Commission	40 (40%)
		100 (100%) total respondents

In the table-19, the opinions of the respondents about who should be empowered to disqualify the MPs are shown. It shows that 20 per cent of the respondents have expressed the opinion that only presiding officers of the Parliament should be empowered to disqualify the MPs because the

anti-defection law empowers only the presiding officers to take action against the defectors. Another 40 per cent of the respondents have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs since the Election Commission conducts the elections. The remaining 40 per cent of the respondents have expressed the opinion that only the Election Commission should be empowered to disqualify the MPs because the Election Commission is outside the executive and no one will influence its decision.

Table-19.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	04 (20%)
2	Speaker of the Parliament in consultation with the Election Commission	08 (40%)
3	Only the Election Commission	08 (40%)
		20 (100%) total respondents

In the table-19.i, the opinions of the M.L.As about who should be empowered to disqualify the MPs are shown. It shows that 20 per cent of the M.L.As have expressed the opinion that only presiding officers of the Parliament should be empowered to disqualify the MPs. Another 40 per cent of the M.L.As have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs. The remaining 40 per cent of the M.L.As have expressed the opinion that only the Election Commission should be empowered to disqualify the MPs.

Table-19.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	02 (20%)
2	Speaker of the Parliament in consultation with the Election Commission	05 (50%)
3	Only the Election Commission	03 (30%)
		10 (100%) total respondents

In the table-19.i, the opinions of the M.Ps about who should be empowered to disqualify the MPs are shown. It shows that 20 per cent of the M.Ps have expressed the opinion that only presiding officers of the Parliament should be empowered to disqualify the MPs. Another 50 per cent of the M.Ps have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs. The remaining 30 per cent of the M.Ps have expressed the opinion that only the Election Commission should be empowered to disqualify the MPs.

Table-19.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	06 (20%)
2	Speaker of the Parliament in consultation with the Election Commission	12 (40%)
3	Only the Election Commission	12 (40%)
		30 (100%) total respondents

In the table-19.iii, the opinions of the Sarpanches about who should be empowered to disqualify the MPs are shown. It shows that 20 per cent of the Sarpanches have expressed the opinion that only presiding officers of the Parliament should be empowered to disqualify the MPs. Another 40 per cent of the Sarpanches have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs. The remaining 40 per cent of the Sarpanches have expressed the opinion that only the Election Commission should be empowered to disqualify the MPs.

Table-19.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	03 (16.67%)
2	Speaker of the Parliament in consultation with the Election Commission	06 (33.33%)
3	Only the Election Commission	09 (50.00%)
		18 (100%) total respondents

In the table-19.iv, the opinions of the Academicians about who should be empowered to disqualify the MPs are shown. It shows that about 16 per cent of the Academicians have expressed the opinion that only presiding officers of the Parliament should be empowered to disqualify the MPs. Another 33 per cent of the academicians have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs. The remaining 50 per cent of the Academicians have expressed the opinion that only the Election Commission should be empowered to disqualify the

M

Table-19.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	04 (20%)
2	Speaker of the Parliament in consultation with the Election Commission	08 (40%)
3	Only the Election Commission	08 (40%)
		20 (100%) total respondents

In the table-19.i, the opinions of the Research Scholars about who should be empowered to disqualify the MPs are shown. It shows that 20 per cent of the Research Scholars have expressed the opinion that only presiding officers of the Parliament should be empowered to disqualify the MPs. Another 40 per cent of the Research Scholars have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs. The remaining 40 per cent of the Research Scholars have expressed the opinion that only the Election Commission should be empowered to disqualify the MPs.

Table-19.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Only Presiding officers of the Parliament (Speakers)	01 (50%)
2	Speaker of the Parliament in consultation with the Election Commission	01 (50%)
		02 (100%) total respondents

In the table-19.vi, the opinions of the former Election Commissioners about who should be empowered to disqualify the MPs are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that only presiding officers of the Parliament should

be empowered to disqualify the MPs. Another 50 per cent of the former Election Commissioners have expressed the view that the presiding officer of the legislature in consultation with the Election Commission should be empowered to disqualify the MPs.

Table 20

Opinions of all the respondents about for how many years once the elections should be held to the Lok Sabha and State Assemblies

S. No	Opinion	No. of respondents
1	4 years	20 (20%)
2	5 years	70 (70%)
3	6 years	10 (10%)
		100 (100%) total respondents

In the table 20, the opinions of the respondents about for how many years once the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that 20 per cent of the respondents have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India because in USA (United States of America) the elections are held for every four years and India may also develop like USA., Another 70 per cent of the respondents have expressed the view that once for every five (5) years the elections should be conducted in India because the constitution-framers fixed the term of our Legislative bodies only five years. The remaining 10 per cent of the respondents have expressed the opinion that once for every six (6) years the elections to the Lok Sabha and State Assemblies should be conducted in India because the long term projects like irrigation projects require at least six years of time and if the governments change before the completion the projects will also remain unfinished.

Table 20.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	4 years	04 (20%)
2	5 years	14 (70%)
3	6 years	02 (10%)
		20 (100%) total respondents

In the table-20.i, the opinions of the M.L.As about for how many years once the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that 20 per cent of the M.L.As have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India. Another 70 per cent of the M.L.As have expressed the view that once for every five (5) years the elections should be conducted in India. The remaining 10 per cent of the M.L.As have expressed the opinion that once for every six (6) years the elections to the Lok Sabha and State Assemblies should be conducted in India.

Table 20.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	4 years	02 (20%)
2	5 years	06 (60%)
3	6 years	02 (20%)
		10 (100%) total respondents

In the table 20.i, the opinions of the M.Ps about for how many years once the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that 20 per cent of the M.Ps have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India. Another 60 per cent of the M.Ps have expressed the view that

once for every five (5) years the elections should be conducted in India. The remaining 20 per cent of the M.Ps have expressed the opinion that once for every six (6) years the elections to the Lok Sabha and State Assemblies should be conducted in India.

Table-20.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	4 years	08 (26.67%)
2	5 years	20 (66.67%)
3	6 years	02 (06.67%)
		30 (100%) total respondents

In the table-20.iii, the opinions of the Sarpanches about for how many years once the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that about 26 per cent of the Sarpanches have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India. Another 66 per cent of the Sarpanches have expressed the view that once for every five (5) years the elections should be conducted in India. The remaining 6 per cent of the Sarpanches have expressed the opinion that once for every six (6) years the elections to the Lok Sabha and State Assemblies should be conducted in India.

Table 20.iv Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	4 years	03 (16.67%)
2	5 years	13 (72.22%)
3	6 years	02 (11.11%)
		18 (100%) total respondents

In the table-20.iv, the opinions of the Academicians about for how many years once the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that about 16 per cent of the academicians have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India. Another 72 per cent of the academicians

have expressed the view that once for every five (5) years the elections should be conducted in India. The remaining 11 per cent of the academicians have expressed the opinion that once for every six (6) years the elections to the Lok Sabha and State Assemblies should be conducted in India.

Table-20.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	4 years	02 (10%)
2	5 years	16 (80%)
3	6 years	02 (10%)
		20 (100%) total respondents

In the table-20.v, the opinions of the Research Scholars about for how many years once the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that 10 per cent of the Research Scholars have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India. Another 80 per cent of the Research Scholars have expressed the view that once for every five (5) years the elections should be conducted in India. The remaining 10 per cent of the Research Scholars have expressed the opinion that once for every six (6) years the elections to the Lok Sabha and State Assemblies should be conducted in India.

Table-20.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	4 years	01 (50%)
2	5 years	01 (50%)
		02 (100%) total respondents

In the table-20.vi, the opinions of the former Election Commissioners on for how many years once

the elections should be held to the Lok Sabha and State Assemblies are shown. It shows that 50 per cent of the former Election Commissioners have expressed that once for every four (4) years the elections should be conducted to Lok Sabha and State Assemblies in India. Another 50 per cent of the former Election Commissioners have expressed the view that once for every five (5) years the elections should be conducted in India.

Table-21

Opinions of only all the respondents about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown below.

S. No	Opinion	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	40 (40%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	60 (60%)
		100 (100%) total respondents

In the table-21, the opinions of the respondents about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that 40 per cent of the respondents have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies because each and every vote is taken into account in the distribution of seats in this method. The remaining 60 per cent of the respondents have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies because majority voter's verdict in the constituencies will get ignored.

Table-21.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	08 (40%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	12 (60%)
		20 (100%) total respondents

In the table-21.i, the opinions of the M.L.As about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that 40 per cent of the M.L.As have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies. The remaining 60 per cent of the M.L.As have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies.

Table-21.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	04 (40%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	06 (60%)
		10 (100%) total respondents

In the table-21.i, the opinions of the M.Ps about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that 40 per cent of the M.Ps have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies. The remaining 60 per cent of the M.Ps have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies.

Table 21.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	14 (46.67%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	16 (53.33%)
		30 (100%) total respondents

In the table-21.iii, the opinions of the sarpanches about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that about 46 per cent of the sarpanches have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies. The remaining 53 per cent of the sarpanches have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies.

Table-21.iv Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	05 (27.78%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	13 (72.22%)
		18 (100%) total respondents

In the table-21.iv, the opinions of the Academicians about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that about 27 per cent of the academicians have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies. The remaining 72 per cent of the academicians have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies.

Table 21.v Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	08 (40%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	12 (60%)
		20 (100%) total respondents

In the table-21.v, the opinions of the Research Scholars about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that 40 per cent of the Research Scholars have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies. The remaining 60 per cent of the Research Scholars have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies.

Table 21.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	01 (50%)
2	Proportional system of representation should not be followed in allocating seats to Political Parties in Lok Sabha and state assemblies	01 (50%)
		02 (100%) total respondents

In the table-21.vi, the opinions of the former Election Commissioners about whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that proportional representation should be followed in allocating seats to Political Parties in Lok Sabha and State Assemblies. The remaining 50 per cent of the former Election Commissioners have expressed the view that proportional system of representation should not be followed in allocating seats to Lok Sabha and State Assemblies.

Table-22

Opinions of all the respondents about the need to introduce the election fund under the election commission in the country are shown below

S. No	Opinion	No. of respondents
1	Election fund under the Election Commission should be created	80 (80%)
2	Election fund under the Election Commission should not be created	20 (20%)
		100 (100%) total respondents

In the table-22, the opinions of the respondents about the need to introduce the election fund under the election commission in the country are shown. It shows that 80 per cent of the respondents have expressed the opinion that election fund under the Election Commission should be created in India so that the Election Commission will not depend on either the state government or the central government for finance whenever it conducts elections. The remaining 20 per cent of the respondents have expressed the view that election fund under the Election Commission should not be created in India because the created fund will remain unutilized if there are no elections for long time and it is better to keep that fund with some ministry for developmental purpose.

Table22.i Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Election fund under the Election Commission should be created	16 (80%)
2	Election fund under the Election Commission should not be created	04 (20%)
		20 (100%) total respondents

In the table-22.i, the opinions of the M.L.As about the need to introduce the election fund under the election commission in the country are shown. It shows that 80 per cent of the M.L.As have expressed the opinion that election fund under the Election Commission should be created in India. The remaining 20 per cent of the M.L.As have expressed the view that election fund under the Election Commission should not be created in India.

Table 22.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Election fund under the Election Commission should be created	08 (80%)
2	Election fund under the Election Commission should not be created	02 (20%)
		10 (100%) total respondents

In the table 22.ii, the opinions of the M.Ps about the need to introduce the election fund under the election commission in the country are shown. It shows that 80 per cent of the M.Ps have expressed the opinion that election fund under the Election Commission should be created in India. The remaining 20 per cent of the M.Ps have expressed the view that election fund under the Election Commission should not be created in India.

Table 22.iii Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	Election fund under the Election Commission should be created	25 (83.33%)
2	Election fund under the Election Commission should not be created	05 (16.67%)
		30 (100%) total respondents

In the table-22.iii, the opinions of the Sarpanches about the need to introduce the election fund under the election commission in the country are shown. It shows that about 83 per cent of the

Sarpanches have expressed the opinion that election fund under the Election Commission should be created in India. The remaining 16 per cent of the Sarpanches have expressed the view that election fund under the Election Commission should not be created in India.

Table-22.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Election fund under the Election Commission should be created	12 (66.67%)
2	Election fund under the Election Commission should not be created	06 (33.33%)
		18 (100%) total respondents

In the table-22.iv, the opinions of the Academicians about the need to introduce the election fund under the election commission in the country are shown. It shows that about 66 per cent of the academicians have expressed the opinion that election fund under the Election Commission should be created in India. The remaining 33 per cent of the academicians have expressed the view that election fund under the Election Commission should not be created in India.

Table-22.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	Election fund under the Election Commission should be created	18 (90%)
2	Election fund under the Election Commission should not be created	02 (10%)
		20 (100%) total respondents

In the table-22.v, the opinions of the Research Scholars about is there need to introduce the election fund under the election commission in the country are shown. It shows that 90 per cent of the Research Scholars have expressed the opinion that election fund under the Election Commission should be created in India. The remaining 10 per cent of the Research Scholars have expressed the view that election fund under the Election Commission should not be created in India.

Table-22.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Election fund under the Election Commission should be created	01 (50%)
2	Election fund under the Election Commission should not be created	01 (50%)
		02 (100%) total respondents

In the table-22.vi, the opinions of the former Election Commissioners about is there need to introduce the election fund under the election commission in the country are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that election fund under the Election Commission should be created in India. The remaining 50 per cent of the former Election Commissioners have expressed the view that election fund under the Election Commission should not be created in India.

Table-23

Opinions of all the respondents about for how many years once the electoral rolls should be prepared in India

S. No	Opinion	No. of respondents
1	For every year	60 (60%)
2	Once for every two(2) years	20 (20%)
3	Once for very four(4) years	10 (10%)
4	Once for every five(5) years	10 (10%)
		100 (100%) total respondents

In the table-23, the opinions of the respondents about for how many years once the electoral rolls should be prepared in India are shown. It shows that 60 per cent of the respondents have expressed the opinion that once for every year the electoral rolls should be updated so that accuracy in India can be attained in the voter lists., Another 20 per cent of the respondents have expressed the view that once for every two (2) years the electoral rolls should be updated in India so that bogus voters can be removed from the voter lists. Another 10 per cent of the respondents have expressed the view that once for every four (4) years the electoral rolls should be updated in India so that work burden on the Election Commission can be reduced. The remaining 10 per cent of the respondents have expressed the opinion that once for every five (5) years the electoral rolls should be updated in India as the elections are held once for every five years to the legislative bodies in India.

Table-23.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	For every year	13 (65%)
2	Once for every two(2) years	04 (20%)
3	Once for very four(4) years	02 (10%)
4	Once for every five(5) years	01 (05%)
		20 (100%) total respondents

In the table-23.i, the opinions of the M.L.As about for how many years once the electoral rolls should be prepared in India are shown. It shows that 65 per cent of the M.L.As have expressed the opinion that once for every year the electoral rolls should be updated. Another 20 per cent of the M.L.As have expressed the view that once for every two (2) years the electoral rolls should be updated in India. Another 10 per cent of the M.L.As have expressed the view that once for every four (4) years the electoral rolls should be updated in India. The remaining 5 per cent of the M.L.As have expressed the opinion that once for every five (5) years the electoral rolls should be updated in India.

Table-23.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	For every year	06 (60%)
2	Once for every two(2) years	02 (20%)
3	Once for very four(4) years	01 (10%)
4	Once for every five(5) years	01 (10%)
		10 (100%) total respondents

In the table-23.ii, the opinions of the M.Ps about for how many years once the electoral rolls should be prepared in India are shown. It shows that 60 per cent of the M.Ps have expressed the opinion that once for every year the electoral rolls should be updated. Another 20 per cent of the M.Ps have expressed the view that once for every two (2) years the electoral rolls should be updated in India. Another 10 per cent of the M.Ps have expressed the view that once for every four (4) years the electoral rolls should be updated in India. The remaining 10 per cent of the M.Ps have expressed the opinion that once for every five (5) years the electoral rolls should be updated in India.

Table-23.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	For every year	18 (60.00%)
2	Once for every two(2) years	08 (26.67%)
3	Once for very four(4) years	03 (10.00%)
4	Once for every five(5) years	01 (03.33%)
		30 (100%) total respondents

In the table-23.iii, the opinions of the Sarpanches about for how many years once the electoral rolls should be prepared in India are shown. It shows that 60 per cent of the sarpanches have expressed the opinion that once for every year the electoral rolls should be updated. Another 26 per cent of the sarpanches have expressed the view that once for every two (2) years the electoral rolls should be updated in India. Another 10 per cent of the sarpanches have expressed the view that once for every four (4) years the electoral rolls should be updated in India. The remaining 3 per cent of the sarpanches have expressed the opinion that once for every five (5) years the electoral rolls should be updated in India.

Table-23.iv

Opinions of only are Academicians shown below.

S. No	Opinion of Academicians	No. of respondents
1	For every year	10 (55.56%)
2	Once for every two(2) years	03 (16.67%)
3	Once for very four(4) years	02 (11.11%)
4	Once for every five(5) years	03 (16.67%)
		18 (100%) total respondents

In the table-23.i, the opinions of the Academicians about for how many years once the electoral rolls should be prepared in India are shown. It shows that about 55 per cent of the academicians have expressed the opinion that once for every year the electoral rolls should be updated. Another 16 per cent of the academicians have expressed the view that once for every two (2) years the electoral rolls should be updated in India. Another 11 per cent of the academicians have expressed the view that once for every four (4) years the electoral rolls should be updated in India. The remaining 16 per cent of the academicians have expressed the opinion that once for every five (5) years the electoral rolls should be updated in India.

Table-23.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	For every year	12 (60%)
2	Once for every two(2) years	02 (10%)
3	Once for very four(4) years	02 (10%)
4	Once for every five(5) years	04 (20%)
		20 (100%) total respondents

In the table-23.v, the opinions of the Research Scholars about for how many years once the electoral rolls should be prepared in India are shown. It shows that 60 per cent of the Research Scholars have expressed the opinion that once for every year the electoral rolls should be updated. Another 10 per cent of the Research Scholars have expressed the view that once for every two (2) years the electoral rolls should be updated in India. Another 10 per cent of the Research Scholars have expressed the view that once for every four (4) years the electoral rolls should be updated in India. The remaining 20 per cent of the Research Scholars have expressed the opinion that once for every five (5) years the electoral rolls should be updated in India.

Table-23.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	For every year	01 (50%)
2	Once for every two(2) years	01 (50%)
		02 (100%) total respondents

In the table-23.vi, the opinions of the former Election Commissioners about for how many years once the electoral rolls should be prepared in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that once for every year the electoral rolls should be updated. Another 50 per cent of the former Election Commissioners have expressed the view that once for every two (2) years the electoral rolls should be updated in India.

Table-24

Opinions of all the respondents about what should be the punishment for involving in the offence of bribery

S. No	Opinion	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	40 (40%)
2	6 months imprisonment with Rs.5000/ fine	30 (30%)
3	1 year imprisonment with Rs.5000/ fine	30 (30%)
		100(100%) total respondents

In the table 25, the opinions of the respondents about what should be the punishment for involving in the offence of bribery are shown. It shows that 40 per cent of respondents have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the punishment for committing the offence of bribery during the time of elections so that people and political activists will not try to commit that offence. Another 30 respondents of the respondents have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery so that people will not involve in that offence during the time of elections. The remaining 30 per cent of the respondents have expressed the opinion that 1 year imprisonment with fine of Rs.5000 should be the punishment for committing the offence of bribery during the time of elections so that no one including political activists will commit that offence.

Table-24.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	08 (40%)
2	6 months imprisonment with Rs.5000/ fine	05 (25%)
3	1 year imprisonment with Rs.5000/ fine	07 (35%)
		20 (100%) total respondents

In the table-24.i, the opinions of the M.L.As about what should be the punishment for involving in the offence of bribery are shown. It shows that 40 per cent of M.L.As have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the punishment for committing the offence of bribery during the time of elections. Another 25 per cent of M.L.As have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery. The remaining 35 per cent of the M.L.As have expressed the opinion that 1 year imprisonment with fine of Rs.5000 should be the punishment for committing the offence of bribery.

Table-24.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	04 (40%)
2	6 months imprisonment with Rs.5000/ fine	04 (40%)
3	1 year imprisonment with Rs.5000/ fine	02 (20%)
		10 (100%) total respondents

In the table-24.ii, the opinions of the M.Ps about what should be the punishment for involving in the offence of bribery are shown. It shows that 40 per cent of M.Ps have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the punishment for committing the offence of bribery during the time of elections. Another 40 per cent of M.Ps have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery. The remaining 20 per cent of the M.Ps have expressed the opinion that 1 year imprisonment with fine of Rs.5000 should be the punishment for committing the offence of bribery.

Table-24.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	14 (46.67%)
2	6 months imprisonment with Rs.5000/ fine	12 (40.00%)
3	1 year imprisonment with Rs.5000/ fine	04 (13.33%)
		30(100%) total respondents

In the table-24.iii, the opinions of the Sarpanches about what should be the punishment for involving in the offence of bribery are shown. It shows that 46 per cent of sarpanches have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the punishment for committing the offence of bribery during the time of elections. Another 40 per cent of sarpanches have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery. The remaining 13 per cent of the sarpanches have expressed the opinion that 1 year imprisonment with fine of Rs.5000 should be the punishment for committing the offence of bribery.

Table-24.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	05 (27.78%)
2	6 months imprisonment with Rs.5000/ fine	05 (27.78%)
3	1 year imprisonment with Rs.5000/ fine	08 (44.44%)
		18 (100%) total respondents

In the table 24.iv, the opinions of the Academicians about what should be the punishment for involving in the offence of bribery are shown. It shows that about 27 per cent of academicians have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the

punishment for committing the offence of bribery during the time of elections. Another 27 per cent of academicians have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery. The remaining 44 per cent of the academicians have expressed the opinion that 1 year imprisonment with fine of Rs.5000 should be the punishment for committing the offence of bribery.

Table24.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	08 (40%)
2	6 months imprisonment with Rs.5000/ fine	03 (15%)
3	1 year imprisonment with Rs.5000/ fine	09 (45%)
		20(100%) total respondents

In the table-24.v, the opinions of the Research Scholars about what should be the punishment for involving in the offence of bribery. It shows that 40 per cent of Research Scholars have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the punishment for committing the offence of bribery during the time of elections. Another 15 per cent of Research Scholars have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery. The remaining 45 per cent of Research Scholars have expressed the opinion that 1 year imprisonment with fine of Rs.5000 should be the punishment for committing the offence of bribery.

Table 24.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	1 year imprisonment with Rs.2000/ fine	01 (50%)
2	6 months imprisonment with Rs.5000/ fine	01 (50%)
		02(100%) total respondents

In the table-24.vi, the opinions of the former Election Commissioners on what should be the punishment for involving in the offence of bribery are shown. It shows that 50 per cent of former Election Commissioners have expressed the opinion that 1 year imprisonment with fine of Rs 2000 should be the punishment for committing the offence of bribery during the time of elections. Another 50 per cent of the former Election Commissioners have expressed the view that 6 months imprisonment with fine of Rs. 5000 should be the punishment for involving in the offence of bribery.

Table 25

Opinions of all the respondents about what should be the punishment for committing the offence of impersonation on the day of polling

S. No	Opinion	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	20 (20%)
2	10 months imprisonment with Rs.3000/ fine	40 (40%)
3	1 year imprisonment with Rs.2000/ fine	40 (40%)
		100(100%) total respondents

In the table 25, the opinions of all the respondents about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that 20 per cent of the respondents have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling so that people will not try to involve in that offence. Another 40 per cent of the respondents have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling so that no one will try to commit that offence. The remaining 40 per cent of the respondents have expressed the opinion that 1 year imprisonment with Rs. 2000 fine should be the punishment for committing the offence of impersonation on the day of polling so that the people will not repeat that mistake.

Table 25.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	04 (20%)
2	10 months imprisonment with Rs.3000/ fine	08 (40%)
3	1 year imprisonment with Rs.2000/ fine	08 (40%)
		20 (100%) total respondents

In the table 25.i, the opinions of the M.L.As about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that 20 per cent of the M.L.As have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling. Another 40 per cent of the M.L.As have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling. The remaining 40 per cent of the M.L.As have expressed the opinion that 1 year imprisonment with Rs. 2000 fine should be the punishment for committing the offence of impersonation on the day of polling.

Table-25.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	02 (20%)
2	10 months imprisonment with Rs.3000/ fine	04 (40%)
3	1 year imprisonment with Rs.2000/ fine	04 (40%)
		10 (100%) total respondents

In the table-25.ii, the opinions of the M.Ps about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that 20 per cent of the

M.Ps have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling. Another 40 per cent of the M.Ps have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling. The remaining 40 per cent of the M.Ps have expressed the opinion that 1 year imprisonment with Rs. 2000 fine should be the punishment for committing the offence of impersonation on the day of polling.

Table-25.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	08 (26.67%)
2	10 months imprisonment with Rs.3000/ fine	14 (46.67%)
3	1 year imprisonment with Rs.2000/ fine	08 (26.67%)
		30 (100%) total respondents

In the table 25.iii, the opinions of the Sarpanches about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that about 26 per cent of the Sarpanches have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling. Another 46 per cent of the Sarpanches have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling. The remaining 26 per cent of the Sarpanches have expressed the opinion that 1 year imprisonment with Rs. 2000 fine should be the punishment for committing the offence of impersonation on the day of polling.

Table-25.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	03 (16.67%)
2	10 months imprisonment with Rs.3000/ fine	05 (27.78%)
3	1 year imprisonment with Rs.2000/ fine	10 (55.56%)
		18 (100%) total respondents

In the table 25.iv, the opinions of the Academicians about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that about 16 per cent of the academicians have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling. Another 27 per cent of the academicians have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling. The remaining 55 per cent of the academicians have expressed the opinion that 1 year imprisonment with Rs. 2000 fine should be the punishment for committing the offence of impersonation on the day of polling.

Table-25.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	02 (10%)
2	10 months imprisonment with Rs.3000/ fine	08 (40%)
3	1 year imprisonment with Rs.2000/ fine	10 (50%)
		20(100%) total respondents

In the table 25.v, the opinions of the Research Scholars about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that 10 per

cent of the Research Scholars have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling. Another 40 per cent of the Research Scholars have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling. The remaining 50 per cent of the Research Scholars have expressed the opinion that 1 year imprisonment with Rs. 2000 fine should be the punishment for committing the offence of impersonation on the day of polling.

Table-25.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	6 months imprisonment with Rs.5000/ fine	01 (50%)
2	10 months imprisonment with Rs.3000/ fine	01 (50%)
		02(100%) total respondents

In the table 25.vi, the opinions of the former Election Commissioners about what should be the punishment for committing the offence of impersonation on the day of polling are shown. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that 6 months imprisonment with Rs. 5000 fine should be the punishment for committing the offence of impersonation on the day of polling. Another 50 per cent of the former Election Commissioners have expressed the view the view that 10 months imprisonment with Rs. 3000 fine should be the punishment for involving in the offence of impersonation on the day of polling.

Table-26

Opinions of all the respondents about what should be the punishment for using Government machinery for campaigning

S. No	Opinion	No. of respondents
1	Rs.3000/ fine	30 (30%)
2	Rs.10,000/ fine	30 (30%)
3	Rs.15000/ fine	40 (40%)
		100 (100%) total respondents

In the table 26, the opinions of all the respondents about what should be the punishment for using Government machinery for campaigning are shown. It shows that 30 per cent of the respondents have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning so that official machinery cannot be used by the ministers. Another 30 per cent of the respondents have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning so that political leaders who are in power will not use the official machinery. The remaining 40 per cent of the respondents have expressed the opinion that fine of Rs. 15,000 should be the punishment for using government machinery for campaigning so that no minister will use the official machinery for campaigning.

Table 26.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Rs.3000/ fine	05 (25%)
2	Rs.10,000/ fine	05 (25%)
3	Rs.15000/ fine	10 (50%)
		20 (100%) total respondents

In the table 26.i, the opinions of the M.L.As about what should be the punishment for using Government machinery for campaigning are shown. It shows that 25 per cent of the M.L.As have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning. Another 25 per cent of the M.L.As have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning. The remaining 50 per cent of the M.L.As have expressed the opinion that fine of Rs. 15,000 should be the punishment for using government machinery for campaigning.

Table-26.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	Rs.3000/ fine	04 (40%)
2	Rs.10,000/ fine	04 (40%)
3	Rs.15000/ fine	02 (20%)
		10 (100%) total respondents

In the table 26.ii, the opinions of the M.Ps about what should be the punishment for using Government machinery for campaigning are shown. It shows that 40 per cent of the M.Ps have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning. Another 40 per cent of the M.Ps have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning. The remaining 20 per cent of the M.Ps have expressed the opinion that fine of Rs. 15,000 should be the punishment for using government machinery for campaigning.

Table 26.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	Rs.3000/ fine	12 (40%)
2	Rs.10,000/ fine	12 (40%)
3	Rs.15000/ fine	06 (20%)
		30 (100%) total respondents

In the table 26.iii, the opinions of the Sarpanches about what should be the punishment for using Government machinery for campaigning are shown. It shows that 40 per cent of the Sarpanches have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning. Another 40 per cent of the Sarpanches have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning. The remaining 20 per cent of the Sarpanches have expressed the opinion that fine of Rs. 15,000 should be the punishment for using government machinery for campaigning.

Table 26.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	Rs.3000/ fine	05 (27.78%)
2	Rs.10,000/ fine	05 (27.78%)
3	Rs.15000/ fine	08 (44.44%)
		18 (100%) total respondents

In the table 26.iv, the opinions of the Academicians about what should be the punishment for using Government machinery for campaigning are shown. It shows that about 27 per cent of the academicians have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning. Another 27 per cent of the academicians have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning. The remaining 44 per cent of the academicians have expressed the

opinion that fine of Rs. 15,000 should be the punishment for using government machinery for campaigning.

Table 26.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	Rs.3000/ fine	03 (15%)
2	Rs.10,000/ fine	03 (15%)
3	Rs.15000/ fine	14 (70%)
		20 (100%) total respondents

In the table 26.v, the opinions of the Research Scholars about what should be the punishment for using Government machinery for campaigning are shown. It shows that 15 per cent of the Research Scholars have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning. Another 15 per cent of the Research Scholars have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning. The remaining 70 per cent of the Research Scholars have expressed the opinion that fine of Rs. 15,000 should be the punishment for using government machinery for campaigning.

Table 26.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of former Election Commissioners	No. of respondents
1	Rs.3000/ fine	01 (50%)
2	Rs.10,000/ fine	01 (50%)
		02 (100%) total respondents

In the table 26.vi, the opinions of the former Election Commissioners about what should be the punishment for using Government machinery for campaigning. It shows that 50 per cent of former Election Commissioners have expressed the opinion that a fine of Rs. 3000 should be the punishment for using the government machinery for campaigning. Another 50 per cent of the former Election Commissioners have expressed the view that fine of Rs. 10,000 should be the punishment for using government machinery for campaigning.

Table 27

Opinions of all the respondents about what should be the punishment for committing the offence of rigging during the time of polling are shown below.

S. No	Opinions	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	30 (30%)
2	3 years imprisonment with Rs. 2000/ fine	40 (40%)
3	1 year imprisonment with Rs. 10000/ fine	30 (30%)
		100 (100%) total respondents

In the table 27, the opinions of the respondents about what should be the punishment for committing the offence of rigging during the time of polling are shown. It shows that 30 per cent of the respondents have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling so that Political leaders will not try to commit that offence. Another 40 per cent of the respondents have expressed the view that 3 years imprisonment with Rs. 2000 should be the punishment for involving in the offence of rigging during the time of polling so that people will not involve in that offence. And the remaining 30 per cent of the respondents have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging so that no one including Political leaders will commit that offence.

Table-27.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinions of M.L.As	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	05 (25%)
2	3 years imprisonment with Rs. 2000/ fine	10 (50%)
3	1 year imprisonment with Rs. 10000/ fine	05 (25%)
		20 (100%) total respondents

In the table 27.i, the opinions of the M.L.As about what should be the punishment for committing the offence of rigging during the time of polling are shown. It shows that 25 per cent of the M.L.As have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling. Another 50 per cent of the M.L.As have expressed the view that 3 years imprisonment with Rs. 2000 should be the punishment for involving in the offence of rigging during the time of polling. And the remaining 25 per cent of the M.L.As have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging.

Table-27.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinions of M.Ps	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	04 (40%)
2	3 years imprisonment with Rs. 2000/ fine	02 (20%)
3	1 year imprisonment with Rs. 10000/ fine	04 (40%)
		10 (100%) total respondents

In the table-27.ii, the opinions of the M.Ps about what should be the punishment for committing the offence of rigging during the time of polling are shown. It shows that 40 per cent of the M.Ps have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling. Another 20 per cent

of the M.Ps have expressed the view that 3 years imprisonment with Rs. 2000 should be the punishment for involving in the offence of rigging during the time of polling. And the remaining 40 per cent of the M.Ps have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging.

Table-27.iii

Opinions of only Sarpanchs are shown below.

S. No	Opinions of Sarpanches	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	12 (40%)
2	3 years imprisonment with Rs. 2000/ fine	06 (20%)
3	1 year imprisonment with Rs. 10000/ fine	12 (40%)
		30 (100%) total respondents

In the table-27.iii, the opinions of the Sarpanches about what should be the punishment for committing the offence of rigging during the time of polling are shown. It shows that 40 per cent of the Sarpanches have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling. Another 20 per cent of the Sarpanches have expressed the view that 3 years imprisonment with Rs. 2000 should be the punishment for involving in the offence of rigging during the time of polling. And the remaining 40 per cent of the Sarpanches have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging.

Table 27.iv

Opinions of only Academicians are shown below.

S. No	Opinions of Academicians	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	05 (27.78%)
2	3 years imprisonment with Rs. 2000/ fine	08 (44.44%)
3	1 year imprisonment with Rs. 10000/ fine	05 (27.78%)
		18 (100%) total respondents

In the table 27.iv, the opinions of the Academicians about what should be the punishment for committing the offence of rigging during the time of polling are shown. It shows that about 27 per cent of the academicians have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling. Another 44 per cent of the academicians have expressed the view that 3 years imprisonment with Rs. 2000 should be the punishment for involving in the offence of rigging during the time of polling. And the remaining 27 per cent of the academicians have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging.

Table 27.v

Opinions of only Research Scholars are shown below

S. No	Opinions of Research Scholars	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	03 (15%)
2	3 years imprisonment with Rs. 2000/ fine	14 (70%)
3	1 year imprisonment with Rs. 10000/ fine	03 (15%)
		20 (100%) total respondents

In the table 27.v, the opinions of the Research Scholars about what should be the punishment for committing the offence of rigging during the time of polling are shown. It shows that 15 per cent of the Research Scholars have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling.

Another 70 per cent of the Research Scholars have expressed the view that 3 years imprisonment with Rs. 2000 should be the punishment for involving in the offence of rigging during the time of polling. And the remaining 15 per cent of the Research Scholars have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging.

Table 27.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinions of Former Election Commissioners	No. of respondents
1	2 years imprisonment with Rs. 5000/ fine	01 (50%)
2	1 year imprisonment with Rs. 10000/ fine	01 (50%)
		02 (100%) total respondents

In the table 27.vi, the opinions of the former Election Commissioners about what should be the punishment for committing the offence of rigging during the time of polling. It shows that 50 per cent of the former Election Commissioners have expressed the opinion that 2 years imprisonment with fine of Rs. 5000 should be the punishment for committing the offence of rigging during the time of polling. And the remaining 50 per cent of the former Election Commissioners have expressed the opinion that 1 year imprisonment with fine of Rs. 10,000 should be the punishment for committing the offence of rigging.

Table-28

Opinions of all the respondents about the need for Regional Election Commissioners in India

S. No	Opinion	No. of respondents
1	There is need for Regional Election Commissioners in India	60 (60%)
2	There is no need for Regional Election Commissioners in India	40 (40%)
		100 (100%) total respondents

In the table 28, the opinions of all the respondents about the need for Regional Election Commissioners in India are shown. It shows that 60 per cent of the respondents have expressed that there is need for Regional Election Commissioners in India so that good precautionary measures can be taken for establishing congenial atmosphere to conduct elections in all the regions. The remaining 40 per cent of the respondents have stated that there is no need for Regional Election Commissioners in India because there will be Chief Electoral Officer for every state to look after preparations needed for conducting elections.

Table 28.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No. of respondents
1	There is need for Regional Election Commissioners in India	13 (65%)
2	There is no need for Regional Election Commissioners in India	07 (35%)
		20 (100%) total respondents

In the table 28.i, the opinions of the M.L.As about the need for Regional Election Commissioners in India are shown. It shows that 65 per cent of the M.L.As have expressed that there is need for Regional Election Commissioners in India. The remaining 35 per cent of the M.L.As have stated that there is no need for Regional Election Commissioners in India.

Table 28.ii Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No. of respondents
1	There is need for Regional Election Commissioners in India	06 (60%)
2	There is no need for Regional Election Commissioners in India	04 (40%)
		10 (100%) total respondents

In the table 28.ii, the opinions of the M.Ps about the need for Regional Election Commissioners in India are shown. It shows that 60 per cent of the M.Ps have expressed that there is need for Regional Election Commissioners in India. The remaining 40 per cent of the M.Ps have stated that there is no need for Regional Election Commissioners in India.

Table 28.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No. of respondents
1	There is need for Regional Election Commissioners in India	18 (60%)
2	There is no need for Regional Election Commissioners in India	12 (40%)
		30 (100%) total respondents

In the table 28.iii, the opinions of the Sarpanches on the question that is there need for Regional Election Commissioners in India are shown. It shows that 60 per cent of the Sarpanches have expressed that there is need for Regional Election Commissioners in India. The remaining 40 per cent of the Sarpanches have stated that there is no need for Regional Election Commissioners in India.

Table 28.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No. of respondents
1	There is need for Regional Election Commissioners in India	10 (55.56%)
2	There is no need for Regional Election Commissioners in India	08 (44.44%)
		18 (100%) total respondents

In the table 28.iv, the opinions of the Academicians about the need for Regional Election Commissioners in India are shown. It shows that about 55 per cent of the academicians have expressed that there is need for Regional Election Commissioners in India. The remaining 44 per cent of the academicians have stated that there is no need for Regional Election Commissioners in India.

Table 28.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No. of respondents
1	There is need for Regional Election Commissioners in India	12 (60%)
2	There is no need for Regional Election Commissioners in India	08 (40%)
		20 (100%) total respondents

In the table 28.v, the opinions of the Research Scholars about the need for Regional Election Commissioners in India are shown. It shows that 60 per cent of the Research Scholars have expressed that there is need for Regional Election Commissioners in India. The remaining 40 per cent of the Research Scholars have stated that there is no need for Regional Election Commissioners in India.

Table28.vi

Opinions of only Former Election Commissioners are shown below.

S. No	Opinion of Former Election Commissioners	No. of respondents
1	There is need for Regional Election Commissioners in India	01 (50%)
2	There is no need for Regional Election Commissioners in India	01 (50%)
		02 (100%) total respondents

In the table 28.vi, the opinions of the former Election Commissioners about the need for Regional Election Commissioners in India are shown. It shows that 50 per cent of the former Election Commissioners have expressed that there is need for Regional Election Commissioners in India. The remaining 50 per cent of the former Election Commissioners have stated that there is no need for Regional Election Commissioners in India.

Table-29

Opinions of all the respondents on the need for Election Tribunals

S. No	Opinion	No of respondents
1	There is need for Election Tribunals	35 (35%)
2	There is no need for Election Tribunals	65 (65%)
		100 (100%) total respondents

In the table 29, the opinions of the respondents on the need for Election Tribunals are shown. It shows that 35 per cent of the respondents have expressed that there is need for Election Tribunals so that disputes related to elections can be settled without delay. The remaining 65 per cent of the respondents have stated that there is no need for Election Tribunals as there are Courts at every level i.e. district level, state level and national level to settle the disputes.

Table 29.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No of respondents
1	There is need for Election Tribunals	07 (35%)
2	There is no need for Election Tribunals	13 (65%)
		20 (100%) total respondents

In the table 29.i, the opinions of the M.L.As on the need for Election Tribunals are shown. It shows that 35 per cent of the M.L.As have expressed that there is need for Election Tribunals. The remaining 65 per cent of the M.L.As have stated that there is no need for Election Tribunals.

Table 29.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No of respondents
1	There is need for Election Tribunals	04 (40%)
2	There is no need for Election Tribunals	06 (60%)
		10 (100%) total respondents

In the table 29.ii, the opinions of the M.Ps on the need for Election Tribunals are shown. It shows that 40 per cent of the M.Ps have expressed that there is need for Election Tribunals. The remaining 60 per cent of the M.Ps have stated that there is no need for Election Tribunals.

Table 29.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No of respondents
1	There is need for Election Tribunals	13 (43.33%)
2	There is no need for Election Tribunals	17 (56.67%)
		30 (100%) total respondents

In the table 29.iii, the opinions of the Sarpanches on the need for Election Tribunals are shown. It shows that about 43 per cent of the Sarpanches have expressed that there is need for Election Tribunals. The remaining 56 per cent of the Sarpanches have stated that there is no need for Election Tribunals.

Table 29.iv Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	There is need for Election Tribunals	06 (33.33%)
2	There is no need for Election Tribunals	12 (66.67%)
		18 (100%) total respondents

In the table 29.iv, the opinions of the Academicians on the need for Election Tribunals are shown. It shows that about 33 per cent of the academicians have expressed that there is need for Election Tribunals. The remaining 66 per cent of the academicians have stated that there is no need for Election Tribunals.

Table 29.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No of respondents
1	There is need for Election Tribunals	04 (20%)
2	There is no need for Election Tribunals	16 (80%)
		20 (100%) total respondents

In the table 29.v, the opinions of the Research Scholars on the need for Election Tribunals are shown. It shows that 20 per cent of the Research Scholars have expressed that there is need for Election Tribunals. The remaining 80 per cent of the Research Scholars have stated that there is no need for Election Tribunals.

Table 29.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Election Former Commissioners	No of respondents
1	There is need for Election Tribunals	01 (50%)
2	There is no need for Election Tribunals	01 (50%)
		02 (100%) total respondents

In the table 29.vi, the opinions of the Election Commissioners on the question that is there need for Election Tribunals are shown. It shows that 50 per cent of the respondents have expressed that there is need for Election Tribunals. The remaining 50 per cent of the respondents have stated that there is no need for Election Tribunals.

Table 30

Opinions of all the respondents on whether Eunuchs should be given voting rights

S. No	Opinion	No. of respondents
1	Eunuchs should be given voting right	90 (90%)
2	Eunuchs should not be given voting right	10 (10%)
		100 (100%) total respondents

In the table 30, the opinions of the respondents on the question that whether Eunuchs should be given voting rights are shown. It shows that 90 per cent of the respondents have expressed that Eunuchs should be given voting right because as per the Constitution of India everyone who attains the age of 18 is eligible for voting. The remaining 10 per cent of the respondents have stated that Eunuchs should not be given voting right as they do not fall in either of the two categories i.e. male and female.

Table 30.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No. of respondents
1	Eunuchs should be given voting right	18 (90%)
2	Eunuchs should not be given voting right	02 (10%)
		20 (100%) total respondents

In the table 30.i, the opinions of the M.L.As on whether Eunuchs should be given voting rights are shown. It shows that 90 per cent of the M.L.As have expressed that Eunuchs should be given voting right. The remaining 10 per cent of the M.L.As have stated that Eunuchs should not be given voting right.

Table-30.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No. of respondents
1	Eunuchs should be given voting right	09 (90%)
2	Eunuchs should not be given voting right	01 (10%)
		10 (100%) total respondents

In the table 30.ii, the opinions of the M.Ps on whether Eunuchs should be given voting rights are shown. It shows that 90 per cent of the M.Ps have expressed that Eunuchs should be given voting right. The remaining 10 per cent of the M.Ps have stated that Eunuchs should not be given voting right.

Table 30.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No. of respondents
1	Eunuchs should be given voting right	27 (90%)
2	Eunuchs should not be given voting right	03 (10%)
		30 (100%) total respondents

In the table-30.iii, the opinions of the Sarpanches on whether Eunuchs should be given voting rights are shown. It shows that 90 per cent of the Sarpanches have expressed that Eunuchs should be given voting right. The remaining 10 per cent of the Sarpanches have stated that Eunuchs should not be given voting right.

Table 30.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No. of respondents
1	Eunuchs should be given voting right	16 (88.89%)
2	Eunuchs should not be given voting right	02 (11.11%)
		18 (100%) total respondents

In the table 30.iv, the opinions of the Academicians on whether Eunuchs should be given voting rights are shown. It shows that about 88 per cent of the academicians have expressed that Eunuchs should be given voting right. The remaining 11 per cent of the academicians have stated that Eunuchs should not be given voting right.

Table 30.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No. of respondents
1	Eunuchs should be given voting right	19 (95%)
2	Eunuchs should not be given voting right	01 (05%)
		20 (100%) total respondents

In the table 30.v, the opinions of the Research Scholars on whether Eunuchs should be given voting rights are shown. It shows that 95 per cent of the Research Scholars have expressed that Eunuchs should be given voting right. The remaining 5 per cent of the Research Scholars have stated that Eunuchs should not be given voting right.

Table 30.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No. of respondents
1	Eunuchs should be given voting right	01 (50%)
2	Eunuchs should not be given voting right	01 (50%)
		02 (100%) total respondents

In the table 30.vi, the opinions of the former Election Commissioners on whether Eunuchs should be given voting rights are shown. It shows that 50 per cent of the former Election Commissioners have expressed that Eunuchs should be given voting right. The remaining 50 per cent of the former Election Commissioners have stated that Eunuchs should not be given voting right.

Table 31

Opinions of all the respondents on the tenure of Chief Election Commissioners and other Election Commissioners

S. No	Opinion	No of respondents
1	3 Years	40 (40%)
2	5 Years	50 (50%)
3	1 Year	10 (10%)
		100 (100%) total respondents

In the table 31, the opinions of all the respondents on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that 40 per cent of the respondents have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years as many officers are changed their positions for every three years. Another 50 per cent of the respondents have expressed that the tenure of Chief

Election Commissioners and other Election Commissioners should be 5 years because the elections are conducted once for every five years to the legislative bodies in India. The remaining 10 per cent of the respondents have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be only 1 year so that the officers will discharge their duties impartially.

Table 31.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No of respondents
1	3 Years	08 (40%)
2	5 Years	10 (50%)
3	1 Year	02 (10%)
		20 (100%) total respondents

In the table 31.i, the opinions of the M.L.As on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that 40 per cent of the M.L.As have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years. Another 50 per cent of the M.L.As have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 5 years. The remaining 10 per cent of the M.L.As have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be only 1 year.

Table 31.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No of respondents
1	3 Years	04 (40%)
2	5 Years	05 (50%)
3	1 Year	01 (10%)
		10 (100%) total respondents

In the table 31.ii, the opinions of the M.Ps on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that 40 per cent of the M.Ps have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years. Another 50 per cent of the M.Ps have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 5 years. The remaining 10 per cent of the M.Ps have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be only 1 year.

Table 31.iii

Opinions of Sarpanches are shown below

S. No	Opinion of Sarpanches	No of respondents
1	3 Years	14 (46.67%)
2	5 Years	13 (43.33%)
3	1 Year	03 (10.00%)
		30 (100%) total respondents

In the table 31.iii, the opinions of the Sarpanches on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that about 46 per cent of the Sarpanches have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years. Another 43 per cent of the

Sarpanches have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 5 years. The remaining 10 per cent of the Sarpanches have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be only 1 year.

Table 31.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	3 Years	05 (27.78%)
2	5 Years	11 (61.11%)
3	1 Year	02 (11.11%)
		18 (100%) total respondents

In the table 31.iv, the opinions of the Academicians on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that about 27 per cent of the academicians have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years. Another 61 per cent of the Academicians have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 5 years. The remaining 11 per cent of the academicians have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be only 1 year.

Table 31.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No of respondents
1	3 Years	08 (40%)
2	5 Years	10 (50%)
3	1 Year	02 (10%)
		20 (100%) total respondents

In the table 31.v, the opinions of the Research Scholars on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that 40 per cent of the have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years. Another 50 per cent of the Research Scholars have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 5 years. The remaining 10 per cent of the Research Scholars have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be only 1 year.

Table 31.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No of respondents
1	3 Years	01 (50%)
2	5 Years	01 (50%)
		02 (100%) total respondents

In the table 31.vi, the opinions of the former Election Commissioners on the question that what should be the tenure of Chief Election Commissioners and other Election Commissioners are shown. It shows that 50 per cent of the former Election Commissioners have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 3 years. Another 50 per cent of the former Election Commissioners have expressed that the tenure of Chief Election Commissioners and other Election Commissioners should be 5 years.

Table 32

Opinions of all the respondents on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown below

S. No	Opinion	No of respondents
1	Eunuchs should be included in Male category	30 (30%)
2	Eunuchs should be included in Female category	40 (40%)
3	Eunuchs should be included in Eunuch category	30 (30%)
		100 (100%) total respondents

In the table 32, the opinions of the respondents on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that 30 per cent of the respondents have expressed that Eunuchs should be included in Male category as most of the eunuchs are males by birth. Another 40 per cent of the respondents have stated that Eunuchs should be included in Female category as they behave like females in the society. The remaining 30 per cent of the respondents have expressed that eunuchs should be included in Eunuch category as they do not like to be either males or females.

Table 32.i Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No of respondents
1	Eunuchs should be included in Male category	05 (25%)
2	Eunuchs should be included in Female category	10 (50%)
3	Eunuchs should be included in Eunuch category	05 (25%)
		20 (100%) total respondents

In the table 32.i, the opinions of the M.L.As on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that 25 per cent of the M.L.As have expressed that Eunuchs should be included in Male category. Another 50 per cent of the M.L.As have stated that Eunuchs should be included in Female category. The remaining 25 per cent of the M.L.As have expressed that eunuchs should be included in Eunuch category.

Table 32.ii Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No of respondents
1	Eunuchs should be included in Male category	04 (40%)
2	Eunuchs should be included in Female category	02 (20%)
3	Eunuchs should be included in Eunuch category	04 (40%)
		10 (100%) total respondents

In the table 32.ii, the opinions of the M.Ps on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that 40 per cent of the M.Ps have expressed that Eunuchs should be included in Male category. Another 20 per cent of the M.Ps have stated that Eunuchs should be included in Female category. The remaining 40 per cent of the M.Ps have expressed that eunuchs should be included in Eunuch category.

Table 32.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No of respondents
1	Eunuchs should be included in Male category	12 (40%)
2	Eunuchs should be included in Female category	06 (20%)
3	Eunuchs should be included in Eunuch category	12 (40%)
		30 (100%) total respondents

In the table 32.iii, the opinions of the Sarpanches on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that 40 per cent of the Sarpanches have expressed that Eunuchs should be included in Male category. Another 20 per cent of the Sarpanches have stated that Eunuchs should be included in Female category. The remaining 40 per cent of the Sarpanches have expressed that eunuchs should be included in Eunuch category.

Table 32.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	Eunuchs should be included in Male category	05 (27.78%)
2	Eunuchs should be included in Female category	08 (44.44%)
3	Eunuchs should be included in Eunuch category	05 (27.78%)
		18 (100%) total respondents

In the table 32.iv, the opinions of the Academicians on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that about 27 per cent of the academicians have expressed that Eunuchs should be included in Male category. Another 44 per cent of the academicians have stated that Eunuchs should be included in Female category. The remaining 27 per cent of the academicians have expressed that eunuchs should be included in Eunuch category.

Table 32.v Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No of respondents
1	Eunuchs should be included in Male category	03 (15%)
2	Eunuchs should be included in Female category	14 (70%)
3	Eunuchs should be included in Eunuch category	03 (15%)
		20 (100%) total respondents

In the table 32.v, the opinions of the Research Scholars on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that 15 per cent of the Research Scholars have expressed that Eunuchs should be included in Male category. Another 70 per cent of the Research Scholars have stated that Eunuchs should be included in Female category. The remaining 15 per cent of the Research Scholars have expressed that eunuchs should be included in Eunuch category.

Table 32.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No of respondents
1	Eunuchs should be included in Male category	01 (50%)
2	Eunuchs should be included in Eunuch category	01 (50%)
		02 (100%) total respondents

In the table 32.vi, the opinions of the former Election Commissioners on the question that in which category Eunuchs should be included in the Voter List, Whether Males or Females or Eunuchs are shown. It shows that 50 per cent of the former Election Commissioners have expressed that Eunuchs should be included in Male category. The remaining 50 per cent of the former Election Commissioners have expressed that eunuchs should be included in Eunuch category.

Table 33

Opinions of all the respondents on is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies

S. No	Opinion	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	80 (80%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	20 (20%)
		100 (100%) total respondents

In the table 33, the opinions of the respondents on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative

assemblies and Local bodies are shown. It shows that 80 per cent of the respondents have expressed that There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies because eunuchs have no reservation provision in the Indian Constitution. The remaining 20 per cent of the respondents have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies as eunuchs do not like family life and the institution of family will be ruined in course of time.

Table 33.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	16 (80%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	04 (20%)
		20 (100%) total respondents

In the table 33.i, the opinions of the M.L.As on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies are shown. It shows that 80 per cent of the M.L.As have expressed that There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies. The remaining 20 per cent of the M.L.As have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies.

Table 33.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	08 (80%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	02 (20%)
		10 (100%) total respondents

In the table 33.ii, the opinions of the M.Ps on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies are shown. It shows that 80 per cent of the M.Ps have expressed that There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies. The remaining 20 per cent of the M.Ps have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies.

Table 33.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	25 (83.33%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	05 (16.67%)
		30 (100%) total respondents

In the table 33.iii, the opinions of the Sarpanches on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies? are shown. It shows that about 83 per cent of the Sarpanches have expressed that there is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies. The remaining 16 per cent of the Sarpanches have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies.

Table 33.iv

Opinions of Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	12 (66.67%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	06 (33.33%)
		18 (100%) total respondents

In the table 33.iv, the opinions of the Academicians on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies are shown. It shows that about 66 per cent of the academicians have expressed that There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies. The remaining 33 per cent of the academicians have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies.

Table 33.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	18 (90%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	02 (10%)
		20 (100%) total respondents

In the table 33.v, the opinions of the Research Scholars on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies? are shown. It shows that 90 per cent of the Research Scholars have expressed that There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies. The remaining 10 per cent of the Research Scholars have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies.

Table 33.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No of respondents
1	There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	01 (50%)
2	There is no need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies	01 (50%)
		02 (100%) total respondents

In the table 33.vi, the opinions of the former Election Commissioners on the question that is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies are shown. It shows that 50 per cent of the former Election Commissioners have expressed that There is need to create separate category i.e. Eunuch category and allocate seats to them in Legislative bodies. The remaining 50 per cent of the former Election Commissioners have stated that there is no need to create separate category i.e. Eunuch category and allocate seats to them in the Legislative bodies.

Table 34

Opinions of all the respondents on whether the Eunuchs should be allowed to contest in the elections or not

S. No	Opinion	No of respondents
1	Eunuchs should be allowed to contest in the election	80 (80%)
2	Eunuchs should not be allowed to contest in the election	20 (20%)
		100 (100%) total respondents

In the table 34, the opinions of the respondents on the question that whether the Eunuchs should be allowed to contest in the elections or not are shown. It shows that 80 per cent of the respondents have expressed that Eunuchs should be allowed to contest in the election as age (18 years) is the only criteria required to become a voter in India. The remaining 20 per cent have stated that Eunuchs should not be allowed to contest in the election as eunuchs does not fall in either of the two categories i.e. male category and female category.

Table 34.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No of respondents
1	Eunuchs should be allowed to contest in the election	16 (80%)
2	Eunuchs should not be allowed to contest in the election	04 (20%)
		20 (100%) total respondents

In the table 34.i, the opinions of the M.L.As on the question that whether the Eunuchs should be allowed to contest in the elections are shown. It shows that 80 per cent of the M.L.As have expressed that Eunuchs should be allowed to contest in the election. The remaining 20 per cent of the M.L.As have stated that Eunuchs should not be allowed to contest in the election.

Table 34.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No of respondents
1	Eunuchs should be allowed to contest in the election	06 (60%)
2	Eunuchs should not be allowed to contest in the election	04 (40%)
		10 (100%) total respondents

In the table 34.ii, the opinions of the M.Ps on the question that whether the Eunuchs should be allowed to contest in the elections are shown. It shows that 60 per cent of the M.Ps have expressed that Eunuchs should be allowed to contest in the election. The remaining 40 per cent of the M.Ps have stated that Eunuchs should not be allowed to contest in the election.

Table 34.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No of respondents
1	Eunuchs should be allowed to contest in the election	25 (83.33%)
2	Eunuchs should not be allowed to contest in the election	05 (16.67%)
		30 (100%) total respondents

In the table 34.iii, the opinions of the Sarpanches on the question that whether the Eunuchs should be allowed to contest in the elections are shown. It shows that about 83 per cent of the Sarpanches have expressed that Eunuchs should be allowed to contest in the election. The remaining 16 per cent of Sarpanches have stated that Eunuchs should not be allowed to contest in the election.

Table 34.iv Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	Eunuchs should be allowed to contest in the election	12 (66.67%)
2	Eunuchs should not be allowed to contest in the election	08 (44.44%)
		18 (100%) total respondents

In the table 34.iv, the opinions of the Academicians on the question that whether the Eunuchs should be allowed to contest in the elections are shown. It shows that about 66 per cent of the academicians have expressed that Eunuchs should be allowed to contest in the election. The remaining 44 per cent of academicians have stated that Eunuchs should not be allowed to contest in the election.

Table 34.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No of respondents
1	Eunuchs should be allowed to contest in the election	18 (90%)
2	Eunuchs should not be allowed to contest in the election	02 (10%)
		20 (100%) total respondents

In the table 34.v, the opinions of the Research Scholars on the question that whether the Eunuchs should be allowed to contest in the elections are shown. It shows that 90 per cent of the Research Scholars have expressed that Eunuchs should be allowed to contest in the election. The remaining 10 per cent of Research Scholars have stated that Eunuchs should not be allowed to contest in the election.

Table 34.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No of respondents
1	Eunuchs should be allowed to contest in the election	01 (50%)
2	Eunuchs should not be allowed to contest in the election	01 (50%)
		02 (100%) total respondents

In the table 35.vi, the opinions of the Former Election Commissioners on the question that whether the Eunuchs should be allowed to contest in the elections are shown. It shows that 50 per cent of the Former Election Commissioners have expressed that Eunuchs should be allowed to contest in the election. The remaining 50 per cent of Former Election Commissioners have stated that Eunuchs should not be allowed to contest in the election.

Table 35

Opinions of all the respondents on the question that from which date onwards the election code of conduct should come into force, either from the date of announcement of election schedule or from the date of issue of notification for filing nomination are shown below.

S. No	Opinion	No of respondents
1	Election code should come into force from the date of announcement of election schedule	30 (30%)
2	Election code should come into force from the date of issue of notification	70 (70)
		100 (100%) total respondents

In the table 35, the opinions of the respondents on the question that from which date onwards the election code of conduct should come into force? either from the date of announcement of election schedule or from the date of issue of notification for filing nomination? are shown. It shows that 30 per cent of the respondents have expressed that the election code should come into force from the date of announcement of election schedule as every time the election code came into force from the announcement of the election schedule in India. And the remaining 70 per cent of the respondents have stated that the election code should come into force from the date of issue of notification so that the developmental works cannot be stopped for longer period.

Table 35.i

Opinions of only Members of Legislative Assembly are shown below

S. No	Opinion of M.L.As	No of respondents
1	Election code should come into force from the date of announcement of election schedule	05 (25%)
2	Election code should come into force from the date of issue of notification	15 (75)
		20 (100%) total respondents

In the table 35.i, the opinions of the M.L.As on the question that from which date onwards the election code of conduct should come into force? either from the date of announcement of election schedule or from the date of issue of notification for filing nomination? are shown. It shows that 25 per cent of the M.L.As have expressed that the election code should come into force from the date of announcement of election schedule. And the remaining 75 per cent of the M.L.As have stated that the election code should come into force from the date of issue of notification.

Table 35.ii

Opinions of only Members of Parliament are shown below

S. No	Opinion of M.Ps	No of respondents
1	Election code should come into force from the date of announcement of election schedule	04 (40%)
2	Election code should come into force from the date of issue of notification	06 (60%)
		10 (100%) total respondents

In the table 35.ii, the opinions of the M.Ps on the question that from which date onwards the election code of conduct should come into force, either from the date of announcement of election schedule or from the date of issue of notification for filing nomination are shown. It shows that 40 per cent of the M.Ps have expressed that the election code should come into force from the date of announcement of election schedule. And the remaining 60 per cent of the M.Ps have stated that the election code should come into force from the date of issue of notification.

Table 35.iii

Opinions of only Sarpanches are shown below

S. No	Opinion of Sarpanches	No of respondents
1	Election code should come into force from the date of announcement of election schedule	12 (40%)
2	Election code should come into force from the date of issue of notification	18 (60%)
		30 (100%) total respondents

In the table 35.iii, the opinions of the Sarpanches on the question that from which date onwards the election code of conduct should come into force? either from the date of announcement of election schedule or from the date of issue of notification for filing nomination? are shown. It shows that 40 per cent of the Sarpanches have expressed that the election code should come into force from the date of announcement of election schedule. And the remaining 60 per cent of the Sarpanches have stated that the election code should come into force from the date of issue of notification.

Table 35.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	Election code should come into force from the date of announcement of election schedule	05 (27.78%)
2	Election code should come into force from the date of issue of notification	13 (72.22)
		18 (100%) total respondents

In the table 35.iv, the opinions of the Academicians on the question that from which date onwards the election code of conduct should come into force, either from the date of announcement of election schedule or from the date of issue of notification for filing nomination

are shown. It shows that about 27 per cent of the academicians have expressed that the election code should come into force from the date of announcement of election schedule. And the remaining 72 per cent of the academicians have stated that the election code should come into force from the date of issue of notification.

Table 35.v

Opinions of only Research Scholars are shown below

S. No	Opinion of Research Scholars	No of respondents
1	Election code should come into force from the date of announcement of election schedule	03 (15%)
2	Election code should come into force from the date of issue of notification	17 (85%)
		20 (100%) total respondents

In the table 35.v, the opinions of the Research Scholars on the question that from which date onwards the election code of conduct should come into force either from the date of announcement of election schedule or from the date of issue of notification for filing nomination are shown. It shows that 15 per cent of the Research Scholars have expressed that the election code should come into force from the date of announcement of election schedule. And the remaining 85 per cent of the Research Scholars have stated that the election code should come into force from the date of issue of notification.

Table 35.vi Opinions of only Former Election Commissioners are shown below

S. No	Opinion of Former Election Commissioners	No of respondents
1	Election code should come into force from the date of announcement of election schedule	01 (50%)
2	Election code should come into force from the date of issue of notification	01 (50%)
		02 (100%) total respondents

In the table 35.vi, the opinions of the former Election Commissioners on the question that from which date onwards the election code of conduct should come into force? either from the date of announcement of election schedule or from the date of issue of notification for filing nomination? are shown. It shows that 50 per cent of the former Election Commissioners have expressed that the election code should come into force from the date of announcement of election schedule. And the remaining 50 per cent of the former Election Commissioners have stated that the election code should come into force from the date of issue of notification.

Table 36

Opinions of all the respondents on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters

S. No	Opinion	No of respondents
1	Contesting candidates	30 (30%)
2	Voters	10 (30%)
3	Both contesting candidates and voters	60 (60%)
		100 (100%) total respondents

In the table 36, opinions of the respondents on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters are shown. It shows that 30 per cent of the respondents have expressed that only contesting candidates are responsible for the excessive use of money during the time of elections because the contesting candidates will try to spend as much money as they want to win the election. Another 30 per cent of the respondents have expressed that only voters are responsible for the excessive use of money during the time of elections because the voters will demand certain amount for their votes. The remaining 60 per cent of the respondents have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections because on one side voters will demand amount and on the other side candidates will try to spend money to win the election.

Table 36.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No of respondents
1	Contesting candidates	05 (25%)
2	Voters	02 (10%)
3	Both contesting candidates and voters	13 (65%)
		20 (100%) total respondents

In the table 36.i, opinions of the M.L.As on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters or both are shown. It shows that 25 per cent of the M.L.As have expressed that only contesting candidates are responsible for the excessive use of money during the time of elections. Another 10 per cent of the M.L.As have expressed that only voters are responsible for the excessive use of money during the time of elections. The remaining 65 per cent of the M.L.As have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections.

Table 36.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No of respondents
1	Contesting candidates	04 (40%)
2	Voters	01 (10%)
3	Both contesting candidates and voters	05 (50%)
		10 (100%) total respondents

In the table 36.ii, opinions of the M.Ps on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters or both are shown. It shows that 40 per cent of the M.Ps have expressed that only contesting candidates are

responsible for the excessive use of money during the time of elections. Another 10 per cent of the M.Ps have expressed that only voters are responsible for the excessive use of money during the time of elections. The remaining 50 per cent of the M.Ps have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections.

Table 36.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No of respondents
1	Contesting candidates	12 (40%)
2	Voters	03 (10%)
3	Both contesting candidates and voters	15 (50%)
		30 (100%) total respondents

In the table 36.iii, opinions of the Sarpanches on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters or both are shown. It shows that 40 per cent of the Sarpanches have expressed that only contesting candidates are responsible for the excessive use of money during the time of elections. Another 10 per cent of the Sarpanches have expressed that only voters are responsible for the excessive use of money during the time of elections. The remaining 50 per cent of the Sarpanches have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections.

Table 36.iv

Opinions of only Academicians are shown below

S. No	Opinion of Academicians	No of respondents
1	Contesting candidates	05 (27.78%)
2	Voters	02 (11.11%)
3	Both contesting candidates and voters	11 (61.11%)
		18 (100%) total respondents

In the table 36.iv, opinions of the Academicians on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters or both are shown. It shows that about 27 per cent of the Academicians have expressed that only contesting candidates are responsible for the excessive use of money during the time of elections. Another 11 per cent of the Academicians have expressed that only voters are responsible for the excessive use of money during the time of elections. The remaining 61 per cent of the Academicians have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections.

Table 36.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No of respondents
1	Contesting candidates	03 (15%)
2	Voters	02 (10%)
3	Both contesting candidates and voters	15 (75%)
		20 (100%) total respondents

In the table 36.v, opinions of the Research Scholars on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters are shown. It shows that 15 per cent of the Research Scholars have expressed that only contesting candidates are responsible for the excessive use of money during the time of elections. Another 10 per cent of the Research Scholars have expressed that only voters are responsible for the excessive use of money during the time of elections. The remaining 75 per cent of the Research Scholars have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections.

Table 36.vi

Opinions of only are Former Election Commissioners shown below.

S. No	Opinion of Former Election Commissioners	No of respondents
1	Contesting candidates	01 (50%)
2	Both contesting candidates and voters	01 (50%)
		02 (100%) total respondents

In the table 38.vi, opinions of the former Election Commissioners on who is responsible for the excessive use of money during the time of elections, whether the contesting candidates or voters or both are shown. It shows that 50 per cent of the former Election Commissioners have expressed that only contesting candidates are responsible for the excessive use of money during the time of elections. The remaining 50 per cent of the former Election Commissioners have expressed that both contesting candidates and voters are responsible for the excessive use of money during the time of elections.

Table-37

Opinions of all the respondents on why many voters are not properly voting through Electronic Voting Machine (EVM)

S. No	Opinion	No of respondents
1	Illiteracy	30 (30%)
2	Fear of machine	20 (20%)
3	Lack of proper training	50 (50%)
		100 (100%) total respondents

In the table 37, opinions of all the respondents on why many voters are not properly voting through EVM are shown. It shows that 30 per cent of the respondents have expressed that illiteracy is the reason for not properly voting because the illiterate voters are not able know where to press and cast their vote through EVM. Another 20 per cent of the respondents have

expressed that fear of machine is the reason for not casting vote through EVM since the machine makes some sound people are not daring to go and stand near the machine and cast their vote. And the remaining 50 per cent of the respondents have stated that lack of proper training to the voters is the main reason for not casting vote through Electronic Voting Machine as people are not well-versed with the machine.

Table 37.i

Opinions of only Members of Legislative Assembly are shown below.

S. No	Opinion of M.L.As	No of respondents
1	Illiteracy	05 (25%)
2	Fear of machine	04 (20%)
3	Lack of proper training	11 (55%)
		20 (100%) total respondents

In the table 37.1, opinions of the M.L.As on why many voters are not properly voting through EVM, What is the reason are shown. It shows that 25 per cent of the respondents have expressed that illiteracy is the reason for not properly voting. Another 20 per cent of the M.L.As have expressed that fear of machine is the reason for not casting vote through EVM. And the remaining 55 per cent of the M.L.As have stated that lack of proper training to the voters is the main reason for not casting vote through Electronic Voting Machine.

Table 37.ii

Opinions of only Members of Parliament are shown below.

S. No	Opinion of M.Ps	No of respondents
1	Illiteracy	04 (40%)
2	Fear of machine	02 (20%)
3	Lack of proper training	04 (40%)
		10 (100%) total respondents

In the table 37.ii, opinions of the M.Ps on why many voters are not properly voting through EVM, What is the reason are shown. It shows that 40 per cent of the respondents have expressed that illiteracy is the reason for not properly voting. Another 20 per cent of the M.Ps have expressed that fear of machine is the reason for not casting vote through EVM. And the remaining 40 per cent of the M.Ps have stated that lack of proper training to the voters is the main reason for not casting vote through Electronic Voting Machine.

Table 37.iii

Opinions of only Sarpanches are shown below.

S. No	Opinion of Sarpanches	No of respondents
1	Illiteracy	12 (40.00%)
2	Fear of machine	08 (26.67%)
3	Lack of proper training	10 (33.33%)
		30 (100%) total respondents

In the table 37.iii, opinions of the Sarpanches on why many voters are not properly voting through EVM, What is the reason are shown. It shows that 40 per cent of the Sarpanches have expressed that illiteracy is the reason for not properly voting. Another 26 per cent of the Sarpanches have expressed that fear of machine is the reason for not casting vote through EVM. And the remaining 33 per cent of the Sarpanches have stated that lack of proper training to the voters is the main reason for not casting vote through Electronic Voting Machine.

Table 37.iv

Opinions of only Academicians are shown below.

S. No	Opinion of Academicians	No of respondents
1	Illiteracy	05 (27.78%)
2	Fear of machine	03 (16.67%)
3	Lack of proper training	10 (55.56%)
		18 (100%) total respondents

In the table 37.iv, opinions of the Academicians on why many voters are not properly voting through EVM, What is the reason are shown. It shows that about 27 per cent of the academicians have expressed that illiteracy is the reason for not properly voting. Another 16 per cent of the academicians have expressed that fear of machine is the reason for not casting vote through EVM. And the remaining 55 per cent of the academicians have stated that lack of proper training to the voters is the main reason for not casting vote through Electronic Voting Machine.

Table 37.v

Opinions of only Research Scholars are shown below.

S. No	Opinion of Research Scholars	No of respondents
1	Illiteracy	03 (15%)
2	Fear of machine	02 (10%)
3	Lack of proper training	15 (75%)
		20 (100%) total respondents

In the table 37.v, opinions of the Research Scholars on why many voters are not properly voting through EVM, What is the reason are shown. It shows that 15 per cent of the Research Scholars have expressed that illiteracy is the reason for not properly voting. Another 10 per cent of the Research Scholars have expressed that fear of machine is the reason for not casting vote through EVM. And the remaining 75 per cent of the Research Scholars have stated that lack of proper training to the voters is the main reason for not casting vote through Electronic Voting Machine.

Table 37.vi

Opinions of only Former Election Commissioners are shown below

S. No	Opinion of former Election Commissioners	No of respondents
1	Illiteracy	01 (50%)
2	Fear of machine	01 (50%)
		02 (100%) total respondents

In the table 37.vi, opinions of the former Election Commissioners on why many voters are not properly voting through EVM, What is the reason are shown. It shows that 50 per cent of the former Election Commissioners have expressed that illiteracy is the reason for not properly voting. Another 50 per cent of the former Election Commissioners have expressed that fear of machine is the reason for not casting vote through EVM.

Table 38

Suggestions of all the respondents to strengthen the Election Commission of India

S. No	Suggestion	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	80 (80%)
2	By creating a corpus (election fund) under the election commission	20 (20%)
		100 (100%) total respondents

In the table 38, the opinions of the respondents about the suggestions to strengthen the Election Commission are shown. It shows that 80 per cent of the respondents have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India because updating electoral rolls accurately can be done if there is separate staff under Election Commission. The remaining 20 per cent of the respondents have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission so that Election Commission can conduct elections according to the schedule prepared by it without depending on the central government and state government for fund.

Table 38.i Suggestions of only Members of Legislative Assembly are shown below

S. No	Suggestion of M.L.As	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	16 (80%)
2	By creating a corpus (election fund) under the election commission	04 (20%)
		20 (100%) total respondents

In the table 38.i, the opinions of the M.L.As about the suggestions to strengthen the Election Commission of India. It shows that 80 per cent of the M.L.As have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India. The remaining 20 per cent of the M.L.As have expressed the view that the Election commission can be strengthened in India by creating a corpus (election fund) under the election commission.

Table 38.ii

Suggestions of only Members of Parliament are shown below

S. No	Suggestion of M.Ps	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	08 (80%)
2	By creating a corpus (election fund) under the election commission	02 (20%)
		10 (100%) total respondents

In the table 38.ii, the opinions of the M.Ps about the suggestions to strengthen the Election Commission are shown. It shows that 80 per cent of the M.Ps have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India. The remaining 20 per cent of the M.Ps have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission.

Table 38.iii

Suggestions of only Sarpanches are shown below.

S. No	Suggestion of Sarpanches	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	25 (83.33%)
2	By creating a corpus (election fund) under the election commission	05 (16.67%)
		30 (100%) total respondents

In the table 38.iii, the opinions of the Sarpanches about the suggestions to strengthen the Election Commission are shown. It shows that about 83 per cent of the Sarpanches have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India. The remaining 16 per cent of the Sarpanches have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission.

Table 38.iv

Suggestions of only Academicians are shown below

S. No	Suggestion of Academicians	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	12 (66.67%)
2	By creating a corpus (election fund) under the election commission	06 (33.33%)
		18 (100%) total respondents

In the table 38.iv, the opinions of the Academicians about the suggestions to strengthen the Election Commission. It shows that about 66 per cent of the academicians have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India. The remaining 33 per cent of the

academicians have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission.

Table 38.v

Suggestions of only Research Scholars are shown below

S. No	Suggestion of Research Scholars	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	18 (90%)
2	By creating a corpus (election fund) under the election commission	02 (10%)
		20 (100%) total respondents

In the table 38.v, the opinions of the Research Scholars about the suggestions to strengthen the Election Commission are shown. It shows that 90 per cent of the Research Scholars have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India. The remaining 10 per cent of the Research Scholars have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the Election commission.

Table 38.vi

Suggestions of only Former Election Commissioners are shown below.

S. No	Suggestion of Former Election Commissioners	No. of respondents
1	By recruiting separate staff under the control of election commission for discharging its duties	01 (50%)
2	By creating a corpus (election fund) under the election commission	01 (50%)
		02 (100%) total respondents

In the table 38.vi, the opinions of the former Election Commissioners about what are your suggestions to strengthen the Election Commission are shown. It shows that about 50 per cent of the former Election Commissioners have expressed the opinion that by recruiting separate staff under the control of election commission for discharging its duties the election commission can be strengthened in India. The remaining 50 per cent of the former Election Commissioners have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission.

Summing up:

In the fourth chapter, the opinions of politicians and experts are included. A Questionnaire is prepared and the data is collected by conducting the personal Interviews. During the field survey, most of the respondents have expressed that the Election Commission of India should be a multiple-member body because if there are more members the entire work can be divided among the members and be done easily. As for as the separate staff for the Election Commission is concerned most of the respondents have expressed the view that the Election Commission should have the separate staff so that updating of electoral rolls in an impartial manner can be done in time and proper training can be given to the voters on how to cast their vote at the time of voting. From the field survey, it is brought to light that only educated voters are able to cast their vote properly through EVM and illiterates are facing a lot of problems in casting their vote through EVM.

Majority of the respondents have felt that President's rule should be imposed during the time of elections so that the party in power will have no scope for utilizing government machinery and level playing field can be established for all the political parties to contest in the elections. It is also expressed that the power of deregistration of political parties should be given to the Election Commission so that the leaders of various Political Parties will strictly obey the rules and decisions of The Election Commission. Over-whelming number of respondents have stated that the state-funding of elections should be introduced in India so that the economically poor people will come forward to contest in the elections and will have chance to become members of legislative bodies.

So far as the introduction of compulsory voting in India is concerned most of the respondents have expressed that compulsory voting should not be introduced in India because in a democratic country like India rights guaranteed to the citizens will get affected and implementing such a drastic measure is highly impossible. During the field survey, majority of the respondents have expressed the opinion that there is need for election symbols in India because the illiterate voters can easily recognize and cast their vote by looking at the symbols. Many respondents have also stated that the election code should come into force from the date of issue of notification for filing nomination papers and not from the date of announcement of election schedule so that the developmental works cannot be stopped for longer period. Most of the respondents have also stated that by recruiting separate staff under the control of Election commission for discharging its duties the Election commission can be strengthened in India because updating electoral rolls accurately can be done if there is separate staff under Election Commission. Some of the respondents have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission so that Election Commission can conduct elections according to the schedule prepared by it without depending on the central government and state government for fund.

CHAPTER IV

CONCLUSION

India is the second largest democracy in the world. India has more than 120 crores of population. There is representative parliamentary democracy in India. The Indian Constitution provides for a Constitutional body, Election Commission of India which is entrusted with the duty of conducting elections to the Parliament, state legislatures and to the offices of President and Vice-President in the country. The Election Commission was established in 1950. The Commission had conducted first General Elections in 1951-52.

In the first chapter an overall study on various aspects such as Democracy, elections, electoral system, structure of the Election Commission, constitutional debates on the Election Commission are included. It is observed that the Election Commission is playing a greater role in Indian Political system by conducting elections to the Parliament and State Assemblies and thereby protecting democracy in India. The Constituent Assembly keeping in view the requirement, provided for permanent election machinery only at the centre. A permanent election machinery was needed to conduct not only the poll after a regular interval of five years but also to conduct mid-term poll and by-elections in one state or other and this could be a regular feature keeping the size of the country in view.

The appointment of TN Seshan as the tenth Chief Election Commissioner in 1991 was the beginning of a new chapter in the history of India's parliamentary democracy. He was largely successful in curbing electoral malpractices in the country. Mr.T.N Seshan implemented the Election Commission's model code of conduct seriously and forced everyone to realise that this constitutional body can even bite. To check the misuse of unaccounted funds during elections, Seshan introduced Election Inspection Observers comprising senior officers from the national tax bureau. By the time he quit the esteemed office in December 1996, he had set very high standards for his successors, who have, by and large, managed to maintain the sanctity of this constitutional body.

In the second chapter, the Model Code of the Conduct of the Election Commission is explained. The events that took place during the time of elections to the State Assemblies of Uttar Pradesh and Gujarat in 2007 are also included in the present chapter. The Commission had issued notice

to Bharatiya Janata Party for releasing a CD (Compact Disk) which contained derogatory remarks against a particular religion (Islam) and prevented communal clashes in the state of Uttar Pradesh as per the model code of conduct. The Election Commission has asked for a report on Shia-Sunni riots in the old Lucknow and parts of Kanpur. In letters to the chief electoral officer and officials of Kanpur, the commission has sought to know reasons that eventually led to riots in the two cities. The Election Commission directed the poll officials to act fast in gathering advance information about any possible trouble ahead of the Assembly polls in Uttar Pradesh.

Chief Election Commissioner N. Gopalaswamy stated that the Commission cautioned the officials about possible communal violence. We have cautioned them to be extra careful and gather enough information in advance. It is observed that the Election Commission is very impartial in implementing the model code of conduct in the states of Uttar Pradesh and Gujarat in 2007. The Commission had issued notices to both ruling party members and the opposition party members for violating the model code. The poll panel issued a notice to CM Mulayam Singh Yadav for reportedly seeking votes on the basis of caste. As per the model code neither a Political Party nor a contesting candidate should appeal to caste or communal feelings for securing votes.

The Election Commission had successfully prevented communal clashes in the state of Gujarat by issuing the notices to those who tried to incite communal violence through their speeches during the election campaigns in the state of Gujarat. The Election Commission had issued notice to Indian National Congress Party President, Sonia Gandhi for making statement that “those who rule Gujarat are merchants of death”.²⁵⁶ The Election Commission had also issued notice to Narendra modi of Bharatiya Janata Party for defending encounter death of Sohrabuddin who belongs to Muslim community in a Public Speech as part of election campaign. The Election Commission had given an order to both the leaders to be cautious in future during the election campaigns.

In the third chapter, the performance of the Election Commission in Andhra Pradesh from 2004 to 2009 is explained. It is observed that despite some failures, the Election Commission has

²⁵⁶ www.thetimesofindia.com, December 6, 2007.

successfully conducted elections in the State of Andhra Pradesh from 2004 to 2009. The failures of the Commission are brought to the fore in the present chapter.

The ruling Political Parties have misused the Election Commission during the time of updating electoral rolls and because of the absence of separate staff under the election commission it has failed to discharge the duty of preparation of electoral rolls in an impartial manner. The supporters of opposition parties couldn't find their names in the voters' lists during 2004 elections and 2008 by-elections. At present the Election Commission is completely at the mercy of the Central and State governments for discharging its duties. It cannot even maintain the electoral rolls up-to-date without assistance from the State government. In these circumstances, the independence of the electoral system would always be under the constant threat from the vested interests dominating the Party in power which in fact controls the administration.

In 2004 in Hyderabad of Andhra Pradesh which went to polls on April 20, 2004, wave of protests against deletion of names took place. The electoral roll revision exercise of the Municipal Corporation of Hyderabad (MCH) was not accurate because thousands of voters in the twin cities and surrounding municipalities with valid Electoral Photo Identity Cards (EPICs) were deprived of their right to vote. Many found their names struck off from the rolls. Voters turning up to exercise their franchise with their photo identity cards but not finding their names in the electoral list proved a common phenomenon in the Visakhapatnam Parliamentary Constituency, which went to the polls on April 20, 2004. In 2008 by-elections when Congress party was in power in A.P, film star and supporter of Telugu Desam Political Party, Muralimohan didn't find his name in the electoral rolls and as a result he couldn't cast vote. There were many instances of voters arguing with polling officials over missing names in the voters' lists despite owning cards. The Election Commission should have 'separate staff' under it for discharging various duties assigned to it especially updating of electoral rolls before conducting the elections.

It is observed that the Political Party in power (ruling party) is influencing the government personnel for winning the election and using the government machinery for serving the party interests. In 2004 Assembly elections in Andhra Pradesh a former Congress legislator stated that

only Congress sympathizers were being targeted by the Police in the name of controlling militancy because of the influence of ruling party.²⁵⁷

In 2004 The former Leader of Opposition, Y.S. Rajasekhara Reddy has accused the ruling party (Telugu Desam Party) of deliberately tampering the "ballot papers" on the Electronic Voting Machines to scuttle the chances of the Opposition Party in the elections. He said the TD Government had prompted the printing in a manner as to benefit out of the poor display of rivals symbols. Y.S.Rajasekhara Reddy also stated that at no time in independent India could one recall such an instance where so glaringly a scheme was engineered in favour of the ruling party.²⁵⁸ It is alleged that after 75 votes were polled against TDP, the remaining would be diverted in its favour automatically. This was detected during a demonstration of EVMs.²⁵⁹ The AICC general secretary and in-charge of party affairs in Andhra Pradesh, Ghulam Nabi Azad said that he was still sceptical that the Chief Minister, N. Chandrababu Naidu, might "play another mischief" to subvert the polls. The AICC general secretary alleged that The TDP's 'initial attempt' was to enrol around 1.2 crore bogus voters and another was with regard to the printing of party symbols on the Electronic Voting Machines (EVMs). He said the TDP Government got the party symbols to be affixed on the EVM's, printed in Government-owned printing press and bigger in size than that of the others symbols.²⁶⁰

The Telugu Desam Party on May 26, 2008 sought action against police for illegally detaining 12 contesting candidates in the Jadcherla Assembly constituency at the behest of the ruling party..²⁶¹ The Telugu Desam Party on May 27, 2008 has stated that that use of a bullet-proof bus by Chief Minister Y.S. Rajasekhara Reddy, amounted to the misuse of official machinery for the benefit of the ruling Party (The Congress Party).²⁶² The TDP on March 6, 2009 alleged that the chief minister Y S Rajasekhara Reddy of Congress party (ruling party) has conducted a press conference in the state secretariat in which he made political comments.²⁶³ Hence, President' rule should be imposed in the states to provide level playing field to all the Political Parties and

²⁵⁷ www.hindu.com, February 29, 2004

²⁵⁸ www.hindu.com, April 19, 2004

²⁵⁹ www.hindu.com, April 20, 2004

²⁶⁰ www.hindu.com, April 24, 2004

²⁶¹ www.hindu.com, May 26, 2008

²⁶² www.hindu.com, May 27, 2008

²⁶³ www.the times of India.com, March 7, 2009.

Candidates for contesting in the elections from the date of announcement of schedule for conducting elections by the Election Commission to the date on which the results are declared. The former Chief Election Commissioner, Mr.S.L.Shakdar also suggested the imposition of President's rule during the time of elections.

It is observed that many voters faced problems in Andhra Pradesh on the day of polling because of location of polling booths at faraway places and lack of proper information on the polling booth wherein they have to cast their vote. In 2004 elections in Andhra Pradesh, Voters had to walk for some kilometers of distance for casting their vote in some places of Visakhapatnam district. Voters of Chaparaki had to walk for a distance of five kilometers to cast their vote. The voters of Gorligunde, Bojjulabanda, Godampalli, Yegulam, Chagerpalli, Panasaladdu and Kotapanta trekked 10 to 12 kilometres of distance to reach the polling booth at RV Nagar to vote.²⁶⁴ Since it is very risky for voters to walk for such distance in the hilly to cast vote the Election Commission must set up 'polling booths at every locality' so that voters can exercise their franchise comfortably.

In 2008 by-election in Andhra Pradesh, there were many instances of voters running around polling stations to cast their vote. The Lok Satta Party President Jayaprakash Narayan has stated that an appeal mechanism should be provided to redress people's grievances²⁶⁵ and in order to avoid confusion among the voters about the polling station, The Election Commission must distribute voters' slips indicating polling station and time should be given to all voters one day before the commencement of polling.

It is also brought to light that some of the voters are resorting to boycotting the elections and not participating in the electoral process. In 2004 elections in Andhra Pradesh the polling was boycotted by the voters in some places. About 1,000 voters of Akkampally village in P.A. Pally mandal of Nalgonda district boycotted polling on April 20, 2004 protesting against the delay in providing a rehabilitation package for them.²⁶⁶ In Nandigama village of Kollapur Assembly segment voters boycotted the polling till noon complaining that no developmental works were being implemented. In Nandaram village of Kodangal constituency of Mahabubnagar the entire

²⁶⁴ www.hindu.com, April 21, 2004

²⁶⁵ [www. the Hindu](http://www.thehindu.com), May 30, 2008

²⁶⁶ www.hindu.com, April 17, 2004

village boycotted the polling alleging that 200 eligible persons could not find place in the voters list.²⁶⁷ The Election Commission should be empowered to educate the voters on the need to participate in the elections and exercise their franchise on the day of polling. The voters should be educated in such way that they feel that it is their responsibility to cast their vote and protect the democracy in the country and put off all the boycott calls on the polling day. T.N.Seshan pointed out that electorate which is fully aware of its rights and responsibilities” is needed to conduct the elections fairly.

It is observed that illiterate voters are not able to cast their vote through Electronic Voting Machine (EVM). In 2008 by-elections in Andhra Pradesh, Officials on poll duty spent some anxious moments when they failed to hear the beep sound of the Electronic Voting Machines (EVMs) in some polling booths of Jadcherla Assembly constituency on May 29; 2008. It was not faulty EVMs that caused the confusion, but the lack of awareness among the illiterate voters. A number of voters put their thumb impression on the party symbols instead of pressing the button on the machines. Hence, the Election Commission has to create awareness among the voters on EVMs.

It is observed that The Election Commission had taken good measures to contain illegal cash distribution in order to prevent electoral offences like bribery in Andhra Pradesh in 2009. The police seized Rs. 2.07 lakh cash in two separate incidents in Nellore district during checking of vehicles. They recovered Rs. 1.07 from a two-wheeler and Rs. 1 lakh from a person who was proceeding at Pellakur village.²⁶⁸ In four separate instances of seizure of cash under the limits of Vijayawada police commissionerate, a total of Rs. 43.11 lakh was seized by the police from different individuals.

It is observed that the Election Commission had effectively used its power of transferring staff involved in the conduct of elections. The Commission had transferred DGPs (Director General of Police) of Uttar Pradesh in 2007 and Andhra Pradesh in 2009. Article 324(6) of the Indian Constitution empowers the Election Commission to seek necessary staff for conducting elections enables the Commission to conduct the elections in a fair and impartial manner.

²⁶⁷ www.hindu.com, April 21, 2004

²⁶⁸ www.hindu.com, April 08, 2009.

In the fourth chapter, the opinions of politicians and experts are included. It is observed from the field survey that the Election Commission can be strengthened by recruiting separate staff under the control of election commission for discharging its duties and by creating a corpus (election fund) under the election commission.

It is observed that many voters are not able to vote through Electronic Voting Machine (EVM) because of various reasons such as illiteracy, fear of machine, lack of knowledge about the machine and so on. Hence, there is need to use only ballot paper for voting during the time of conducting elections. From the field survey, it is observed that majority of the respondents have stated that there is need for Regional Election Commissioners in India so that good precautionary measures can be taken for establishing congenial atmosphere to conduct elections in all the regions.

From the field survey, it is observed that majority of the respondents have expressed the view that compulsory voting should not be introduced in India because in a democratic country like India rights guaranteed to the citizens will get affected. Majority of the respondents have felt that President's rule should be imposed during the time of elections so that the party in power will have no scope for utilizing government machinery and level playing field can be established for all the political parties to contest in the elections. Over-whelming number of respondents have stated that the state-funding of elections should be introduced in India so that the economically poor people will come forward to contest in the elections and will have chance to become members of legislative bodies.

Most of the respondents have also stated that by recruiting separate staff under the control of Election commission for discharging its duties the Election commission can be strengthened in India because updating electoral rolls accurately can be done if there is separate staff under Election Commission. Some of the respondents have expressed the view that the election commission can be strengthened in India by creating a corpus (election fund) under the election commission so that Election Commission can conduct elections according to the schedule prepared by it without depending on the central government and state government for fund.

Election Commission as an institution which conducts elections to the nation, though not to the fullest expectations of political shareholders, has improved its performance levels under different Chief Election Commissioners.

India with such a huge electorates, religious plurality, regional disparities, economic inequalities and cultural differences demand extremely effective and independent action oriented Election Commission.

It is also realised that the political awareness of the society leads to further strengthening of independent institutions like Election Commission in India.

Bibliography

1. N.S.Narang, 'Indian Government and Politics' (4th Edition), Githanjali Publishing House, New Delhi, 1993.
2. Sunder Raman, 'Indian Government and Politics', Allied Publishers, New Delhi, 1985.
3. Richard L.Park, 'India's Political System', Prentice-Hall, Inc, Englewood Cliffs, New Jersey, USA, 1979.
4. Civil Services Chronicle, Vol.XV No.10, April 2005.
5. Dr.Inamdar, 'Profiles of Indian Government and Politics', Vishwanil Publications, Poona, 1989.
6. N.S.Narang, 'Indian Government and Politics' (4th Edition), Githanjali Publishing House, New Delhi, 1993.
7. Shivalal, 'Politico-Legal India', Vol.5-Constitutions and Laws, the Election Archives (Printing Press), New Delhi, 1986.
8. Civil Services Chronicle, Vol.XV No.10, June 2005.
9. Shivalal, 'Politico-Legal India', Vol.2-Legislatures and Politics, Constitutions and Laws, the Election Archives (Printing Press), New Delhi, 1986.
10. Shivalal, 'Politico-Legal India', Vol.3, the Election Archives (Printing Press), New Delhi, 1986.
11. Shivalal, 'Politico-Legal India', Vol.4, the Election Archives (Printing Press), New Delhi, 1986.
12. Shivalal, 'Politico-Legal India', Vol.1, the Election Archives (Printing Press), New Delhi, 1986.
13. Dr. Durga Das Basu, 'Introduction to the Constitution of India', 19th Edition, Wadhwa and Company, Agra, 2001.
14. Bhavani Singh, 'Indian Politics'-Ideology and Ecology, Printwell Publishers, Jaipur, 1990.
15. Myron Weiner, 'The Indian Paradox'-Essays in Indian Politics, Saga Publications, New Delhi, 1989.
16. B.K.Verma, 'Modern Indian Political System'-problems and prospects, Global Vision Publishing House, New Delhi, 2006.
17. P.B.Sawanth, 'Mainstream'-Do we have Democracy-February 8-14, 2008.

18. Ramashray Roy,' Perspectives on Indian Politics', Discovering publishing House, Delhi, 1987.
19. M.P.Singh, Himanshu Roy, 'Indian Political System', Manak Publications, New Delhi, 2005.
20. J.R.Siwach, 'Dynamics of Indian Government and Politics', p.312, Sterling Publishers Private Limited, 1985.
21. Romesh Thapar, 'The Indian Dimension' (Politics of Continental Development), Vikas Publishing House, Pvt Ltd, New Delhi.
22. Verinder Grover, 'Political System in India' (The Indian Constitution), Vol2, Deep and Deep Publications, New Delhi, 1989.
22. [www.theIndian](http://www.theIndianexpress.com) express.com, September-19, 2007.
23. [www.theIndian](http://www.theIndianexpress.com) express.com, October-11, 2007.
24. [www.theIndian](http://www.theIndianexpress.com) express.com, October-12, 2007.
25. [www.theIndian](http://www.theIndianexpress.com) express.com, October-16, 2007.
26. www.hindu.com,[october27](http://www.hindu.com), 2007.
27. [www.thetimesof](http://www.thetimesofindia.com) india.com,November-3, 2007.
28. [www.thetimesof](http://www.thetimesofindia.com) india.com,November-5, 2007.
29. [www.thetimesof](http://www.thetimesofindia.com) india.com,November-6, 2007.
30. [www.thetimesof](http://www.thetimesofindia.com) india.com,November8, 2007.
31. [www.thetimesof](http://www.thetimesofindia.com) india.com,November-14, 2007.
32. [www.thetimesof](http://www.thetimesofindia.com) india.com,December-7, 2007.
33. [www.thetimesof](http://www.thetimesofindia.com) india.com,December-6, 2007.
34. [www.thetimesof](http://www.thetimesofindia.com) india.com,December-7, 2007.
35. www.hindu.com,[December9](http://www.hindu.com), 2007.
36. www.hindu.com, November17, 2007.
37. www.hindu.com, December10, 2007.
38. www.hindu.com,[December12](http://www.hindu.com), 2007.
- 39.www.eci.gov.in- Press releases- May8, 2007-Election Commission of India Order on BJP's CD Case
40. www.hindu.com, April5,2007

41. www.hindu.com, April6,2007
42. www.hindu.com, April7, 2007
43. www.hindu.com,April9,2007
44. www.hindu.com, April10,2007
45. www.hindu.com, April11,2007.
46. www.hindu.com, April9,2007
47. www.hindu.com, April20,2007.
48. www.hindu.com, May9, 2007.
49. www.hindu.com, May 12, 2007.
50. www.hindu.com, February-20, 2004
51. www.hindu.com, February- 29, 2004
52. www.hindu.com, February 28, 2004
53. www.hindu.com, March-01, 2004
54. www.hindu.com, March 05, 2004
55. www.hindu.com, March 06, 2004
56. www.hindu.com, March 11, 2004
57. www.hindu.com, March 12, 2004
58. www.hindu.com, March 13, 2004
59. www.hindu.com, March 15, 2004
60. www.hindu.com, March 17, 2004
61. www.hindu.com, March 18, 2004
62. www.hindu.com, March 23, 2004
63. www.hindu.com, March 27, 2004.
64. www.hindu.com, March 28, 2004
65. www.hindu.com, March 29, 2004
66. www.hindu.com, March 30, 2004
67. www.hindu.com, March 31, 2004
68. www.hindu.com, April-01, 2004
67. www.hindu.com, April-02, 2004

68. www.hindu.com, April-03, 2004
67. www.hindu.com, April17, 2008.
68. www.hindu.com, April 2, 2008.
69. www.hindu.com, May 03, 2008.
70. www.hindu.com, May 06, 2008.
71. www.hindu.com, May 10, 2008.
72. www.hindu.com, May 11, 2008.
73. www.hindu.com, May 13, 2008.
74. www.hindu.com, May 14, 2008.
75. www.hindu.com, May 16, 2008.
76. www.hindu.com, May 18, 2008.
77. www.hindu.com, May 20, 2008.
78. www.hindu.com, May 21, 2008.
79. www.hindu.com, May 22, 2008.
80. www.hindu.com, May 23, 2008.
81. www.hindu.com, May 24, 2008.
82. www.hindu.com, May 25, 2008.
83. www.hindu.com, May 26, 2008.
84. www.hindu.com, May 27, 2008.

85. www.hindu.com, May 28, 2008.
86. www.hindu.com, May 29, 2008.
87. www.hindu.com, May 30, 2008.
88. www.hindu.com, May 31, 2008.
89. www.hindu.com, Jun 01, 2008.
90. www.hindu.com, Jun 02, 2008.
91. www.hindu.com, Jun 03, 2008.
100. www.hindu.com, Jun 05, 2008.
101. www.hindu.com, Jun 07, 2008.
102. www.thetimes of India.com, March6, 2009.
103. www.the times of India.com, March7, 2009.
104. www.the times of India.com, March11, 2009.
105. www.theindianexpress.com, March10,2009.
106. www.the times of India.com, March13, 2009.
107. www.the times of India.com, March16, 2009.
108. www.the times of India.com, March17, 2009.
109. www.the times of India.com, March19, 2009.
110. www.the times of India.com, March22, 2009.
111. www.theindianexpress.com, April2, 2009.
112. www.theindianexpress.com, April2, 2009.
113. www.theindianexpress.com, April04, 2009.
114. www.hindu.com, April08, 2009.
115. www.hindu.com, April10, 2009.
116. www.hindu.com, April12, 2009.

117. www.hindu.com, April 13, 2009.
118. Shanti Bhushan, 'The Election Commission and its Powers', the Hindu, Saturday, Mar 28, 2009
119. N. Bhaskara Rao, "How 'notes for votes' dampen democracy", The Hindu, Monday, April 06, 2009.
120. K.K. Venugopal, 'Re-democratising the electoral system'. The Hindu, Thursday, April 09, 2009
121. Shree Shankar Sharan, Mainstream, April 3-9, 2009
122. Rekha Chowdary, Economic & Political Weekly, January 17, 2009.

APPENDICES

Department of Political Science, University of Hyderabad

Dear Sir/Madam,

I am M.Ramanjaneyulu, a student in the Department of Political Science at the University of Hyderabad. I am pursuing my Ph.D course under the supervision of B.Chandrasekhara Rao. As part of my Thesis, I am conducting interviews. The information I gather from you and the opinion you express on various aspects will be helpful for my thesis. In this regard, I assure you that under no circumstances, with your name, your address or other information pertaining to you revealed to anybody. I owe affiliation neither to any government nor semi-government organization. So, kindly co-operate with me, spend some time and respond to the Questionnaire.

QUESTIONNAIRE

1. Whether the Election Commission has to be a single-member body or Multi-member body?
2. Whether the Election Commission should have separate staff or not for discharging its duties?
3. Which one is better for voting whether the Electronic Voting Machine (EVM) or Ballot paper?
4. Whether the President's rule should be imposed at the centre and in the states during the time of elections?
5. Whether the power of deregistration of Political Parties should be given to the Election Commission?
6. Who should be appointed as the Election Commissioners in India whether the Supreme Court Judges or the Officers of All- India Services?

7. Is there need to introduce state-funding of elections in India?
8. Whether the use of money by the contesting candidates and the Political Parties should be banned during the time of elections?
9. Whether the compulsory voting should be introduced or not in India?
10. How much time can be enough for conducting by-election for the Election Commission?
11. What should be the minimum age for voting in India?
12. Whether the Election Commissioners should be considered for further appointment after retirement?
13. Whether there should be State Election Commissions in India?
14. How much should be the maximum expenditure limit for an Assembly Constituency in India?
15. How much should be the maximum expenditure limit for a Parliamentary constituency in India?
16. Is there need for Election Symbols in India?

17. For how many years the candidate should be disqualified for not submitting the accounts of electoral expenses within the given time?
18. Whether the exit polls should be completely banned or not in the India?
19. Who should be empowered to disqualify the MPs and MLAs on the basis of anti-defection law?
20. For how many years once the elections to the Lok Sabha and state assemblies should be conducted?
21. Whether the proportional system of representation should be followed in allocating seats to Political Parties in Lok Sabha and state assemblies?
22. Is there need to introduce the election fund under the election commission in the country?
23. For how many years once the electoral rolls should be prepared in the country?
24. What should be the punishment for involving in the offence of bribery during the time of elections?
25. What should be the punishment for committing the offence of impersonation on the day of polling?
26. What should be the punishment for using Government machinery for campaigning?

27. What should be the punishment for committing the offence of rigging during the time of polling?
28. Is there need for Regional Election Commissioners in India?
29. Is there need for Election Tribunals?
30. Whether Eunuchs should be given voting rights?
31. What should be the tenure of Chief Election Commissioners and other Election Commissioners?
32. In which category Eunuchs should be included in the Voter List? Whether Males or Females or Eunuchs?
33. Is there need to create separate category i.e. Eunuch Category and seats be allocated to them in Parliament, Legislative assemblies and Local bodies?
34. Whether the Eunuchs should be allowed to contest in the elections?
35. From which date onwards the election code of conduct should come into force? either from the date of announcement of election schedule or from the date of issue of notification for filing nomination?
36. Who is responsible for the excessive use of money during the time of elections? Whether the contesting candidates or voters?

37. Why many voters are not properly voting through Electronic Voting Machine (EVM)? What is the reason?

38. What are your suggestions to strengthen the Election Commission?