10\textsuperscript{TH} ANNUAL NATIONAL CONFERENCE on ‘ELECTORAL & POLITICAL REFORMS’

Organised by

Jharkhand Election Watch (JEW) 
&
Association for Democratic Reforms (ADR)

Venue: Aryabhatta Sabhaghar, Ranchi, Jharkhand

Date: 15\textsuperscript{th} & 16\textsuperscript{th} February, 2014
रांची: आर्थिक समागम में नेशनल इलेक्शन बॉर्ड और एडीआर के कार्यक्रम का दीप जला कर उद्घाटन करते चुनाव आयुक्त एस.एस. ब्रह्मा और विषन्यार्ध अध्यक्ष राष्ट्रीय युवा भारतीय असिफ राजू। छवि: आसिफ
‘Outsiders’ representing Jharkhand in RS surprise EC

"Outsiders making their way to the Rajya Sabha from Jharkhand on Saturday surprised Election Commissioner (EC) HS Brahma who called upon people to "oppose and boycott" such people. According to Brahma, a local candidate would be more appropriate due to his availability to people in times of need rather than someone who leaves the place after getting elected."

I have seen that wealthy businessmen living elsewhere come to Jharkhand and get elected to the Rajya Sabha," said the surprised EC. Brahma was interacting with people during a conference on electoral and political reforms at Arijitabat Hall of Ranchi University.

Assembly Speaker SS Bhutta, along with Election Commissioner HS Brahma and others, inaugurated the 2nd National Election Watch conference on political and electoral reforms at Arijitabat Hall in Ranchi on Saturday. Ravi Lakhwani, Governor of Jharkhand, also attended.

"Outsiders" offer to influence candidates, and the EC is concerned about this act."

Reforms and National Election Watch organized the meet in which Speaker Shikha and Speaker of the house of the Legislative Assembly, along with other political leaders and party workers, interacted with the audience.

The conference was attended by many people. The EC called for reforms within the political party, a major component of reforms."

"This country needs good and accountable political parties for good governance," maintained Brahma. Notably, the 2014 Bihar assembly elections also witnessed Prem Chandra Gupta, a Haryanvi, and Pasupati Naithani, a Gujrat, getting elected to the Upper House from the state.

Significantly, the year 2014 could mark the start of serious electoral and political reforms in Jharkhand and rest of the country with the Election Commission of India and independent candidates in Jharkhand and rest of the country."

We will get sufficient time to examine the credibility of candidates if the affidavit is filed online," said Brahma on the sidelines of the conference called to focus on electoral and political reforms."

Notably, the EC was concerned about the candidature of candidates mentioned in the affidavits."

The application created by Jharkhand along with the Electoral Watchdog helps in taking a photo of a candidate's activity and tagging the photo with geographical location."

The application automatically sends the photo to the server of the watchdog which will match the photo to the Election Commission for further action.

The application created by the Election Commission of India."

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The EC, which is currently examining the affidavits, will take action against candidates who fail to comply with the rules."

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राजनीतिक व पुलिस सुधार को लेकर शादीया सक्रियता आयोजित, निर्वाचन आयुक्त हुए शाफिल
स्वच्छ छवि के प्रत्याशियों को दें वोट : ब्रह्मा

उद्गात

नेतृत्व अनुपम एथाल्स प्रांग में शाहरूख ने में नेता के निर्देश के लिए नहीं ज्ञान के दृष्टिकोण रहने के प्रतिक्रियाओं की गई। दोनों नेता भारत के दृष्टिकोण पर किए होते हैं। नेता का स्वच्छ छवि के प्रति विरोध करने का कदम गई।

हरिजन अध्यक्ष का कहना है कि प्रदेश के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टिकोण में धर्म के नागरिक दृष्टि
Report spots cash culprit in polls

Our Correspondent

Money plays a decisive role inSharad's democratic process, hinted senior released by Association for Democratic Reforms (ADR) and National Election Watch in Ranchi on Friday.

According to ADR's findings, a whopping 86 per cent of the donations received by AJSU in 2009-10 and 2010-11 were from unknown sources.

Also, nearly 31 per cent of JMM's income, 60 per cent of JD(U) and 17 per cent of JD(U) were from unknown sources.

ADR, however, found that the most worrisome figures in the political landscape are those of the Congress, which received 90 per cent of its income from unknown sources.

The conference will delve into crucial issues like need for electoral reform, reduction in money power in polls and the role of media in elections.

The conference, attended by chief ministers and ministers of various political parties, will be held under the banner of ADR.

Details of those who make donations to electoral parties must also be made available in the public domain, the committee said, adding, "understanding the role of fairness in a decade-old democracy is the need of the hour."

Press Meet

National Conference on political reform in Ranchi on Friday.

PRAKASH KABIR

Executive Editor, The Telegraph, Ranchi
चुनाव-2009. पार्टियों ने अधिकांश राशि चेक से ली व खर्च की पानी जैसा बहा था पैसा

चंद्र की 70.68 कोंस्टेंटी राशि चेक से खर्च

चंद्र व खर्च में कांग्रेस थी अत्यधिक

सभी दलों ने नयी दिना हिसाब

काम की जानकारी

ऐसे जाने वोटर कार्ड के आवेदन की स्थिति

भारत का नाम बोर्ड के लिए - वोटर-6

माफ होने के लिए - वोटर-7

सभी दलों में समानता - वोटर-8

एक ही वोटर कार्ड से एक न दीवाना के लिए - वोटर-9
रांची, सोमवार, 16 फरवरी 2014

आपराधिक रिकॉर्ड यानी जीत की गांठी

देश में प्रारंभिक अपराधों की आपराधिकता पर लेख को लेकर यह प्रकल्प के लिए अपने प्रतिभाकर ध्यान में रख रहे हैं। यह लेखक जलनीश्चित रूप से उनके लिए दिया जाता है। उन्होंने ध्यान केंद्रित कर आपराधिक अपराधों की आपराधिकता पर लेख को लेकर यह प्रकल्प के लिए अपने प्रतिभाकर ध्यान में रख रहे हैं। यह सब कुछ देश में प्रारंभिक अपराधों की आपराधिकता पर लेख को लेकर यह प्रकल्प के लिए अपने प्रतिभाकर ध्यान में रख रहे हैं।

नेशनल इंटरनेशनल वात का दस्तावेज सममेलन यु चुनाव जागरूकता पर अभियान चलाने की आवश्यकता: एचएस ब्रह्मा

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झारखंड के दलों को ढैढ करोड़ ही चांदा मिला

आज आपराधिक छद्दा चुनाव जीतने की गारंटी बन गई है

लक्कड़ी, रांची

आपराधिक छद्दे चुनाव जीतने की गारंटी बन गई है। मुख्य मंत्री के अंतर्गत ग्रामीण सशक्तिकरण विभाग को प्रस्तुति दी गई गई है कि जिस समय वे प्रदेश की राजनीतिक सीक्षा की गारंटी प्रदान करेंगे, वह समय तक तक बन गई है।

चुनाव आयोग के अधिकारियों के बयान में दिए गए विवरण के अनुसार, 375 कोटियों की तुलना में 174 कोटियों का अधिकतम बन गया है। 

चुनाव सुधारों के लिए खुद आगे आए राजनीतिक दल

पीएमके बीएम ने पार्टी के विपक्ष से अंतर्गत

लस्कर को राजनीति की वश करने वाले राजनीतिक दल का नाम बदलना चाहते हैं। विशेष रूप से बताया गया कि वे अपनी राजनीति की वश करने वाले दल का नाम बदलना चाहते हैं।

Poll panel terms for freebies

Ranchi: The Election Commission of India will soon make it mandatory for contestants to reveal sources of income for offering freebies to voters. Called accountability clause, it aims to rein in political parties, who go on a distribution spree to win votes.
रांची जागरण
दैनिक जागरण | 7

इलेक्शन वॉच स्पोर्टर रखेगा निगाह
एड्डायड एप्स से सीधे चुनाव आयोग तक पहुंचेगी शिकायत

- निवासक आयुक्त ने लाप दिया समर नौकर पर चलने वाला एप्स
- न्यूज़ किस्सी भी एड्डायड फोन पर डाउनलोड आगामी से होगा

रांची सुबह, बीड़ी : चुनाव के दौरान किसी भी महज की गोयल को नौकरी के लिए नेतृत्व इलेक्शन शिकायत उपकरण ने दौड़ाया रखता है। एड्डायड एप्स पर चलने वाला एड्डायड वीडियो स्पोर्टर (इलेक्शन वॉच) ने भावना जासूस के वश के साथ इलेक्शन यूजर्स पर पहुंची शिकायत और यह यस्कोटिक का जवाब आयोग तक पहुंच गया। रांची जागरण की निवासक आयुक्त एप्स बजाने ने उसे एंडर लाप दिया।

पर्याप्त इलेक्शन वॉच के जीतकी रिपोर्ट में व्याख्या दी कि यह एप्स किसी भी एड्डायड फोन पर डाउनलोड करने है। इस एप्स में यह नृत्य हो जाना कि यह एक ही बटन से एंडर कर करना है। पर्याप्त, समझदार जवाब का फिद्दे, जो एप्स निर्धारित से जुड़ी हुई नॉड को जवाब का लेने और समय बताते हैं। एप्स में सभी लिखित से विश्वसनीय करनी है, उसकी कैरेटिंग भी होगी। जैसे जवाब को प्राप्त करने के लिए एंडर निर्धारित का सही है या ऐसे दिया जाय तो है वा ऐसे करने जाने के लिए प्रेमिक दिया जाय है।

एड्डायड का संदेश एक एंडर के अंदर एड्डायड के पास सुनाया जा रहा है जो एड्डायड उपर नृत्य की अनुमति के एंडर देता है। निर्धारित समय के अंतरिम में प्रकट सारा इलेक्शन संबंधित किया गया था। निर्धारित आयुक्त एप्स हां ने इस एप्स की सहायता की। हालांकि, यह एप्स तो हमारे जाकर्तव्र को तब काम करेगा।

1600 राजनीतिक दल
देश में 1600 राजनीतिक दल हैं जो उनमें से मध्य 75-76 ही बुखार लखे। रांची किंवा बुखार का आयोजन राजनीतिक के दौरान राजनीतिक दल के नेताओं को अभिकता दिया गया। इसके साथ उनके कुशल बदलते, भास्कर के भाषण आयोजन दिन के बाद, इसमें साथ-साथ दिन के दौरान राजनीतिक दल के प्रतिनिधियों ने हार-परामर्श किया गया। इससे पूर्व इलेक्शन वॉच ने इतालव्य, कस्तोटी, राजनीतिक, अंतर्द्वार, अंतर्द्वार और अंतर्द्वार के लिए प्रतिरोध किया।
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## List of Acronyms

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<tr>
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<th>Full Form</th>
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<tbody>
<tr>
<td>AAP</td>
<td>Aam Aadmi Party</td>
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<tr>
<td>ADR</td>
<td>Association for Democratic Reforms</td>
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<tr>
<td>AICC</td>
<td>All India Congress Committee</td>
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<tr>
<td>AJSU</td>
<td>All Jharkhand Students’ Union</td>
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<tr>
<td>BDO</td>
<td>Block Development Officer</td>
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<tr>
<td>BJP</td>
<td>Bharatiya Janata Party</td>
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<tr>
<td>CEO</td>
<td>Chief Electoral Officer</td>
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<tr>
<td>CIC</td>
<td>Central Information Commission</td>
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<tr>
<td>CrPC</td>
<td>Code of Criminal Procedure</td>
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<tr>
<td>ECI</td>
<td>Election Commission of India</td>
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<td>EW</td>
<td>Election Watch</td>
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<tr>
<td>EWR</td>
<td>Election Watch Reporter</td>
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<tr>
<td>INC</td>
<td>Indian National Congress</td>
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<tr>
<td>IPC</td>
<td>Indian Penal Code</td>
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<tr>
<td>JEW</td>
<td>Jharkhand Election Watch</td>
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<td>JMM</td>
<td>Jharkhand Mukti Morcha</td>
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<tr>
<td>JVM-P</td>
<td>Jharkhand Vikas Morcha – Prajatantrik</td>
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<tr>
<td>MLA</td>
<td>Member of Legislative Assembly</td>
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<td>MLC</td>
<td>Member of Legislative Council</td>
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<tr>
<td>MP</td>
<td>Member of Parliament</td>
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<tr>
<td>MPEW</td>
<td>Madhya Pradesh Election Watch</td>
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<tr>
<td>NDA</td>
<td>National Democratic Alliance</td>
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<tr>
<td>NEW</td>
<td>National Election Watch</td>
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<tr>
<td>NSS</td>
<td>National Service Scheme</td>
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<tr>
<td>NGO</td>
<td>Non-government organization</td>
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<tr>
<td>NOTA</td>
<td>None of the Above</td>
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<tr>
<td>OEW</td>
<td>Odisha Election Watch</td>
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<td>PEW</td>
<td>Punjab Election Watch</td>
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<tr>
<td>REW</td>
<td>Rajasthan Election Watch</td>
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<tr>
<td>RJD</td>
<td>Rashtriya Janata Dal</td>
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<tr>
<td>RPA</td>
<td>The Representation of People Act 1951</td>
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<tr>
<td>RTI</td>
<td>Right to Information</td>
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<tr>
<td>SEBI</td>
<td>Securities and Exchange Board of India</td>
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</table>
We take this opportunity to thank Mr. Sudhir Pal and the Jharkhand Election Watch (JEW) team for making the 10th Annual National Conference on Electoral and Political Reforms a grand success.

The Conference would not have been possible without our distinguished speakers and participants; we thank them for their participation and valuable inputs. Special thanks to the media and journalists who have always been very supportive of our work and have been one of our strongest mediums to reach the masses.

We are grateful to Mr. H. S. Brahma, Election Commissioner, for his presence and inputs at the Conference and extend our gratitude to the Election Commission of India for its constant support to our efforts. We would also like to thank all the other dignitaries, whose participation made the event rich in content.

ADR would like to thank the participants from political parties, the Election Commission of India, Jharkhand Assembly, media, NGOs and others who dispassionately reviewed past efforts in electoral and political reforms and came forward with thought provoking suggestions to remedy prevailing problems. We are grateful to the speakers and moderators for their valuable contributions.

Last but not the least we are deeply grateful to all our State Election Watch coordinators and partners across India whose support helps us reach out to the citizens of India. We conclude by thanking the management of Aryabhatta Sabhaghar, Ranchi for their consistent support during this event.
Executive Summary

The 10th Annual National Conference on Electoral and Political Reforms was held in Ranchi, Jharkhand on the 15th and 16th of February 2014. The purpose of the Conference was to bring together all stakeholders in electoral and political reforms, share experiences, exchange views and insights, provide perspectives on the need for electoral and political reforms, and renew strength and strategy towards the same for future.

The Conference was inaugurated by the Chief Guest, Mr. Shashank Shekhar Bhokta, Speaker Jharkhand Assembly. Election Commissioner, Mr. H. S. Brahma graced the occasion on the opening day and gave the keynote address. This two-day Conference was represented by Election Watch groups of more than 22 States, various NGOs and activists, eminent citizens, media personalities, representatives of all major political parties and other stakeholders from all over the country.

The 10th National Conference also witnessed the launch of ADR’s nationwide ‘Mera Vote Mera Desh’ campaign for the Lok Sabha elections held in April – May 2014. Various state chapters of National Election Watch also presented their strategies for enhancing voter awareness in the Lok Sabha elections in their respective states.

Discussions took place on various aspects of electoral and political issues, particularly issues concerning financial transparency and inner-party democracy of the political parties. Concerns were also expressed on the increasing role of media in electoral mal-practices and its impact on news coverage. Discussions were marked with vibrant participation of women and activists from various districts of Jharkhand who are involved in strengthening the democratic process in Panchayat and other institutions.

At the end of the Conference the house unanimously came up with recommendations addressing issues related to the criminalization of politics, use of muscle and money power etc.
<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>8:30 – 9:30</td>
<td>Registration</td>
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<tr>
<td>09:30 – 10:00</td>
<td>National Anthem and Lamp lighting</td>
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<td></td>
<td><strong>Inauguration &amp; Welcome Address:</strong> Prof Trilochan Sastry/ Prof Jagdeep Chhokar/ Dr Ajit Ranade/ Mr. Sudhir Pal (Chief Guest: Shri Shashank Shekhar Bhokta, Speaker, Jharkhand Assembly)</td>
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<tr>
<td>10:00 – 11:00</td>
<td>Mera Vote Mera Desh Campaign: State Presentations</td>
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<td><strong>Chairperson:</strong> Prof. Trilochan Sastry</td>
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<td><strong>Panelists:</strong> Ms. Rolly Shivhare, Coordinator, Madhya Pradesh Election Watch, Mr. Ranjan Kumar Mohanty, Coordinator, Odisha Election Watch, Mr. Kamal Tank, Coordinator, Rajasthan Election Watch</td>
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<td>11:00 – 11:15</td>
<td>Tea</td>
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<td>11:30 – 12:15</td>
<td>Presentation on Election Watch Reporter (Android App): Mr. Jaskirat Singh</td>
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<td>12:15 – 13:00</td>
<td>Keynote Address by Shri H S Brahma</td>
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<td><strong>Chairperson:</strong> Prof Jagdeep Chhokar</td>
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<td>13:00 – 14:00</td>
<td>Lunch</td>
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<td>14:00 – 16:00</td>
<td>Political Party Reforms: Need for transparency and accountability of political parties</td>
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<td><strong>Chairperson:</strong> Prof Jagdeep Chhokar</td>
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<td><strong>Panelists:</strong> Shri Subhash Agarwal (RTI activist), Shri Babulal Marandi (JVM-P), Shri Bhavan Singh (CPM), Prof. Manaj Kumar (RJD), Dr. Ravinder Kumar Rai (BJP), Shri Dev Charan Bhagat, (AJSU), Shri Supriyo Bhattacharya (JMM), Shri Vijay Chaurasia (AAP), Shri Keshav M. Kamlesh, (INC), Shri Rajendra Kant Mahto (Jharkhand Dishom Party</td>
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<td>20 mins for open discussion</td>
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<td>16:00 – 18:00</td>
<td>Open Session</td>
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<td><strong>Chairperson:</strong> Dr Ajit Ranade</td>
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<td>18:00 – 20:00</td>
<td>Cultural Session</td>
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<td>20:00 onwards</td>
<td>Dinner</td>
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**Documents Distributed to the Delegates**

- Jharkhand: Analysis of financial and criminal details of MLAs
- Jharkhand: Analysis of financial and criminal details of MPs
- Ten years of election watch analysis (nexus of crime and money) - Jharkhand
- Ten Years of National Election Watch Report (nexus of crime and money) – All India report
- Source of funding of major parties of Jharkhand
- Election Expenditure of Jharkhand parties during Jharkhand Assembly Elections, 2009
- Income Expenditure and Donations of Jharkhand’s major political parties - between FY 2004-05 and 2011-12
- Complaint to Chief Information Commissioner on non-compliance of its decision declaring political parties as ‘public authority’ under the RTI Act
- FAQ on the Supreme Court’s judgment regarding NOTA (None of Above) Button in Electronic Voting Machines (English / Hindi)
- FAQ on the Supreme Court Judgment declaring immediate disqualification of convicted MPs/MLAs (English / Hindi)
- FAQ on the the Supreme Court’s Judgment on the issue of blank affidavits
- ADR’s representation to Parliament’s Standing Committee regarding the Right to Information Act(Amendment) Bill, 2013
- ADR’s Point by Point Rebuttal to the Parliament’s Standing Committee Report regarding The Right to Information (Amendment) Bill, 2013
- Summary of discourse with the Law Commission on Proposed Electoral Reforms
DAY 1

Session 1

Mera Vote Mera Desh campaign: Efforts towards an empowered electorate

Chairperson: Prof Trilochan Sastry

Panelists – Ms Rolly Shivhare, Coordinator, Madhya Pradesh Election Watch, Mr. Ranjan Kumar Mohanty, Coordinator, Odisha Election Watch, Mr. Kamal Tank, Coordinator, Rajasthan Election Watch

The 10th Annual National Conference was inaugurated by lighting of the lamp by the Chief Guest, Shri Shashank Shekhar Bhokta, Prof. Trilochan Sastry, Prof. Jagdeep Chhokar, Dr. Ajit Ranade and Shri Sudhir Pal, State Co-ordinator, Jharkhand Election Watch.

Prof. Sastry delivered the welcome address, introducing and launching the “Mera Vote Mera Desh” Campaign aimed at reducing the influence of crime and money in the Lok Sabha elections of 2014.

Prof. Chhokar further stressed on the need for inner party democracy and the need for accountability and transparency in the functioning of political parties.

This was followed by presentations made by Election Watch Groups from three states: Madhya Pradesh, Rajasthan and Odisha.

Madhya Pradesh Election Watch (MPEW)

Presenter: Ms. Rolly Shivhare, Coordinator, MPEW

- MPEW comprises of a core group consisting of Retd. IPS officers, journalists, activists etc. Activities of this group have mostly tried to target women voters as well as the youth. They have arranged for a dialogue between the Chief Election Officer and citizens as part of their Election Watch program. In addition, they have collaborated with the Election Commission in educating students on the importance of voting and removing their sense of alienation from politics.

- MPEW has also collaborated with grass root level movements, organizing the Jan Manch where political party representatives are invited to engage in a dialogue with citizens.

- There has also been a regular process of interaction with the CEO of Madhya Pradesh, sharing various issues such as incomplete and incorrect filling of affidavits.

- MPEW organized oath taking in colleges where students pledged not to cast their vote in favour of candidates who had pending criminal cases against themselves.
● In the run up to the Lok Sabha polls the MPEW planned to engage with the people through “Aam Sabhas” and “Yatras”.

**Rajasthan Election Watch (REW)**

**Presenter: Shri Kamal Tak, Coordinator, REW**

- REW prepared a manifesto based on major issues faced by people. This manifesto was shared by them with political party representatives at a Jan Manch organized by REW. Representatives promised to fulfill many of the demands made and this event was widely reported in the local media.
- An oath taking event was also organized by REW where political party representatives pledged they would not distribute liquor or money, that after winning the election they would pay heed to the demands of the public and that at the end of every year they would share with the citizens, details of all activities undertaken and completed by them.
- REW collaborated with a local media channel and extensively popularized ADR’s toll free number (1800-110-440) in order to aid people gather information about the contesting candidates.
- Street plays were also organized.

**Odisha Election Watch (OEW)**

**Presenter: Shri Ranjan Mohanty, Coordinator, OEW**

- The Mera Vote Mera Desh campaign in Odisha was launched by the Chief Electoral Officer of Odisha on December 13, 2013. The event was attended by celebrities and was widely reported by the media.
- The OEW strived to engage with the youth, collaborating with the NSS and organizing a dialogue with the CEO. As part of this activity, quiz competitions were held at the college, district and state level.
- Actively celebrated National Voter’s Day.
- The Lok Sabha 2014 Campaign focused on the issue of ethical voting and OEW shot a series of videos highlighting the same in collaboration with local celebrities.

The session was followed by a **Book Release** by Shri H.S. Brahma of Election Watch books for the states which underwent polls in November – December 2013 viz. Delhi, Chhattisgarh, Madhya Pradesh, Rajasthan and Mizoram.
Mr. Jaskirat Singh, State Coordinator for Punjab Election Watch (PEW) presented the Election Watch Reporter (EWR) tool. EWR is an android based cell phone application which can be used to capture any election related offence like bribing of voters, intimidation etc. It allows the user to take a picture of the related incident which gets instantly uploaded on a central database with the exact time and place of the event using GPS.

This tool enables citizens to help in monitoring of elections. Mr. H.S. Brahma, Election Commissioner ECI congratulated the team and advised that it should be used only for election purposes. He said, “If EWR was available with one and all, there would be no need for an election observer as everyone with EWR would automatically become an election observer”.

For more information on the EWR: https://play.google.com/store/apps/details?id=com.webrosoft.election_watch_reporter

Keynote Address:
Mr. H.S. Brahma, Election Commissioner, ECI

Mr. Brahma began his speech by saying that he was very proud to be present at the National Conference. He said that though he had joined the ECI three years back, he had heard about ADR and also read the reports published regularly by the various Election Watch groups. He said ADR has been one of ECI’s primary supporters on electoral reforms and constantly making efforts to make the election process transparent, corruption free and also ensuring the involvement of every citizen in the electoral process.

Hinting at the upcoming Lok Sabha elections, Mr. Brahma said that he was very proud of the fact that in the next two months, the election process for the entire nation would be initiated where 81 crore voters would vote for 543 MPs. He added that by December 2014, 6 Assembly elections for the states of Andhra Pradesh, Orissa, Sikkim, Maharashtra, Arunachal Pradesh and Jharkhand would also have been completed.

While emphasizing the importance of elections in choosing representatives who will provide a stable government and also ensure economic and social development, he said that it was a well known fact that the possibility of a pure and corruption-free government rests directly on the quality of leadership in the country. A Neta, he said, needs to show integrity, trustworthiness and honesty and we all need to see how the quality of governance in the country can be improved.

Mr. Brahma added that India needs more think-tank organizations like ADR. We have very few such organizations, he said, as compared to America and the European countries.

He also spoke of Prof. Trilochan Sastry’s article in the Economic and Political Weekly (EPW) published on the 4th January 2014. He said that it is the first report in the world to have analysed all the affidavits of contesting candidates from 2004 till 2013. He said that we need to seriously consider the repercussions of the fact that 30% of the candidates (from the 60,000 affidavits analyzed) have declared criminal cases.
Mr. Brahma stressed on the importance of electoral and political reforms, not only for the present, but also for the future generations. He lamented that not much headway has been made in this respect. He elaborated on the need for reforms in political parties, without which a democracy cannot function systematically. Political parties are constituted by persons with a similar spirit and ideology who select/elect/nominate candidates for elections. If they do not reform, we can expect very little accountability and transparency, he reiterated.

He questioned the nature of democracy in our country where candidates have to give money to be nominated by political parties. He said that the country needs political parties to be accountable.

Pointing out that there are almost 1600 registered parties in the country out of which only 60 to 80 parties are active, he questioned why other parties do not participate in the electoral process and suggested that ADR should look into the issue.

Mr. Brahma said that the important issue is that of governance, the quality of which depends upon reforms in the electoral and political system. There is no doubt, he said, that the ECI is here to serve the country, but there needs to be a pressure from the voters as well.

He said that the Supreme Court judgments recently were a tremendous move towards electoral reforms. The importance of NOTA, for instance, would be seen in the next few years, he added. He said that he felt proud that in the recently held elections for 5 Assemblies, the use of NOTA was high in the tribal areas of Chhattisgarh. The people in the rural area have understood the importance of NOTA and it is important to educate all citizens about this option in the EVM machine, he said.

Mr. Brahma said that it is the responsibility of the voters also, and not just that of the ECI, to remove black money and criminals from politics. Our actions, he said, should be towards encouraging honest and good candidates to participate in and contest elections, as that is the only way to achieve good governance and solve the issues of our country. He stressed that the most important role of NGOs with the ECI is to ensure that voters not just vote but also check the background information and performance of candidates before voting and then vote for a suitable candidate.

He also stressed that in a democracy, we rule ourselves by electing the representatives who rule us. So the power of our country, he said, is within us and if we are ruled by tainted representatives, it is our fault and we need to correct this.

Mr. Bramha said that the ECI is trying to initiate the process of online filing of affidavits. Every candidate, he said, will have to file an online affidavit other than the manual affidavits and that the ECI requires the support of the civil society in this move.

He appealed to all to stand up against the influence of money power that creates an unequal playing field in elections. He said that this time in Delhi, slum dwellers in a certain area refused to take money or liquor for vote. He said that this was a result of the campaigning and motivation of the civil society. If everyone comes together to resolve not to sell their vote or vote for a tainted candidate, he said that we will all see some great change.

Quoting Dr. A. P. J. Abdul Kalam, Mr. Bramha said that if we want to make this country great, there is a single mantra: “It is in our hands”.

In the end he said that this country requires a push towards electoral and political reforms from all the citizens and added that ADR should work more aggressively towards the same goal. He said that the ECI will closely follow the work of the National & State Election Watches.
Session 3

Political Party Reforms: Need for transparency and accountability of political parties

Chairperson – Prof Jagdeep Chhokar

Panelists: Shri Subhash Agarwal (RTI activist), Shri Babulal Marandi (JVM-P), Shri Bhavan Singh (CPM), Prof. Manoj Kumar (RJD), Dr. Ravinder Kumar Rai (BJP), Shri Dev Charan Bhagat, (AJSU), Shri Supriyo Bhattacharya (JMM), Shri Vijay Chaurasia (AAP), Shri Keshav M. Kamlesh, (INC), Shri Rajendra Kant Mahto (Jharkhand Dishom Party)

Prof. Chhokar expressed his thanks to representatives of all political parties for their participation in the National Conference. He said that the main objective of this session was to obtain the views of political parties on the following 3 aspects:

1. Transparency and accountability towards public.
2. Internal Democracy in political parties.

A brief summary of the issues discussed by the speakers is given below.

Shri Supriyo Bhattacharya, JMM

Mr. Bhattacharya said that JMM has fought a long battle for the statehood of Jharkhand. That revolution, he said, has now taken the shape of a party that is the JMM.

He said that the smallest unit of the internal structure of the organization is the village or Panchayat. The Village Committee selects that Panchayat Committee. From the point of view of elections, there is a Booth level Committee in every booth. Panchayat representatives together form the Prakhand Committee which in turn helps the formation of the Zilla Committees. Zilla Committees then form the Central (Kendriya) Committee. The Central Committee selects executive body members who then select/elect the President. He emphasized that the President, Secretary and Treasurer are chosen through consensus. If there are more than one contenders for a position, then a ballot vote is used, he said. A similar process is followed even when members of the Central Committee are chosen from the Zilla Committees. This, he said, exemplifies JMM’s inner party democracy.

JMM is a party that is fighting against the corporate sector and the funding is limited and this is also reflected in reports of ADR, he said. The party mainly depends on mandatory donations. Every MP/MLA of the party donate Rs 5000 per month, executive members donate Rs 2000 per month and members of Kendriya Committee donate Rs 500 per month. Party also organises fund raising events on special occasions from time to time.
In the end, he urged ADR to request the Election Commission to **take cognizance of the money that has been spent in media campaigns in the last six months and add the same to the election expenses of the concerned political party.** It is difficult for regional parties like JMM to sustain in this scenario he said. He said that corporate houses have established companies and started a new channel in the national network. It is your duty and responsibility to take this up, he added. He said that regional parties have strengthened their position to the extent that national parties are losing relevance. But they are being suppressed by the industrial sector and more frankly, the intelligentsia, Mr. Bhattacharya stressed. This, he said, is a threat to our democratic structure.

**Shri Devcharan Bhagat, AJSU**

Mr. Bhagat said that in today’s context, media has a big role to play. The public makes an opinion based on what is discussed or played out in media. He said that reporters are asked by media houses to look for advertisements before filing any reports. They in turn ask the political party representatives to publish advertisements before any report can be published on them. **Reports are published for only those who are able to pay irrespective of whether they are true or false,** Mr. Bhagat added. Reports, irrespective of how true or false they are, are made only on those who are able to pay.

He expressed his concern about how ECI can **control the menace of paid media. This, he emphasized, is the source of all corruption.**

**Political parties are being controlled by the corporate world,** he said. **Corporate powers manipulate the electoral process in order to ensure returns later.** Railway tracks in Jharkhand, for instance, are laid along iron ore and coal mines and not where there is actual need for the public. Corporate families control political parties and in turn Governments so that they can decide where factories can be built, from where people need to be displaced, where roads are to be built etc.

**It is very difficult for an honest candidate to win an election,** Mr. Bhagat said, since he does not have the financial resources. On the other hand, **candidates who are backed by money usually win, in spite of a criminal background.** Caste, religion, tribal origins are major factors in the current scenario and major political parties have vote banks, not based on work but on caste and religion. These are important issues, he said, that need to be addressed if we want to establish purity in the political process.

**Shri Vijay Chaurasia, AAP**

Mr. Chaurasia said that the foundation for change that is appearing in Indian democracy in the last few months was laid by AAP. AAP is the only party that discloses details of donations of even Re 1/-. If other political parties follow the same principle, then we can see great change in Indian politics.

Mr. Chaurasia said that where accountability is concerned, AAP has acted in accordance with the expectations of the citizens and in accordance with the Indian democracy. This was exemplified for the first time in Indian history, he said, when the Chief Minister resigned on the face of non-cooperation on a Bill from the two major parties of the country. It is also for the first time that an “Agency” of the State has filed a case against a Union Minister, he said. He admitted that the party has just been initiated in Jharkhand and organizationally, it is not very strong. But he stressed that the intention of the party is to improve the political scenario.
Mr. Chaurasia said that the bigger political parties have not displayed accountability. Their workers, he said, have been known to take donations from the BDOs and CEOs for rallies and then sit in dharnas in protest against the same officials. He said that political parties have recently held massive rallies in Jharkhand where collections were undertaken. He appealed to political parties saying that rallies etc. should be held taking into account the financial limitation of the party.

He said that AAP believes in complete transparency. No political party in Jharkhand except for AAP, he emphasized, can claim that it is not involved in caste based politics.

AAP has already started the process of e-filing of nominations of candidates, the list can be viewed on the website, he said. Other information including their involvement in movements, organizations etc., their capacity, their caste background, and if they have any pending criminal or other cases can be viewed on the website, Mr. Churasia added. These forms are then scrutinized and public opinion is taken into regard for all prospective candidates, he said. He said that during the Delhi elections, a candidate was withdrawn two days before nomination when a complaint was made against him.

Mr. Chaurasia ended by saying that if all parties disclose details like funding, candidates’ background, selection procedure etc. in their respective websites, then the objectives with which this workshop has been undertaken will be fulfilled.

Shri Keshav M. Kamlesh, INC

Mr. Kamlesh said that the two day Conference was highly relevant to the present scenario. He said that people who do not belong to Jharkhand are being nominated for Rajya Sabha. Money, he stressed, is dominating the political scenario. Political party leaders send party workers to the hills and jungles of Jharkhand and entice them with freebies (alcohol and cash). People in the urban areas rarely go to vote, he lamented.

He said that it is important for the electorate to be more aware and educated. Persons who are dedicated to the development of the region deserve to be voted as the peoples’ representative, he affirmed. Voters’ education is the only way to combat money and muscle power in elections, Mr. Kamlesh said. That is the reason, he said, that education is a dire need in Jharkhand. He emphasized that MPs and MLAs should be trained for a week on the functioning, processes and rules of the Lok Sabha or Vidhan Sabha.

He added that ADR has analyzed the sources of donations to the party and about how funds are collected through membership campaigns. He also said that elections of office bearers within the party are held from the Prakhand to the Zilla to the State and finally to the AICC.

Shri Bhavan Singh, CPM

Mr. Singh said that the Indian Democracy is in danger because most of the workers of Public Sector Undertakings (who consist most of the intelligentsia) are involved in the election process. They are not involved in voting, The citizens in rural areas, on the other hand, are bought over by political parties.

He affirmed that the Communist parties are cadre based and although they are no longer governing states like West Bengal, the support base has not changed. He said that the party is run by the voluntary donations of retired people like himself who contribute a portion of income to the party.
There have been no cases of corruption against CPM MLAs in all these years, he emphasized. He said that the CPM workers or leaders do not change even after winning and lead simple lives. Till today, he said that CPM leaders have worked for the rights of daily wage workers and ensured that they get higher wages. The party, he said, is run on the principle of comradeship, with no hierarchy. He gave the example of Shri Jyoti Basu who did not agree to take heavy security wherever he went and also ate in the homes of other party workers.

Mr. Singh stressed that the party exhibits inner party democracy as elections are held from the lowest levels in the party to the Central Committee which selects and oversees the functioning of the Politburo. Decisions taken within the party, are binding to all, he added, whether individual members agree or not. This process, he affirmed is unlike other parties where members retract their positions according to convenience.

This is a pattern that needs to be implemented for reforms to be effective he said, and for democracy to actualize, he said.

**Shri Rajendra Kant Mahto (Jharkhand Dishom Party)**

Mr. Mahto said that the Dishom Party was new (present in Jharkhand, West Bengal and Assam) but fully transparent in its functioning. Mr. Mahto talked about his journey from BJP to the Jharkhand Dishom Party. He said that he has been involved in the peoples’ struggle for Jal, Jangal and Zameen.

He said that candidates who are educated do not get enough votes.

**Shri Ravinder Rai, BJP**

Mr. Rai stressed that there is a great need to speed up the process of bringing in political and electoral reforms in the country. There is no alternative to democracy and all changes have to come through democracy itself, he said.

On the issue of political parties coming under the ambit of the RTI Act, he said that the RTI Act’s ambit is decided by the Executive, the Judiciary or by the Legislature. It has not been decided as yet, he added, whether political parties will be working under the Executive, the Judiciary or the Legislature. Till this decision is taken, the RTI Act cannot be enforced he said. The reason, he elaborated is because while the Executive works under the Government, the Legislature is another facet of the political establishment. (He said he cannot make any objections on the Judiciary). In this scenario, the only force guiding political parties in the right track is reason and the obligation/responsibility to present a clean political image to the citizens in the process of achieving justice and fulfilling its goals.

In all the years after independence, he said there has been no effort to empower the voter and ensure that the voter does not come under the influence of liquor, money etc. More focus has been on the review of political parties and candidates rather than voter, he said. He said that most likely, the basis and process of our analysis of the situation is wrong/wayward.

Regarding inner party democracy, he said that many parties have permanent leaders and such parties cannot establish internal democracy in their parties. Such parties have received recognition as regional as well as national parties, he said. The Election Commission has to consider how to restrain such systems, he emphasized.
He emphasized that there is constant talk of increasing the expenditure limits of candidates, but in a democracy all citizens have the right to contest the elections. Funding of election expenditure must be through the Government so candidates do not feel the need to indulge in corrupt practices, he said. He added that candidature should be based on certain conditions. Some people have contested 80 elections, he said, in a country which is only about 60 years old. This has become a joke and needs to be thought about.

He said that the Election Commission should empower itself towards electoral reforms and arrangements should be made so that it is not restrained by political parties.

Shri Subhash Chandra Agarwal, RTI Activist

Mr. Agarwal said that had poll reforms been implemented, he would not have thought of bringing political parties under RTI. “I do not see internal democracy in any party and most of decisions are taken by few individuals”. Consensus, he elaborated is rarely real. Chief Ministers for instance are chosen by the party high command and MLAs agree to the decision already made. This is the so called “consensus” in parties these days, Mr. Agarwal said. Is this internal democracy, he questioned.

Reaffirming the need for basic electoral reforms, he said that the 13 day NDA rule in 1999 came to an end because of one controversial vote of Mr. Giridhar Gamang (Chief Minister of Odisha) who had still not vacated his seat as an MP. He said that in spite of this experience, BJP has not done much for electoral reforms. He questioned as to why a rule was not made ending an MP’s membership to the Parliament as soon as he/she is elected to the Assembly.

Mr. Agarwal said that some politicians perceive politics as a gamble. They contest elections for Vidhan Sabha as well as for Lok Sabha, with the hope that if his/her party wins a majority in the state, he/she will become the CM or else will get elected as an MP. Some, he added, contest 2 – 4 seats for Lok Sabha and when all seats have been won, bye-elections need to be conducted at the expense of the public.

Mr. Agarwal said that most people question as to what kind of questions he will ask of the political parties now that they are under the RTI Act. He explained through two examples. In April, he said, he had sent a list of suggestions for democratic reforms to political parties (national as well as regional) and also to important people like former Chief Information Commissioner, Shri Wajahat Habibullah. Mr. Habibullah in turn forwarded the suggestions to the political parties. When Mr. Agarwal questioned as to what happened to the suggestions forwarded, some political parties ridiculed him. He gave another instance where a representative of a political party constructed a building in land allotted to his respective political party at subsidized rates in Delhi. He named the building after his own wife. An MLC from the same party who questioned why the building was named after his wife got a show cause notice. Mr. Agarwal stated that he will ask for information regarding these kinds of issues.

Mr. Agarwal also touched upon the concern cited by most national and regional parties that once they come under the RTI Act, they will have to be answerable to the Election Commission as well as the Central Information Commission. He clarified that the RTI Act does not make the political parties answerable to the Central Information Commission but rather to the public. He further stated that when he requested the Election Commission and the Ministry of Urban development for the same information, both were unable to provide the same. In such circumstances, where will the public look for answers Mr. Agarwal questioned. That is why, he stated, the need to bring political parties under the RTI Act arose.
Regarding donations, Mr. Agarwal said that only 20% of funding of political parties is from known sources. Since it is mandatory to disclose the source of donations only above a sum of Rs. 20,000, all cheques/cash can conveniently be just a rupee below the amount. This is one important reason for bringing political parties under the RTI Act. He affirmed that the decision to bring political parties under the RTI Act was very well thought over. The fifty four page order of the Central Information Commission has therefore not been challenged in any court by the political parties, He added that even the Attorney General was against the idea of amending the RTI Act to keep the political parties outside its ambit.

Data shows that 60% of RTI applications are filed by Government employees. Similarly, if political parties become answerable under the RTI Act, questions will be asked by grass-root party workers or by rival party leaders (through supporters). This in turn will bring internal democracy in parties, Mr. Agarwal stressed.

Some parties, he said, fear that questions regarding criteria for choosing candidates etc. will be asked. He clarified that under the RTI Act, only information that is recorded/documentated is required to be provided. Most deliberations are not even recorded, therefore it is not necessary for the parties to provide such details, he added. He also said that under the Act, questions which begin with ‘Why’ (that involve reasoning) is not allowed at all.

Shri Babulal Marandi, JVM(P)

Mr. Marandi said that internal democracy in political parties could be ensured if we started thinking holistically on electoral reforms. Political parties chose candidates depending on type of candidate put up by opposition camps, he said. Winnability becomes the criteria for selecting a candidate. He elaborated saying that at the start of election season, parties take a stand that party workers will choose the candidates, but seeing the opposing candidates, parties feel that the selected candidate does not stand a chance. This then leads to the end of internal democracy in the party, he said.

Mr. Marandi said that there is an election expenditure ceiling of Rs. 40 lakhs per constituency in Jharkhand and parties look for investors, rich candidates who can fund or support the campaign. Political parties are responsible for the current situation in Indian democracy he said, and any change in the system should come from political parties themselves. Reality is that political parties are not in favour of bringing in reforms, he emphasized.

One option to overcome the situation, he said might be of political parties fighting elections rather than individuals. In addition, he said that the government must fund the political party.

Mr. Marandi said that he is not in favour of making donations in the form of cheque, because this will not ensure that donors do not take undue advantage or favours.

Prof. Jagdeep Chhokar (ADR/NEW)

In his summing up, referring to the issues raised by Mr. Babulal Marandi, Prof. Chhokar affirmed that the solution lies with the political parties.

Although we are all trying to address the issues and looking for solutions, including proportional representation,
it is difficult for political parties to come to a joint decision on it, he said. Some parties who have fewer seats support it while the ones who have larger number of seats are against the idea, he added. He questioned what would happen to the country if political parties continue to find it difficult to reach a consensus on solutions.

Prof. Chhokar clarified that we do not have any enmity with political parties. When the Central Information Commission passed an order bringing the national political parties under the RTI's domain, he said that we were told that some parties thought of it is a ploy to destroy the political party system. He said that ADR had clearly stated at that time that more transparency will only empower, not destroy, the political parties. Prof. Chhokar said that there are people within the political parties who want transparency, democracy within parties. But since most leaders are against it because of vested interest, the move towards reform in political parties is unable to take off. Therefore one can only hope, he said, that politicians like Mr. Babulal Marandi, who have understood the system, educate other fellow politicians. He said that political parties view our suggestions with suspicion but they may be more open to suggestions from another politician.

He also stressed that it is deplorable that money from the corporates is flowing into the electoral/political system. He said, that media exploits political parties and elections. But he wondered where the process of manipulation originated from. He ended by saying that the session has been very educative and that if such discussions continue among people, civil society and political parties, there is hope for reform.
Dr. Ajit Ranade chaired the panel discussion. He initiated the discussions by enlisting the following issues to be covered in the panel discussion:

1. Voter awareness, registration, voter turnout.
2. Campaigning: Role of media in ‘Mera Vote Mera Desh.’
3. Use and role of media in electoral and political reforms.

Dr. Ranade added that media has played an important role in furthering our outreach on the issue of electoral and political reforms. Among other issues, he said that of primary importance was that of a free and independent media, which he emphasized is the defining feature of a robust and vibrant democracy. He requested the panelists to air their views on where we, as a country, have reached on the journey towards ensuring freedom for the media.

A brief summary of the issues discussed by the Speakers is given below:

**Ms. Tanaya Singh (Youth ki Awaaz)**

She urged people not to vote on what is being communicated by media but first inquire about the candidates, judge them and then vote. She said that working with Youth ki Awaaz, which is the largest online platform for youth to express their opinions, they have realized that what is needed is increased citizen participation. When people talk among themselves, it makes them easier to decide as to who they should vote for, she said. It allows them to understand what others think and why is it that they think that way. This in turn helps them in decision making, which is devoid of media influence. This, she said, is the objective Youth Ki Awaaz is trying to achieve.

She believed that social media is also a hidden force behind the increasing voter turnout, especially youth, most of them vote just to display their inked finger on Facebook or other social media platform. These photos, blogs, status updates, tweets, articles and comments help voters understand issues from individuals who are probably of their own age or even more experienced people.

Advertisement on TV also helps in increasing voter awareness. She emphasized that **political parties**
should change their norm of making manifestoes behind the close doors. It should be the right of the people to suggest what they want from their political parties.

She said there is no transparency in media organizations. As media creates opinion, media should be honest, truthful and free, she emphasized.

**Mr. Vipul Mudgal (CSDS)**

Mr. Vipul Mudgal started by strongly objecting to the notion that media is the fourth estate of Democracy. Unlike the Legislature, Executive and Judiciary, the Media has no statutory powers Mr. Mudgal emphasized. It cannot, for instance, he said, investigate any issue. If any representative of the Judiciary, the Legislature or the Executive requires any information or file on gas pricing for instance, it is made available to it with relative ease, he said. If the same information is required by the media, information is difficult to get because of the high stakes involved, he explained.

For any information, Mr. Mudgal said that media has only the power of filing an RTI application. So in actuality, the “fourth pillar” is an ornamental body without any power, it is hollow, he said.

The next issue that Mr. Mudgal talked about was of the ownership of the media houses. He elaborated that few big organizations own major part of the media and “big money” is involved in it. Details of the public companies who have floated their IPOs can be found with the Securities and Exchange Board of India (SEBI), but information regarding privately owned enterprises like the Times of India, for instance, is difficult to get, he said.

Mr. Mudgal stressed on the fact that media houses, who give information about what is occurring in the world, have no information about themselves in the public domain. He said it is very difficult to ascertain information about the media organization’s ownership, income, share, equity etc. On paper, some of them are owned by “suitcase companies”. There is no information on whose money is financing news: whether it is that of companies manufacturing defense equipment or oil companies, no one knows, he said.

He reiterated that information is available for listed companies. Some information can also be obtained from the Income Tax returns. He gave the example of Living Media, 26% of whose equity belongs to the Aditya Birla Group. The NDTV group, he said, is also financed by the Oswal Group, owned by Mr. Naveen Jindal’s father in law. Mr. Mukesh Ambani, on the other hand, has financed almost every media house, Mr. Mudgal said. This is a growing trend in media, he said, where the ownership of media houses rests in a few hands. There may come a time, he said, when all media houses within the country can fit in one drawing room and decide which direction the public opinion needs to be steered towards.

Mr. Mudgal then elaborated on the trend of paid news, which, he said is spreading like a big virus. This, he said, has also been acknowledged by the Press Council of India (mentioned in their subcommittee report). He said that based on the content analysis/deconstruction done by his team, they found that the situation has worsened so much that with money, anyone can get any kind of information about anyone.

The other issues, Mr. Mudgal said, is that of private treaties. Media organizations collaborate with companies which are venturing into stock market to “suck” all the bad news about them and create a favourable market for them keeping people unaware of the real background of the company. In the same way, Mr. Mudgal questioned that if during elections, the media is being paid by one candidate to remove all negative publicity.
about himself/herself and is paying more to print negative news about the opponent, what remains of democracy?

Mr. Mudgal said that **ours is a “mediated society”** which means that our relationship with the truth is through a medium. We only see the truth that the mediums show us. This can be digitally distorted or enhanced, he said. Through private treaties, the media may not publish crucial information about companies for instance: the disputes the company is involved in, the legal cases that have been registered against it or that the company has siphoned off money from people and is now registered under a different name etc. But information that induces people to invest their hard earned money in the company is publicized. It is interesting to note, he said, that this practice is not prevalent in other liberalized economies.

The last issue that Mr. Mudgal talked about was of **regulation**. He said that self-regulation is not enough and that there should be strict norms to regulate media. He said that there is a **need for hard penalty towards practices of paid news and private treaties**. He emphasized that the civil society and citizens at large should be vigilant of the media, that citizens should question reports published and even publicly denounce news that is false.

Mr. Mudgal as a last note spoke of the social media. He was critical of organizations like Google and Yahoo who did not rally for the protection of rights (of privacy) of common citizens in a scenario where most western countries are involved in wide spread “snooping” of crucial information about developing nations. He said that the **ownership of the Internet should be democratized**, like any other natural resource such as radio frequencies or oil.

**Mr. Raman Jit Singh Chima (Google)**

Mr. Chima stressed upon the factors of inclusiveness and transparency in the internet platforms: the Internet makes everyone a publisher, he said. He added that it also gives the power of oversight or vigilance to everyone.

He gave the example of the National Conference itself where through tweets, real-time information about the event can be published. The internet, he says, can also be used as a documentation tool where videos, documents etc. are stored and shared online.

Mr. Chima then elaborated on how internet is aiding transparency. It gave the example of ADR’s Election Watch app. A number of other people, he said, are using the internet to watch, record, share, report and have a conversation on various things.

He specified that the internet is not an “elite” tool. He said that in India, more than 20 crore people use the internet. For any one person with access to the internet, he/she will have a circle of people (including friends and colleagues) who the information will be shared with.

Mr. Chima stressed that internet is not being accessed only in big cities. In the last General Elections, there were citizens from smaller towns and cities who were also accessing information about candidates etc. he said.

Mr. Chima said that 67% of the urban electorate has access to Internet consisting of people who use social media, read the news etc.
Political leaders, he said, are also using the internet to upload their speeches, videos on websites. The speeches and interviews of politicians are also uploaded and stored by news channels on their websites. These act as a permanent archive for the material. Citizens can therefore monitor the politicians using the internet and see if what a politician says in one particular location is the same as what he/she is saying in a different location.

Internet is being used as a direct means of communication through video conferencing, using Google Hangout, Facebook or other means. Politicians use these tools to answer peoples’ queries.

The most important effect of the internet, he said, is still the enhancement of transparency: people are developing applications, checking how elections are being conducted, reporting incidents etc. This in itself is a revolution, Mr. Chima said. The use of the internet, he said, is not just academic. Institutions like the Election Commission can use tools like the Election Watch Reporter to see what is happening where. Ultimately, some action has to be taken on the ground but internet is a powerful tool to provide information and also to apply pressure. He gave the example of the last elections in Kenya where mobile applications were developed to report incidents on the ground.

Google will also help spread information on the upcoming Lok Sabha elections through its Elections page (http://www.google.co.in/elections/ed/in)

Regarding the issue of privacy, he said that it was a concern which is being widely discussed. Google, he said, has sued the Federal Government in the United States over the surveillance issue. They have also pushed the US Congress to change their existing laws on surveillance. He said that sometimes we tend to focus so much on the possible misuse of the internet that we overlook its importance in ensuring free and fair elections. Finally it is about how we try to make positive use of it and for the policy people and lawyers like himself to fight back the misuse and prevent it from taking over the media.

Mr. Anuj Sinha (Prabhat Khabar)

Mr. Sinha shared his experience from 1998 elections in Jamshedpur, where one powerful candidate facing many criminal cases got defeated because of the voter awareness efforts of the local media.

He said print and electronic media play a very big role in creating voter awareness and social media has still to go a long way. Thus print and electronic media also have a major responsibility on their shoulders and they should not fall prey to any powerful party for monetary advantage. Before every election they should make their stand clear and also decide on the kind of advertisements they will publish or telecast.

He also urged for more proactive readers who can play the role of auditors for these mediums and ask questions from the editors if they are being biased to a particular party or trying to misguide or confuse the readers/viewers or indulging in the practice of paid journalism.

He stressed that readers should also be cautious and vote for right candidates irrespective of what media reports.
Mr. Baijnath Mishra (Sanmarg)

Mr Mishra said the Three Pillars of the Indian Democracy are in a very bad state and the Fourth Pillar, media, is also getting affected by corrupt practices. Reporters are being given targets by their editors to bring revenue through advertisements. This has made media vulnerable to political influence.

He said that though editors have prior knowledge of booth management, selling of votes and other malpractices, they do not report it. The reason for this lies in the fact that the financial condition of regional media houses is bad and they are dependent on corporates and also political parties for finances.

He said that credibility of a newspaper and a news channel is very important for its existence and they cannot afford to lose the same. He emphasized that professional ethics is needed more than journalistic ethics. There is a greater need of a revolution against ‘Paid News’, he mentioned.

He stressed that citizens are equally responsible for promoting caste and communal politics and selling of votes. Public should segregate and decide which is “Free media” and which is “Biased Media”. They should also create ‘Pathak Sangh’ (Readers Association) and ‘Darshak Sangh’ (Viewers Association) for monitoring of news, he advised.
Session 2

Pending Reforms with the Law Commission-Way Forward

Chairperson: Prof. Jagdeep Chhokar

Panelists: Shri M.L. Sharma (former Information Commissioner), Ms. Kamini Jaiswal (Supreme Court lawyer), Shri R. Venkataramani (Member, Law Commission), Shri Vikramaditya Prasad (Retd. Justice, Jharkhand High Court)

The session was chaired by Prof. Chhokar, who in his opening remarks, stressed on the importance of the session in relation to the work done by ADR, which had originally started within the legal arena in 1999, with the filing of the PIL by Ms. Kamini Jaiswal. The matter on pending reforms with the Law Commission becomes even more significant with the Supreme Court having asked the Law Commission to examine whether lawmakers can be disqualified either upon framing of charges by a court in heinous crimes or with the filing of charge sheet and also evolve a mechanism for verifying veracity of affidavits.

Shri. R Venkataramani (Senior Advocate and Member of Law Commission)

Mr. Venkataramani emphasized the fact that suggestions made by the Law Commission in the country are not given the importance they deserve. This, he said, is indicative of the lack of seriousness that the Government and political parties give to the issue of electoral and political reforms.

The concept of disqualification (of elected representatives) has to be seen in positive light, moving away from its negative connotation, he said. Thus, instead of focusing on who must be disqualified from contesting elections, the focus should instead be on the suitability of candidates to contest elections.

He suggested the setting up of an ‘National Election Fitness Tribunal’, which will decide on certain criteria using which individuals will be screened to judge suitability for contesting elections. He said that the Tribunal can receive applications from citizens on the suitability of candidates contesting for elections. On the basis of such feedback, a list of corrupt people who are unsuitable for contesting elections should therefore be made 6 months before elections, he said.

He emphasized that political parties should be subject to State regulation, with higher levels of accountability so as to prevent abuse of power by them.

Mr. Venkataramani said that Middle East countries such as Tunisia take law reforms more serious than we do. Suggestions by the Law Commission are publicly disclosed and peoples’ reactions are invited. He cited the example of Canada which has recently brought about stricter laws to eradicate the distribution of freebies like cash and alcohol in elections. This is still pending in our country, he said.
Mr. Venkataramani said that a number of countries (like South Africa for instance) have laws on funding and regulation of political parties. In contrast, no such law exists in India. Political parties, he said, should be declared as Constitutional bodies and the same accountability and transparency that is demanded of other Constitutional bodies, should be asked of political parties also.

**Justice Vikramaditya Prasad (Retd. Judge, Jharkhand High Court)**

Justice Prasad said that recently a seminar on 'Legal Reforms and Political Representation’ was held where most political parties were not represented. From Jharkhand, there was only one representative from AJSU, he said. This he said poses a question on whether political parties are at all serious about legal reforms.

He spoke of the recent Supreme Court judgment on barring politicians from holding office once convicted by a court of law (Ref. Lily Thomas vs Union of India, 10\(^{th}\) July 2013). He said that there was a move to overturn this ruling by way of an ordinance, which in the last moment was withdrawn otherwise we would have to see the same tainted faces in Parliament who have been convicted.

On the reaction from almost all political parties to the disclosure of criminal details saying that most of the cases are politically motivated, he said that amendments need to be made to the Representation of Peoples’ Act and the provisions of the CrPC and the IPC should be reviewed. He said that Section 171 of the IPC which deals with electoral offences can be used for various issues ranging from false affidavits to personation.

He stressed on the need for a special bench to fast track political cases as well as a need for state funding of elections, including funding of Independent candidates.

Justice Prasad said that laws regarding disqualification also need to be revised, especially considering that in the past wherever it has been left to the discretion of the Speaker, the decision has mostly been controversial. This, he said, calls for the need of an independent bench to decide such cases.

He also touched upon the need to ensure neutrality of Presiding Officers during elections so that reports on elections are un-biased, fair and fearless.

**Shri. M. L Sharma (Former Information Commissioner)**

Mr Sharma spoke about how good governance is impossible until we showcase zero tolerance towards corruption. He mentioned three types of corruption: political, bureaucratic and a third type which is a mix of the first two and how bureaucratic corruption is a result of political corruption and how these two lead to corruption in the corporate arena. Hence there is a fundamental need to curb corruption in the political arena, since it percolates into all other spheres.

According to him the following points should be considered and implemented to bring about electoral reforms and improve the political scenario:

- Implementation of the Central Information Commission’ order that brought the 6 National Parties under the ambit of the RTI Act
- The contributions received by political parties must be in the public domain, as must be the
statements of expenditure made by them. This will expose the activities of political parties and will create a certain amount of moral pressure on them.

- The income that is generated from contributions received by political parties must be taxable.
- The State funding of elections should be allowed, especially for the sake of greater transparency.
- **Candidates who have declared grave criminal offences must be disqualified** from contesting elections. The law that debars only the convicted from contesting elections stands redundant since it takes a lot of time for cases to be decided upon and judgments to be pronounced in our country.
- The provision of **disqualifying candidates who have filed affidavits with incorrect information** must also be included in the Representation of the People Act.
- It is also important that the Prime Minister/Chief Minister be elected by the people. Such a provision should be put in place in the Representation of the People Act.

**Ms. Kamini Jaiswal (Senior Counsel, Supreme Court)**

The process of filing affidavits along with nomination papers is losing its primary purpose, which was to educate people on the background details of candidates, since affidavits filed today are often incomplete and with incorrect details. However, the Election Commission of India has **no power to disqualify people who file incomplete and incorrect affidavits**. As such, we need a provision that empowers the Returning Officer and the ECI to reject the nomination of a person for filing incorrect and incomplete affidavits.

**Online submission of nomination papers** must start from the Lok Sabha 2014 Elections.

She emphasized that **if NOTA votes were more than the votes polled by the winning candidate then the election of the winner should be declared invalid**. This would act as a deterrent for parties from fielding corrupt candidates.

Contesting candidates must be allowed to contest only from a constituency which is their domicile.

She also stressed on the **need to de register parties if they did not contest elections**. Moreover, **registration and recognition of parties must be based on the condition that they agree to come under the RTI Act**, put their information in the public domain and function in a transparent manner.
Resolution and Next Steps for NEW

Prof. Trilochan Sastry, Founder member and Trustee, Association for Democratic Reforms and National Election Watch stressed on the following action points:

1. Need to understand Political Process as it affects our life in the long run.
2. Recognize that if we all are ready then change will come.
3. Individually we can make changes by not selling our vote, and by voting for the right candidates.
4. Everyone should go back and tell at least 10 people to vote for the right candidate. This way each individual can become “Abhiyaan Ka Doot”.
5. State Coordinators and Partners must write letters to the Political Parties to make sure they do not give tickets to tainted candidates. Let them also know about our campaign.
6. Since almost everyone owns a mobile, we can share information with help of SMS and other applications.
7. State Partners should make an effort to connect with regional celebrities for the Lok Sabha campaign.
8. Nukkad Natak (Stree play) campaign can be another good way to reach out to more and more people at the grass root level.
9. ADR’s upcoming all India survey on voters’ perceptions regarding issues and performance of MPs will be the “Janta Ki Awaaz”, reflecting what the people of the country actually want from their leaders.
10. We have to ask for our own rights. If only we are aware of them then we can ask for them. Let us all make ourselves more aware.

The following pledge was taken by all present in the 10th Annual National Conference on Electoral and Political Reform with respect to the upcoming Lok Sabha elections:

PLEDGE

- We will vote for good and honest candidates.
- We will not sell our votes for cash, alcohol or any other such inducements.
- We will not vote for candidates who have serious criminal cases pending against themselves.

We pledge that we are not for sale, our vote is not for sale!
Press Coverage

Select Press Highlights

Below please find select media coverage highlights through February 14th-16th:


Ahead of the coming general elections, the annual conference of Association for Democratic Reforms (ADR) and National Election Watch (NEW), being convened in Ranchi from Saturday, assumes greater significance.


Candidates for the Lok Sabha elections would be able to e-file their nominations and affidavits, in a move aimed to bring about faster dissemination of information about the candidates, Election Commissioner H.S. Brahma said Saturday.


The Election Commission of India will allow candidates contesting Lok Sabha elections to electronically file their nominations as well as affidavits containing financial, educational, and legal information on their backgrounds and will consider making e-filing mandatory for wide dissemination of all information related to candidates, said Election Commissioner H.S. Brahma.


The Election Commission of India will soon make it mandatory for contestants to reveal sources of finance for offering freebies to voters. Called accountability clause, it aims to rein in political parties, who go on a distribution spree to woo voters ahead of polls.


The State Election Commission (SEC) has decided to train electoral officers in Jharkhand, which has the history of candidates using money and muscle power to win elections, before the Lok Sabha polls.


Candidates for the upcoming Lok Sabha election would be able to e-file their nominations and affidavits, in a move aimed to bring about faster dissemination of information about the candidates, Election Commissioner HS Brahma said on Saturday.

The e-filing, a web-based form, would be in addition to filing the nomination in paper form. The Election Commission will soon ask the government to modify the current rules to make e-filing mandatory.


“This move of the ECI holds the potential to accelerate the process of dissemination of information regarding the criminal, financial, educational and other background details of candidates contesting elections,” said a press release of the 10th Annual Conference on Electoral and Political Reforms.


The election commissioner also launched a citizen reporting tool - Election WatchReporter, an android based application developed by the National Election Watch ([http://goo.gl/ZcZCph](http://goo.gl/ZcZCph)).

**Give more power to EC:**  [http://www.kashmirtimes.in/newsdet.aspx?q=29227](http://www.kashmirtimes.in/newsdet.aspx?q=29227)

It refers to Election Commissioner HS Brahma and eminent lawyer Kamini Jaiswal rightly raising issue of India having more than 1600 registered political parties with just less than 100, contesting elections. Surprisingly concerned ones in the system have failed to take note of such a nuisance when such large number of political parties are registered without any meaning. It is also a fraud on the exchequer because there is an Income Tax exemption on receipts including ‘donations’ received by registered political parties.
"No office in the land is more important than that of being a citizen"

-Felix Frankfurter