

**13th ANNUAL NATIONAL CONFERENCE
on
'ELECTORAL & POLITICAL REFORMS'**

Organised by

**Punjab & Haryana Election Watch (P&H EW) & Association
for Democratic Reforms (ADR)**

&

In collaboration with Panjab University, Chandigarh

Venue:

Golden Jubilee Hall, Panjab University, Chandigarh

Date:

29th and 30th April, 2017

ASSOCIATION FOR DEMOCRATIC REFORMS

For further information, please contact:

Association for Democratic Reforms

T-95, C.L. House, 2nd Floor,
Near Gulmohar Commercial Complex,
Gautam Nagar,
Landmark: Green Park Metro Station (Gautam Nagar exit),
New Delhi-110 049

Email: adr@adrindia.org
Media Queries: +91-80103-94248
Telephone: +91 11 41654200/01/02/03
Fax: 011 4609 4248

Web: myneta.info  NATIONAL ELECTION WATCH adrindia.org 

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Richest candidates spent least

PUNJAB POLLS ADR report reveals Rana Gurajl spent only ₹8 lakh on electioneering, Sidhu also among low-spenders

SAD collected ₹102 crore in 10 yrs, declared only ₹13 cr

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पंजाब के किसी भी विधायक ने नहीं किया सीमा से अधिक चुनावी खर्च

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की विधि, सदस्यता शुल्क का बका
खात के रूप में दर्शाया जा और
6763.17 करोड़ का शिफ्ट
20 हजार से कम राशि की
शिफ्टों के रूप में अग्रुप
खत के रूप में दिखाया।
विशेष के अनुसार इन
समाप्ति में करों की
अग्र सामंजसिक 3982.09
करोड़ दर्ज हुई, लेकिन इनमें से

की होनापना के रूप में प्राप्त होनी को मिले
 है। भारत में अपनी 3272.63 करोड़ की
 आय में से 97.17.86 करोड़, जिसमें से 10.18.1
 करोड़ की आय में से 13.10 करोड़ तथा
 आम आय की छूट में 110.66 करोड़ की
 अपनी आय में से 45.45 करोड़ की होनापना
 प्राप्त होनी में प्राप्त होने का बहुत बुरा
 आय को दिया है।

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Acknowledgement

We take this opportunity to thank Mr. Jaskirat Singh, Trustee of ADR and Coordinator of Punjab and Haryana Election Watch for making the 13th National Conference on Electoral and Political Reforms, a grand success. We are also grateful for the help extended by Mr. Parvinder Singh Kittna of Punjab Election Watch towards the success of the Annual National Conference.

We would also like to extend our special thanks of gratitude to Dr. Arun Kumar Grover, Vice-Chancellor of Panjab University, Chandigarh and Prof. Ashutosh Kumar of the Department of Political Science, who facilitated the conduct of the 13th Annual National Conference in collaboration with the Panjab University.

The Conference would not have been a possibility without our eminent speakers and participants; we thank them for their participation and valuable inputs. Special thanks to the media and the journalists who have always been very supportive of our work and have been the main medium to reach the masses.

We are profusely thankful to Dr. Nasim Zaidi, Chief Election Commissioner (CEC), for his presence and inputs at the Conference and extend our gratitude to the Election Commission of India (ECI) for its constant support of our efforts. We would also like to thank all the other dignitaries, whose participation added to the impetus and synergy to our work.

Association for Democratic Reforms (ADR) would like to thank the participants from political parties, the ECI, NGOs, students and others who dispassionately reviewed our past efforts on electoral and political reforms and came forward with thought provoking suggestions to remedy prevailing issues.

Last but not the least, we are deeply grateful to all our State Election Watch coordinators and partners for their participation and support in reaching out to the citizens across the country. We conclude by thanking the management of Panjab University for their consistent support before and during the event.

Executive Summary

This year, the Annual National Conference was held in Chandigarh with the primary focus on Electoral and Political reforms. The Conference was held with the aim of bringing together and synergizing efforts towards strengthening democracy in our country.

The Chief Election Commissioner, Dr. Nasim Zaidi inaugurated the Conference. Representatives of the National Election Watch (NEW) from each state chapter, members of political parties, government institutions and media were present to deliberate on issues related to electoral and political reforms in the country. The National Conference was an opportunity for us to add impetus and synergy to our work by bringing together all stakeholders. Their participation and inputs were instrumental in making the Conference a success.

Topics of discussion during the 13th National Conference ranged from a discussion on *'Increasing opacity in political financing'*, *'State/ public funding of political parties'*, *'Innovative ideas towards greater voter awareness at the grass-root level'* to *'Criminalization of politics'* and *'Impact of media on elections and governance'*. These discussions were enriched by the participation of eminent people including the Chief Election Commissioner Dr Zaidi, representatives of political parties, civil society and the media.

At the end of the Conference, the house unanimously came up with recommendations addressing issues related to prevalence of black money in politics, political parties under RTI, criminalization of politics, etc.

Agenda

29th April, 2017	
9:00 – 10:00	Registration
10:00 – 10:30	<p>National Anthem and Lamp lighting</p> <p>Chief Guest: Dr Syed Nasim Ahmad Zaidi (Chief Election Commissioner, Election Commission of India)</p> <p>Inauguration & Welcome Address: Prof. Trilochan Sastry (Founder member and Trustee of ADR), Mr. Jaskirat Singh (Trustee of ADR & Coordinator, P&H EW), Dr. Arun Kumar Grover (Vice Chancellor, Panjab University), Prof. Ashutosh Kumar (Professor, Dept. of Political Science, Panjab University)</p>
10:30 – 11:00	<p>Address by Dr Syed Nasim Ahmad Zaidi, Chief Election Commissioner, Election Commission of India</p> <p>Chairperson – Dr. Ajit Ranade (Founder member and Trustee of ADR)</p> <p>Book release – ADR Mid-Term National Voter Survey, 2017, ADR Combined Analysis of 5 State Assembly Elections, 2017 & Gram Sabha of Jharkhand Election Watch</p>
11:00 – 11:30	<p>Presentation: Mr. J S Saharia (Maharashtra State Election Commissioner)</p> <p>Voter awareness initiatives of Maharashtra State Election Commission during Municipal Corporation, Zila Panchayat & Panchayat Samiti elections in Maharashtra, 2017</p>
11:30 – 12:30	<p>Increasing opacity in Political Financing</p> <p>Chairperson – Dr. Ajit Ranade (Founder member and Trustee of ADR)</p> <p>Panelists: Mr. Manish Tewari (Former Union Minister and Advocate – Supreme Court of India), Mr. Sukhpal Singh Khaira (Member – Punjab Legislative Assembly), Prof. Jagdeep Chhokar (Founder member and Trustee of ADR), Prof. Sanjay Kumar (Director – Centre for the Study of Developing Societies -CSDS)</p>
12:30 – 13:00	Open discussion
13:00 – 14:00	Lunch
14:00 – 15:00	<p>State/Public Funding of Political Parties</p> <p>Chairperson – Prof. Jagdeep Chhokar (Founder member and Trustee of ADR)</p> <p>Panelists: Prof. Arun Kumar (Former Sukhamoy Chakravarty Chair Professor, JNU), Prof. Trilochan Sastry (Founder member and Trustee of ADR), Dr. M R Madhavan (President – PRS Legislative Research),</p> <p>Dr. Eshwar Anand (Professor, Symbiosis Institute of Media and Communication)</p>
15:00 – 15:30	Open discussion

15:30 – 16:50	Innovative ideas towards greater voter awareness at the grass-root level Chairperson: Dr. Vipul Mudgal (Trustee of ADR) Panelists – Mr. Sudhir Pal (Jharkhand EW), Mr. Sanjay Singh (UP EW), Mr. Ranjan Mohanty (Odisha EW), Mr Sharad Kumar (Trustee-Action for Good Governance & Networking in India (AGNI))
16:50 – 17:00	Vote of thanks : Mr. Jaskirat Singh
20:00 onwards	Dinner

30th April, 2017	
09:00 – 09:30	Registration
09:30 – 10:45	Criminalization of Politics Chairperson: Prof. Trilochan Sastry (Founder member and Trustee of ADR) Panelists: Mr. S N Shukla (General Secretary, Lok Prahari), Adv H C Arora (Advocate-Punjab & Haryana High Court), Prof. Ashutosh Kumar (Professor, Dept. of Political Science, Panjab University), Prof. Manjit Singh (Member – Swaraj Abhiyan)
10:45 – 11:00	Tea
11:00 – 12:30	Impact of Media on Elections & Governance Chairperson: Maj. Gen. Anil Verma (Head of ADR) Panelists: Mr. Uttam Sengupta (Executive Editor, National Herald), Mr. Mukesh Bhardwaj (Executive Editor, Jansatta), Mr. Vishal Monga (Chief of Bureau, Times Now), Mr. Sarabjit Pander (Former Special correspondent, The Hindu, Chandigarh)
12:30 – 12:45	Open Discussion
12:45 – 13:00	Resolutions and ‘Next Steps for NEW’ Chairpersons – Prof. Trilochan Sastry and Mr. Jaskirat Singh
13:00	Lunch & Dispersal

Documents Distributed to the Delegates

- Analysis of election expenditure statements of MLAs – Punjab Assembly Elections, 2017
- Analysis of sources of funding of major political parties of Punjab – FY 2004-05 to 2014-15 (in 11 years)
- Ten years of Election Watch in Punjab (2007-2017): Analysis of criminal, financial background and other details of candidates, MPs and MLAs
- Background notes

The above documents can be found at www.adrindia.org.

Minutes of the Sessions

Day – 1 (29th April, 2017)

Inauguration & Welcome Address

Prof. Trilochan Sastry (Founder member and Trustee of ADR), Mr. Jaskirat Singh (Trustee of ADR & Coordinator, P&H EW), Dr. Arun Kumar Grover (Vice Chancellor, Panjab University), Prof. Ashutosh Kumar (Professor, Dept. of Political Science, Panjab University)

Mr. Jaskirat Singh

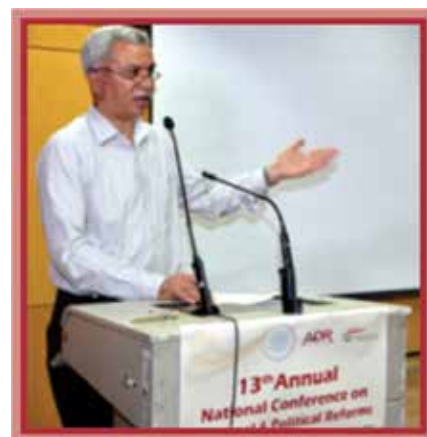
At the inaugural of the two-day annual event of Association for Democratic Reforms (ADR) and National Election Watch (NEW), Mr. Jaskirat welcomed the Chief Guest of the event, Dr. Nasim Zaidi, Chief Election Commissioner, Election Commission of India; Dr. Arun Kumar Grover, Vice Chancellor, Panjab University; Chief Electoral Officers of Punjab and Maharashtra; and Prof. Ashutosh Kumar of the Punjab University who collaborated in organizing the event.



Mr. Jaskirat began by sharing ADR's history with the audience. He said that like every year this year's National Conference has also been organized in a state capital. He welcomed all state partners and their associates who had arrived from different states across the country, people who have come from different cities and towns of Punjab and the Panjab University students and teachers who were attending the Conference.

Prof. Trilochan Sastry

Taking over, Prof. Sastry said ADR's dream is simply to bring about better democracy and better governance so that people of India are happy and prosperous. He further added that major instrument that have been chosen to bring about better governance are electoral and political reforms. He further added, we specifically want two things, first, cleaner and better candidates should enter politics and secondly, political parties should be stronger, more transparent and function for the better governance of this country. He stated further, that the purpose of the National Conference is to meet all state partners from across India and to learn from them, what is happening at the grassroots level, the challenges that they are experiencing during campaigning etc. He also shared two ideas that he had learnt recently from the state partners: 'Shapath Patra' and 'Maang Patra'.



Dr. Arun Kumar Grover

Prof. Grover welcomed all participants to the Panjab University. Giving the historical background of the “first people’s university” he said that other than the Panjab University at Chandigarh, no other university in India or in Punjab, has a multi-layered governance structure which, in a way replicates the democratic/legislative structure of our country.

Moving ahead, Mr. Jaskirat invited the dignitaries for the lamp lighting ceremony and to release the five states combined Election Watch Report prepared by ADR, ADR’s National survey on governance issues and the Book on Gramsabha written by Mr. Sudhir Pal of Jharkhand Election Watch.



Address by Dr. Syed Nasim Ahmad Zaidi, Chief Election Commissioner, Election Commission of India

Chairperson – Dr. Ajit Ranade

Dr. Ajit Ranade

Dr. Ajit Ranade welcomed the Chief Guest and keynote speaker of the 13th Annual National Conference, Dr. Nasim Zaidi, Chief Election Commissioner (CEC). Introducing Dr. Zaidi to the eminent guests present there, Dr. Ranade thanked the Election Commission of India (ECI) for its pro-active support to ADR's work since its inception. He also welcomed the representatives of different State Election Watches, who came all the way to Chandigarh to participate in the event, and appreciated their constant efforts in the direction of decriminalization of Indian politics and betterment of democracy.



Dr. Nasim Zaidi



In his opening remarks, Dr. Zaidi stated that he was happy to be attending the National Conference of ADR. He commended the efforts of National Election Watch (NEW) and Association for Democratic Reforms (ADR) towards pushing the agenda of electoral and political reforms in the country. Dr. Zaidi commenced his talk by stating that the EC had completed a study on data needs of the Commission and analytics road map had been prepared based on best practices adopted by several leading electoral management bodies. This road map is likely to be implemented in the time frame of a year and it will integrate all kinds of databases in the Commission.

After the conclusion of five Assembly elections in March 2017, for the first time, Election Commission of India (ECI) displayed an analytics based result dashboard in a tabular software on 12th March'17 and it was used by over 20,000 users and positive feedback has been received. He laid emphasis on data presentation and visual analytics to be done in a user friendly manner, so that it could be used and processed.

Money Power and Bribery in the Electoral Process

One of the most significant developments of 2016 was the countermanding of two Assembly seats elections in Tamil Nadu on the grounds of widespread bribery to voters by candidates and workers of political parties. The Commission had to take the extreme step as there was no way to deal with the situation. In RK Nagar

constituency, elections could not be completed in 2016 or 2017 due to the grave vitiation of the electoral atmosphere. This year again in the bye-election, there were allegations of wide spread bribery of voters by candidates and political functionaries in a most institutionalized manner. The IT department during its raids, seized documents showing ward wise and voter wise distribution of cash had occurred.

That the use of money in the poll process has gone up was demonstrated by the fact that ECI caught over Rs 350 crores during the five state assembly elections held recently which was three times higher than the amount seized in 2012. According to the CEC it was a matter of grave concern as this was only the tip of the iceberg.

To curb the use of money, a three-pronged approach needs to be adopted. First, formulate strong anti-bribery law or legal framework, second, strict enforcement on the ground and third, inculcate ethical voting practices among voters.

The CEC informed that ECI had made a recommendation to the Law Ministry to amend RP Act and to insert a new section 58B, which would empower the ECI to countermand elections based on credible evidence relating to widespread bribery. However, the Ministry has disagreed thrice with this proposal in the last one year. The CEC felt that the Commission needs to be empowered on the lines of Section 58 of RP Act which deals with countermanding of elections due to booth capturing.

As the Commission lacks legal authority to disqualify candidates who were found indulging in bribery of voters, it had moved a new proposal to deal with such candidates. According to the new proposal, under offences of bribery and undue influence, the disqualification should arise at the stage of framing of charges by the court. The CEC believed that such a law coupled with fast track investigation will prevent people from contesting elections even as the cases are pending against them. The EC has also proposed that bribing of voters should also be made a cognizable offence.

In a bid to enhance the transparency of candidates and rights of electors to know the background of their candidates before they decide to vote, candidates will be required to file affidavits with the Returning Officer declaring their assets, liabilities, criminal antecedents etc. If Candidates leave any column blank, their candidature can be rejected as per the laid down procedure. It has been seen that assets of elected representatives have registered an unprecedented increase. The CEC felt that the electors have every right to know the causes behind the steep rise in the assets of candidates particularly those seeking re-elections. EC recommended amendment of Form 26, by adding a column for declaring the details of sources of income of candidates and their spouses.

The CEC said that there have been instances where candidates did not declare their disqualification at the time of their nomination. For example, a candidates holding a lot of government contracts.

As detection of disqualification quite late is also a problem, the ECI last year made a proposal to amend the nomination form of candidates by adding provisions of a declaration by candidates against each clause of disqualification under the Constitution of India and RP Act. The rules have been amended to include a declaration of eight disqualifications in nomination forms. This includes holding the office of profit, insolvency, allegiance to foreign country, and any disqualification incurred under Section 8A of RP Act and dismissal of candidates on grounds of corruption. These disqualifications need to be declared upfront at the time of nomination with the view to prevent candidates from concealing information. EC has also recommended

(endorsed by Law Commission) to enhance punishment from 6 months to 2 years for filling wrong information in the affidavit which should lead to disqualification for 6 years.

Transparency in Political Party Funding

While touching upon the matter of funding of political parties, the CEC said the commission believes that an effective region of political finances for political parties and candidates should rest on 4 pillars.

- There should be complete transparency of private contribution in the manner of filing of contribution statements.
- There should be disclosure by political parties and candidates and also third parties to Competent Authority and also the public.
- There should a debate on the expenditure of political parties.
- There should be strict civil and criminal penalties for defiance of the framework.

At political party level, there is a great problem as political parties are loosely governed by the law in our country. They can raise any amount and spend any amount in the constituency if it is the name of general party propaganda. Historically, corporate donations to political parties were banned in 1969 and were reintroduced in 1985 because of a lot of black money that resurfaced in 1985. But now, the Companies Act of 2013 has been amended and this has removed the cap of 7.5% which means that contribution to political parties by corporate/ business houses is now unlimited. Another change that has been made in the Companies' Act. Earlier each company was required to declare in their Profit and Loss statements, the amount contributed in the name of the political party. Now companies would be required to show the total amount contributed. The amount and the receiver of the donation would remain unknown.

The CEC feared that there would be minimal transparency, as a matter of fact it would enhance opaqueness. There were chances of shell companies being setup for the purpose of donations to political parties including channelization of foreign money through innumerable shell companies. This has increased the scope of receiving and spending more funds.

CEC also mentioned that ECI had recommended that the limit of the anonymous donation to be reduced to Rs. 2000, from the existing limit of Rs. 20,000. By not reducing the limit of anonymity from Rs. 20,000 to Rs. 2,000, transparency has not been brought about. This is one area of great concern as ADR data has shown that 75% to 80% donations are anonymous. The other major concern is the scheme of electoral bonds, introduced recently. If the money has been contributed in the form of electoral bonds then it would not be a part of Contribution Report. Parties will continue to report in their contribution report any amount received above Rs. 20,000 but any amount received by electoral bond will not be included in Contribution Report. This will lead to more opaqueness in the system and EC feels that it is a retrograde step as far as transparency of donation is concern and citizens will feel deprived of their right to know the political funding by corporate houses. Serious questions such as why these corporate houses are buying bonds, why do they want to be anonymous and what do they want to achieve, will remain unanswered.

The only penalty in law for not filing contribution report to the ECI is denial of exemption of income tax, which is not a strong enough deterrent.

Concluding Remarks

CEC very briefly mentioned that ECI had released a Compendium of Electoral Reforms in December 2016 which contains more than 50 proposals on all aspects related to electoral democracy. He felt that it is high time that electoral reforms mooted by the Commission and endorsed by the Law Commission are processed for holistic legislative sanctions or action on the fast track and they attain finality. CEC stated that public spirited persons have been knocking at the doors of the courts for getting pronouncements but he felt that this was not a wholesome process and the changes are coming around in a piece-meal manner.

The CEC opined that the Standing Committees of the Law Making bodies are required to sit together and mull over the recommendations put forward by ECI, Law Commission and various Civil Society Organizations in this regard. Dr. Zaidi also conceded that what ECI is doing, is not enough, and more efforts need to be made, particularly at the grass-root level, to spread awareness among the voters. In the end, he reiterated that the Commission will continue to work with the like-minded, right-thinking people in a non-political and non-partisan manner.

The CEC ended his talk by stating that this is the time that we should move fast and the quote of Albert Einstein is very relevant in this context “The world will not be destroyed by those who do evil, but by those who watch them without doing anything.”

Presentation: Mr. J S Saharia (Maharashtra State Election Commissioner)

Chairperson: Dr. Ajit Ranade

Dr. Ajit Ranade

Dr. Ajit Ranade, Founder and Trustee, Association for Democratic Reforms, introduced Mr. J.S. Saharia, Maharashtra State Election Commissioner by complimenting him and the Maharashtra State Election Commission as they returned 3 lakh (approx.) representatives every 5 years from the voter bank of 7.5 crores as against 48 Members of Parliament and 288 MLAs from Maharashtra.

Mr. J S Saharia



Mr. Saharia congratulated the Association for Democratic Reforms and recognized its prolonged efforts in the sector of Electoral and Political Reforms and for not only analyzing the Parliamentary and Assembly elections of India but also analyzing the local municipal body elections as well.

He pointed out that from Mumbai, Thane, Pune, 26 Zila Parishads and 357 Panchayat Samitis in the State of Maharashtra, approximately 6 crore voters participated in the elections. Local body elections includes more than 12 and half lakh representatives which involves a contribution of more than 20,000 Returning Officers. Maintaining the Returning Officers list which consists of officers starting from Deputy Collector to the clerk is a challenging task.

Mr. Saharia said that the **three crucial tasks** undertaken by the State Election Office for the five yearly elections are:

1. To look for the ward formation respective to the particular constituency,
2. Bifurcation of the voter's list prepared by the Election Commission of India.
3. The actual election.

He was dismayed that the general public and the government lacks the correct knowledge of the powers possessed by the State Election Commission. Unfortunately, the State Election Commission is perceived as a subset to the State Government and not considered an **independent constitutional authority** for holding free, fair and transparent elections. He said that this situation needs to be changed. He said that the State Election Commission has **adopted certain strategies** in order to undertake the tasks more effectively and efficiently. They have introduced latest computers and modern technology so as to deal with 2 and a half lakhs seats that amount to on an average 25 lakh candidates undertaking the elections (when calculated roughly 10 candidates per seat). They have been taking **steps for sensitization** by involving various stakeholders i.e. the Government, Political Parties and other individuals.

Reforms in Electoral Process in Maharashtra

The State Election Commissioner emphasized that it is **mandatory for a political party to register their name and their desired symbol with the State Election Commission** even if they have been recognized with their symbol reserved with the National Election Commission. There is a provision given to the State Election Commission to **de-register a political party**. He stated that the major initiative taken by the Maharashtra State Election Commission was de-registering of 220 political parties (out of 357 political parties) for not submitting their annual income tax returns and audited accounts. By not taking into consideration the Voter's list provided by the National Election Commission, this time the State Commission ensured that the Urban Local bodies i.e. the Municipal Corporation and the Municipal Councils, out of their own budget, undertake the task of registration of new voters. This initiative, along with the **active participation of the local bodies**, gave a rise of approximately 75% in the new urban voter registration for the year 2017 in comparison to 2016. It was made mandatory for the prospective candidates to file their nomination papers and affidavits online (approximately 2 lakh forms were filed online for 10,475 seats). This helped the Commission **undertake an analysis** prior to the date of polling. He appreciated the Association for Democratic Reforms for its efforts to undertake the task of analyzing the local body elections.

Display of Candidate's Background Data at Polling Booths

He also stated that as per the Supreme Court Judgment, the affidavits collected from the prospective candidates must be brought to the notice of the general public. Hence, in order to give an actual meaning to 'Right to know' the antecedents of the candidates contesting elections, the Maharashtra State Election Commission **published the summary of the affidavits** filed by each and every candidate consisting the following aspects:

1. Name of the Candidate
2. Educational Qualification of the Candidate
3. Total Movable Assets of the Candidate
4. Total immovable Assets of the Candidate
5. Total Dues and Liabilities of the Candidate
6. Details of the Criminal Cases – Convicted and Pending

These details of the contesting candidates were put on **each and every polling station** on a flex sheet/board so that the voters have an idea of each and every candidates' background before casting their vote. This initiative was undertaken for nearly **40 thousand polling stations** in the state of Maharashtra.

Introduction of Mobile Phone Applications

Another initiative undertaken by the Maharashtra State Election Commission was introduction of Mobile Applications as under:

1. True Voter Application

The Voters can identify their respective ward, polling station and the relevant details of the candi-

dates. The Polling officers can look at voters list from the application. This was a success because of 1.4 crore application hits, 67 lakh name search, 23 Lakh Know-your-candidate search, 13 Lakh Booth Navigation search and 30 Lakh booth list downloads.

2. Frequently Asked Questions (FAQs)

Due to the existence of 5 different bodies concerning the elections i.e. The Municipal Corporation, Municipal Councils, Zila Parishads, Panchayat Samitis, Gram Panchayat and their respective separate laws and regulations, there were bound to be queries by the general public. In order to resolve the queries raised by the public, this application was introduced. So far, 2200 queries have been raised and answered through this application.

3. Citizens on Patrol (Pilot Project/in-process)

Through this application the citizens would be able to notify the Election Officer in-charge or the Police Officer in-charge, in case of any violation of the model role of conduct in the field. Hence, immediate action can be taken.

Publicity Drive

Following an unconventional approach for Publicity Drive, the Maharashtra State Election Commission decided to **utilize the Social Media**. The office's official Facebook page and Twitter account had 8.5 crore and 7.6 crore hits respectively. They utilized the technology as a tool to **reach the masses** as they introduced the initiative of giving pledge by missed call and SMS Broadcast that reached 8 crore mobile users of the state of Maharashtra. The State Election Commission took **help of eminent personalities and celebrities** and prepared 43 videos that reached the masses for general awareness and to encourage voting that reached 5 Lakh individuals. Help of NGOs and corporates was taken to spread the awareness. Cooperative housing societies (Mumbai itself has more than 40 thousand registered cooperative housing societies) were informed to conduct meeting for spreading awareness among their members.

Public Initiatives

Hotel and Restaurant owners association of Lonavala and Khandala voluntarily approached the State Election Commission and passed a resolution to put a notice at their reception to provide discount to the customers who came after voting at the same time showing a displeasure to the ones who did not vote.

Success – Outcome

An overall increase of 11% was reported in the voter turnout. The Municipal Corporation elections showed a rise to 56.40% (2017) from 48.69% (2012), the Municipal Council elections showed a rise to 65% (2017) from 60% (2012) and the Zila Parishad elections showed a rise to 69.02% (2017) from 67.27% (2012).

Increasing Opacity in Political Financing

Chairperson: Dr. Ajit Ranade



[Panelists (left to right): Chairperson - Dr. Ajit Ranade (Founder member and Trustee of ADR), Mr. Manish Tewari (Former Union Minister and Advocate – Supreme Court of India), Prof. Sanjay Kumar (Director – Centre for the Study of Developing Societies -CSDS), Prof. Jagdeep Chhokar (Founder member and Trustee of ADR), Mr. Sukhpal Singh Khaira (Member – Punjab Legislative Assembly)]

Prof. Sanjay Kumar



Prof. Sanjay Kumar (Director CSDS) stated that accountability and transparency are two main issues regarding electoral reforms. He stated that the Election Commission of India has been working on making political financing more accountable and transparent however, there has been **minimal initiatives taken from the political parties** to introduce electoral reforms. He felt that we should concentrate on **making small changes** as these changes are easy to make and would ultimately lead to bigger changes. Donation to political parties is a **huge concern for the people** as they want to know about the sources of these donations made to the political parties.

Further, he felt that the two major announcements made by the Government of India regarding funding of political parties were **not a wayforward**. First, the limit of donations being made to political parties in cash has been reduced from Rs. 20000 to Rs. 2000. He felt that it **should have been removed altogether**, instead of bringing it down to Rs. 2000. Second, the change has been brought in the rule regarding the donation to political parties from business houses. Earlier a company could only contribute up to 7.5 % of its average profit earned during last 3 years to a political party. He said, however,

now a company can donate any amount as the cap has been removed. This will allow companies to donate any amount to any fake political party. Further, the **citizens cannot get access** to the information about which company made a donation to which political party.

While the whole idea was to bring transparency and accountability, on the contrary, these changes will actually help in facilitating a **closer nexus between political parties and business houses**. He stated that the ECI and political parties are moving in different directions with regard to the electoral reforms. On one hand, the ECI is endeavouring to bring transparency, on the other hand, political parties are trying to maintain the status quo.

Mr. Manish Tewari



Shri Manish Tewari, Indian National Congress, former MP and Union Minister accepted that there is a problem with the funding of political parties, which need to be addressed at three levels. First, the **funding of an individual candidate** irrespective of which party he belongs to. Second, **funding of political parties** during elections from various sources in order to fund their campaign activities. Third is the **funding to the standing political parties**. He defined standing political parties as the parties which rather than being a platform to put its candidates in office, just survive in perpetuity to only contest elections. These parties need a monetary infusion all the time. Thus, he said that there is a need to look at the gamut of political and electoral reforms from a different level. However, the government has failed to address the issue in a holistic manner.

He said that although the **political parties want status quo** regarding the political funding, the people want reforms. He rejected the amendment made by the Government recently for the funding of political parties as a step forward. He said, “All this hogwash and artificial wall we have created between cheque and cash is in today’s age is a completely sterile and bogus move”. Referring to the donations to the political parties, he promoted the idea of **linking all donations to political parties with Aadhaar card**.

“As long as there is a clear Aadhaar linkage whereby the source of the donation can be traced, I don’t think, there is a need to change the limit at all,” said Mr. Tewari. He stated that bringing down the cash donation limit to Rs. 2000 only means that the donors would have to print ten times more coupons. He further added that India is a 2 trillion dollar formal economy, which rides on the 2 trillion dollar non-formal economy. There is a need to find a **way to mainstream this non-formal economy** and in electoral aspect, it can be done through Aadhaar linkage of donations made to the political parties.

He discussed the nuances of the two major initiatives taken by the government regarding the donation to the political parties. He said that electoral bond is a non- starter. The reason behind is that the RBI would know who the purchaser of the bond is and the government would be able to access the information as to where the bond has gone. Thus, he believed that **no one will buy an electoral bond**. Second, he said that lowering the threshold of cash donations to political parties from Rs.20,000 to Rs. 2,000 does not mean anything. He recommended that instead of changing the limit, **political parties should come under RTI** to ensure greater transparency and accountability.

Mr. Sukhpal Singh Khaira



Mr. Sukhpal Khaira, Aam Aadmi Party, MLA Punjab Assembly, stated that the most important thing which is required to save the Indian democracy is to **cleanse the electoral system**. Initially, the political society was clean and now, over the years, the political system has deteriorated due to the increasing money power. He compared the election expenditure incurred now and a few decades ago. He stated that even for the elections at the local level, candidates are spending much above the limit. However, in their expenditure declaration, they fill their expenditure below the limit and **get away with this misrepresentation**. Even the election expenditure observers notice this disparity between the expenditure incurred on the ground and one mentioned in the declaration, but **take no action** against such candidates. He said, "Though we call India as one of the poorest nations, we (Indians) are the ones who are spending the most in our elections."

He said that the steps taken by the government to reduce the cash limit for donations to political parties from Rs. 20,000 to Rs. 2000 is an eyewash and there is an **urgent need for revolutionary and drastic reforms**. He revealed a new aspect of the nexus between business houses and politicians. Earlier industrialists were funding the political parties to ensure tailor-made policies that will positively impact their business, but now they themselves have entered into politics. He emphasized that this deleterious scenario needs to be rectified else the country will be in complete control of politicians with muscle and money power.

The political parties are trying to maintain the status quo, thus people are the ones who want the change and can bring the change. He **agreed with Mr. Tewari** that linking the donation to political parties with Aadhaar card would be a practical solution to ensure transparency in the political financing.

Prof. Jagdeep Chhokar



Prof. Chhokar of ADR queried whether the increasing opacity is a new phenomenon? He stated that the increase in the opacity of political party funding is not new. It has prevailed for over 20 years and has only increased with every successive government. He further said that political parties want to maintain the status quo and do not want to be transparent.

He said that there is a need for two things: internal democracy in political parties and financial transparency in political parties. These would not be a panacea for all issues but certainly, will resolve a lot of them. He agreed with Mr. Manish Tewari that political parties would not bring the required electoral reforms. He stated further that political parties are unable to realise that internal democracy and transparency would actually make them stronger. However, their existing leadership is apprehensive because it might adversely affect their dominance in the party. He said, "Political parties' established leadership is scared of transparency because there are scared of their own members." He concluded by saying that opacity is there and will be there, but we must continue fighting it.

Open Session



In the open session, Mr. Manish Tewari answered the questions related to banning of corporate funding, implementation of aadhar linkage of donations and lack of internal democracy in parties etc. He said that blaming the politicians and political parties would not bring any change. He suggested that political parties and people who working for the political reforms must work in collaboration. He further clarified that there is an internal democracy in political parties. They do conduct elections but unfortunately, those elections are farcical. Thus, he advised that like the ECI supervise the external election process, a similar body should be formed to supervise the internal electoral process of political parties. Further, he said, lifting the cap from the companies is far more dangerous than it sounds. He emphasised the seriousness of the issue by stating that it is not about political parties becoming an instrument of money laundering. In future, there is no barrier for the political parties if they want to set up their own company and generate profits to fund themselves. This amendment has enabled political parties to able to create a corporate structure around them.

Mr. Sukhpal Singh Khaira while addressing the issue of transparency in the political parties, praised *Aam Aadmi Party*. He said that it is the only party which has taken the initial steps to ensure transparency. AAP has mentioned the details of the donations on their website for public access. Further, he suggested that political parties should come under RTI. In response, Prof. Chhokar said that the once a government tried to amend the RTI Act, but only to ensure that political parties would not come under it.

State/Public Funding of Political Parties

Chairperson: Prof. Jagdeep Chhokar



[Panelists(left to right): Dr. M R Madhavan (President – PRS Legislative Research), Prof. Trilochan Sastry (Founder member and Trustee of ADR),Chairperson - Prof. Jagdeep Chhokar (Founder member and Trustee of ADR), Prof. Arun Kumar (Former Sukhamoy Chakravarty Chair Professor, JNU), Dr. Eshwar Anand (Professor, Symbiosis Institute of Media and Communication)]

Prof. Arun Kumar



Prof. Arun Kumar began by stating that having details of the donations to political parties above Rs. 20,000 in the public domain was just a legal matter while the details of donors who donated below Rs. 20,000 remained opaque. He pointed out the **three distinct components of finances of political parties** that need to be looked into; a) what has been declared by the parties, b) what has not been declared by the parties, c) 'illegal' funding of political parties which is not in the public domain nor available with the income-tax department.

Referring to his books on 'Black economy in India' published earlier, he pointed out that an open discussion with the elected Lok Sabha MPs on their election expenditure showed that their average expenditure was about Rs 1.29 crores while the limit on candidate election expenditure was a mere Rs 15 lakhs in the 90's. Thus, he pointed out that excess expenditure by contesting candidates and their parties was a **mere means to get to power**. He also conveyed his disappointment over parties **not adhering to their poll promises** declared in their manifestos during election campaign.

In order to solve the problem of opacity in party funding and decreasing accountability of the parties, he suggested that the need of the hour was to look into the **nature of India's democracy**. Democracy is a process and we should work towards strengthening it but lack of accountability would lead to weakening of

the nation. He said that the **vested interests manipulate the political process** and the parties thereby becoming increasingly dominant while weakening our democracy. He suggested that the public should change their views, as currently **people are not demanding accountability** of their representatives as they have come to expect that there would be no accountability even if demanded.

He pointed out to the “triad” of **corrupt politicians, corrupt businessmen and the corrupt executive** as the reason behind increasing growth of black economy in India. The illegal nexus between the triad can be broken if even one of the three cease to be corrupt.

Coming to the issue of state funding, he posed a question: “Would state funding help in strengthening our democracy in anyway?” He pointed out that **as long as illegal expenses took place**, there would be expenditure over and above any public funding that the parties would have received. Thus, unless the public demands accountability from their elected representatives and the parties, it would not help in curbing India’s black economy. Accountability among the political class can be enhanced with **sustained public movements**.

He concluded by saying that public funding of political parties would not help unless there are sustained movements which demand accountability, strengthen democracy for which a change in the consciousness of the people is required. While there were no easy solutions to the issue of financing, he said that **if politics became democratic**, even lesser sums of money would be sufficient to contest and win elections.

Dr. M R Madhavan



The President of PRS started by stating that **he had 5 questions that needed to be considered** on the issue of public funding of political parties. He felt that the discussion could be carried forward with better clarity once questions are posed and in-turn answered through debates and dialogues.

His **first question** was whether public funding would substitute or be an addition to the currently existing process of funding of political parties. He opined that the answer to this would depend on how much money was required and whether the politicians and their parties would be honest about spending the public funds. He felt that public funding should be considered as an option only if it would promote a level playing field.

The **second question** he posed was whether there were public funds available for political party expenditure, and whether the exchequer could afford it. Based on data available in public domain, he felt that the funds that would be required for election expenditure would form only 0.1% of the GDP and hence could be distributed.

The **third and the most important question**, according to Dr Madhavan, was the process of funding or the allocation of funds to parties. “*Do all parties get a ‘flat’ amount or do we base it on past performance of the parties so that those with more seats get a larger portion of the money? If the latter is chosen, would it encourage a level playing field or make it more skewed than at present?*” he felt that it would promote pro-incumbency rather than giving equal opportunities to the established as well as the unrecognized political parties.

His **fourth question** was on who the funds would be handed over to? The contesting candidate or the party he/ she represents or to the independent candidates? He felt that this was crucial as the parties are extremely powerful as compared to its members and independents. *“It is easy to discuss about the feasibility of public funding of political parties but unless we think about and find reasonable answers to these questions, it will just be an academic exercise.”*

Dr Madhavan next discussed about how the funds will be transferred – by cash (direct money transfer) or by kind, under specific heads such as publicity funding? If the candidates were credited money in their election expenditure account, he felt that it would become an income generating opportunity for the individual and many non-serious candidates would begin contesting for the funds rather than for bringing a change in their constituency.

The **fifth question** he put forward was whether public funding would reduce or eliminate the unaccounted funds which are normally accumulated during the election process. He was of the opinion that this method of funding would not eliminate the problem. Based on his interaction with many Members of Parliament over the years, he said that at least 60% of them were frustrated with the highly expensive mode of elections and that no one was willing to be beholden to criminal elements. They were also of the view that the electorate was getting corrupt as the voters have started expecting and demanding cash for votes! Dr Madhavan, concluded that public funding would not be beneficial unless voter behavior changed.

The next issue he discussed about before concluding was on the **possibility of designing a system** which would **incentivize certain types of behavior** of the voters and the parties. “Matching grant” could be one of the options where the amount of ‘clean money’ raised by the parties/ candidates which are traceable, could be doubled through public funding thereby incentivizing them for staying away from black economy.

Speaking on **electoral bonds**, he lamented that it was one of the very dangerous things introduced as corporates would then start ruling in the place of politicians/ political parties, openly in a legal and legitimate way.

The final issue that he touched upon was about the **Parliamentary Standing Committee** on Law and Justice which has identified the issue of electoral reforms for a detailed examination. More importantly, he added, the members of the Standing Committee have asked for **public comments and feedback**. He urged all participants to engage with the system by providing their opinions to the Committee so that a feedback loop is set and a change is brought about.

Dr. Eshwar Anand

The Professor of Journalism and Media Studies, SIMC affirmed that the time for state funding of political parties had come, however he asserted that **funding should be in kind not cash**, and be restricted to registered political parties. In case of independents, he proposed a system wherein they would forfeit the money loaned to them from banks, if they failed to secure more than 8% of total votes polled. He suggested also looking at democratic systems in Western European countries like France and Italy, in order to find ways to improve our own. Noting the current ceiling on election expenditure by candidates, he questioned the **exemption for**



political parties. He stressed **equal accountability of political parties** as far as election expenditures were concerned, in order to ensure a level playing field for all. Also, in order to lend credibility to political party audits, he felt they should be conducted by independent persons, instead of the branches of the Indian Revenue Services.

Another point that engaged his attention, was the inability of the ECI to **de-register political parties**, in case of audit non-compliance. Remembering his days at the Tribune, he felt paid news during elections was an issue and affected major newspapers as well, and needed to be dealt with strongly. He also wanted the Election Commission to have **wider powers**, with the ability to cancel elections it felt were unfair, and also to punish political parties, for instance in case of not submitting audits on time. He concluded by saying the ECI should be charged with fast-tracking of criminal cases of elected representatives as well.

Prof. Trilochan Sastry

Prof. Sastry agreed with most of the views on State funding presented by the panel members. Further, he emphasized that a State grant should be given to a candidate only if he is able to raise a matching amount from common citizens. He also agreed with Dr Madhavan's rough estimate of Rs. 10,000 crores to be made available as public funding to political parties, but with the **clause of all political parties coming under RTI ambit** as well.

Observing the trend of richer candidates winning more elections, which clearly shows that voters were being bribed, he emphasized the **need to educate voters** on the dangers of voting for such candidates. He felt this task of spreading voter awareness belongs **primarily to civil society organizations** such as ADR.

He stated that compared to other democracies, there was a **major disparity in India** in the ratio of elected representatives to constituents. For instance in the UK, there are on an average 92,000 constituents per MP, whereas in India, there were on an average of 16,00,000 voters per parliamentary constituency.

Finally, he concluded by noting that it was the **intensely competitive nature of politics** which spurred candidates to spend large sums of money bribing voters. He felt there could be alternatives, for example if both major candidates secured more than 45% of the votes, both could be MPs.



Open session



The Founder-Trustee of ADR, chairing the session, emphasized that the only pre-requisite before even talking about public funding is ‘internal democracy among political parties’ as parties are run like monopoly business. He then opened the floor for questions.

Prof. Ashutosh Kumar (Panjab University): He asked what the criteria should be for funding political parties if public funds were utilized, especially funding of smaller, unrecognized parties so as to promote a level playing field.

Prof. Sanjay Kumar (Director, CSDS): He wanted more clarity on how to resolve the issue of undue influence of corporate houses when they donate huge amounts of money to the parties. He also wanted to know if there should be a limit imposed on the amount of money a party can receive from a donor.

Comments from Prof. Chhokar: On the statement that the electorate has become corrupt, he added that the electorate became gradually corrupt as the parties showed the way by initially distributing gifts in kind and then slowly began to brazenly distribute cash in exchange for votes. He suggested that the political parties be made to mend their ways through public pressure and thereafter everything else will fall into place. He also felt that as there was no internal democracy within the parties, the question of public funding does not arise.

Answering to Prof. Ashutosh’s question on funding of parties, the Chairperson said that a budget needs to be prepared and a tentative figure needs to be set for the funds from the exchequer to be distributed to political parties.

Concluding the session, Prof. Chhokar said that the Inderjeet Gupta Committee was formed for the sole purpose of analyzing the possibility of public funding of elections. He pointed to the final chapter of the Committee’s report which stated that the recommendations, if implemented would only bring about cosmetic changes in the electoral sphere. The report strongly recommended an immediate over-haul of the electoral process whereby elections are freed from money and criminalization of politics. Prof. Chhokar expressed concern that the political parties should ideally bring about a change in their internal functioning and agree to usher in political reforms recommended earlier by various Supreme Court appointed committees, the Law Commission, the Election Commission and the views of the civil society before further discussion on public funding of political parties.

Innovative ideas towards greater voter awareness at the grass-root level

Chairperson – Dr. Vipul Mudgal



[Panelists (left to right): Mr. Sharad Kumar (Maharashtra EW), Mr. Ranjan Mohanty (Odisha EW), Chairperson – Dr Vipul Mudgal (Trustee of ADR), Mr. Sudhir Pal (Jharkhand EW), Mr. Sanjay Singh (UP EW)]

Dr. Vipul Mudgal



Dr. Vipul Mudgal (of ADR) while speaking on the issue stated that there has been innovation and new methods have been adopted for voters' awareness. For instance, **public hearing and social audits** are taking place in large numbers at the local level. He further said that over the years, there has been a **decentralization of corruption** along with the decentralization of governance.

Mr. Sanjay Singh

Mr. Sanjay Singh of UP Election Watch said that political parties are not willing to change and the ECI has its own limitations. Through his experience and research conducted at various levels over the last decade, he has come to a conclusion that **people want to move forward** swiftly with the process of electoral reforms. He believed that corruption is the issue of utmost concern for the youth. **Youth blame corruption** for unemployment, infringement of their basic rights and is the reason why some policies are unable to benefit them. In the post-liberalism era in India, the middle class has emerged as one of the important sections of the society. Even they believe that a **corruption-free political system** can make their life easier. UPEW targeted the middle class for the voter awareness



campaign during the 2017 assembly elections in Uttar Pradesh.

Stressing on this issue, he believed that the target audience must be the youth to spread voter awareness. He discussed the methods he used in U.P. to spread voter awareness such as women-centric campaigns, celebrity videos, local songs etc. **District election committees** were formed and **volunteers** were assigned for every booth to spread awareness about the ethical voting. The impact of this could be seen in Garautha constituency, where instead the candidate with the highest election expenditure, the one with the **least expenditure won the elections**. He said, even though it is an effective method its success was adversely affected by the **lack of volunteers and resources**.

He further added that though the ECI's SVEEP programme works towards increasing voter awareness, it does not remain active throughout the year. Thus, it is important for the CSOs to intervene. He enumerated the research and its findings, conducted by his organisation addressing the **impact of the demonetisation** on Uttar Pradesh Assembly Elections, 2017. He emphasised on the need of effective research to **understand the existing dynamics** and ensure **constant presence of the organisation at the local level**. Further, he said that these research will help formulate strategies for long-term intervention. He concluded by stating that the key to success in this area is persistence. He showed a small **documentary** on their various activities taken up in U.P. during the recent elections. It can be accessed from adrindia.org.

Mr. Sudhir Pal



Shri Sudhir Pal, State Coordinator, Jharkhand Election Watch (JEW), informed that the Jharkhand Election Commission worked throughout the year and not just during elections alone. He elaborated the three major programmes being conducted, in collaboration with the Office of the CEO of Jharkhand. First, they had prepared a **5 year document** for the plan and strategies for electoral awareness in Jharkhand. The ECI has prepared a document for 2016-2020 and a SVEEP plan sustainable for 5 years for electoral education. Further, there would be a **SVEEP cell in each state** which would work in collaboration with the CSOs. In addition, JEW is represented in the **State Core Committee**. Similar committees have been formed at district level which also have JEW representation.

Second, the **youth and democracy campaign**, which has activities like school mock parliament and various other competitions to increase the electoral awareness among school children.

Third, at the panchayat level, they have been working to bridge the gap between the **bureaucracy and panchayat representatives** to ensure smooth working of the system. He also mentioned about the training being provided to people who want to become panchayat representatives. This has been done to make sure that the candidates with clean background are promoted and guided for a corruption-free public service. In conclusion, he requested all the state partners of National Election Watch to formulate a **5 year document for voter awareness** in their respective states.

Mr. Ranjan Mohanty



Mr. Ranjan Mohanty of Odisha Election Watch said that in the recent elections in Odisha, there were two main issues: Use of **muscle & money power** and **low voter turnout**. Thus, there were three main objectives for the Odisha Election Watch 'My Vote My Village' campaign. **First**, to **create larger voters awareness**, increase voter's participation, particularly the participation of youth and women in the elections for PRI of Odisha, 2017. **Second**, to increase awareness among people with regards to electoral process, **ethical voting**, voters' rights and their responsibility as a voter. **Third**, to **build public opinion** on the need for decriminalization and reduction of money power in politics.

He said that through their research, they found that there have been multiple cases of political violence and bribing the voters. Thus, they worked primarily towards the reduction of violence and promotion of ethical voting. He illustrated various strategies they used to achieve these goals such as **engagement with the voters via media and workshops**. The video prepared by them for the campaign was telecast on several news channels throughout the duration of elections. He further added that they were able to **reach more than 5000 villagers** through their poster campaign. They covered 799 villages for voter awareness campaigns through methods such as celebrities' videos, cable TV videos, poster campaign, cycle rallies, street plays etc. Some of the videos shown at the conference can be accessed at adrindia.org.

Mr. Sharad Kumar



Shri Sharad Kumar of Maharashtra EW, primarily spoke on the recent BMC elections. The most significant issue in the local level elections was the low voters' turnout. AGNI worked towards **increasing the polling percentage**. He said, "We targeted the school children as a child tutored by his teacher can force the most obstinate parent to do what is asked, i.e. vote." He believed that just informing the students about the electoral process would not help, rather it was **vital to convince the parents through the students**, the necessity to vote in the BMC elections. AGNI used Ad-posters and videos as interactive methods to involve students in the voter awareness campaign. They covered around **150 schools** where they trained teachers to inform students about the electoral process and persuade their parents to vote. Likewise, over 100 trainee teachers from

the St. Xavier Institute of Education took this campaign forward as interns and they covered various schools. As a result of this intensive campaign, BMC Elections in 2017 recorded 55.28%, the **highest voters' turnout in 25 years**. He showed the campaign video at the conference which can be accessed at adrindia.org.

Open session



Addressing the question regarding the significance yet the low presence of Gram Sabha, Mr. Sudhir Pal agreed that Gram Sabha has a potential to change the system to some extent. However, it is not working the way it is meant to be. The government is not supporting Gram Sabha. He said, “If the government starts recognizing the Gram Sabha, then it would not be able to continue with its corporate agenda.”

Vote of thanks



Mr. Jaskirat Singh, of Punjab & Haryana Election Watch, gave the vote of thanks to end the first day of the 13th National Conference. He extended his gratitude to all the state coordinators who took the time out from their work schedule to be a part of the National Conference. He made special mention of Prof. Ashutosh Kumar from the Department of Political Science at the Panjab University, stating that his help and guidance helped immensely in the successful conduct of the conference. He invited all participants to the second day of the conference, highlighting the issues that would be debated and discussed and hoped that there would be an active participation from the students of Panjab University.

Day – 2 (30th April, 2017)

Criminalization of Politics

Chairperson: Prof. Trilochan Sastry



[Panelists(left to right) –Prof. Manjit Singh (Member, Swaraj Abhiyan), Prof. Ashutosh Kumar (Professor, Dept. of Political Science, Panjab University), Adv H C Arora (Advocate-Punjab & Haryana High Court), Chairperson - Prof. Trilochan Sastry (Founder member and Trustee of ADR),Mr. S N Shukla (General Secretary, Lok Prahari)

Mr. S N Shukla



Mr S N Shukla, General Secretary, Lok Prahari, commenced his speech by expressing concern over the increasing criminalization in politics which has led to degeneration in the polity of the country. According to him, framers of the Constitution and Representation of the People Acts 1950 and 1951 did not provide necessary safeguards to ensure that only persons of character and integrity are elected since they had never envisaged such an anomalous situation. He warned that if the present trend continues unchecked, soon persons with criminal background may have majority in the Legislatures.

He further added that the present day undesirable alarming situation of persons with criminal background adorning the Parliament and State Legislatures is partly the result of the **deficiencies in-the existing electoral laws** and **partly due to their non-compliance**. He highlighted the main causes for this to be as follows:

First, Disregard of the judgement invalidating Section 8(4) of the RP Act, 1951. In the landmark judgement of Lily Thomas versus Union of India (July 2013), the SC struck down Section 8(4) of the RP Act, 1951 which permitted even murder convicts to continue as Law makers and Hon'ble Members of Parliament/

State Legislature, and even Ministers. However, the absence of a uniform and effective approach regarding follow up action in cases of conviction of sitting legislators has resulted in situation of frustrating and nullifying the said judgment. In addition, there is no constitutional or statutory provision for the notification regarding disqualification and vacancy of seat upon conviction being issued by the Secretariat of the concerned House.

Second, Contempt for the decision in Manoj Narula's case. The Constitution Bench in a very erudite judgment in the case of Manoj Narula Vs. Union of India, JT 2014 (9) SC 591, had ruled that it can always be legitimately expected from the PM and CMs of the states not to choose a person with criminal antecedents against whom charges have been framed for heinous or serious criminal offences or charges of corruption to be appointed a Minister in the Council.

The number of Ministers with cases of heinous offences against them in the Central Government and the UP Government is eleven and seventeen, respectively. When there was no response to the representations sent to the Prime Minister and the President of India by India Rejuvenation Initiative (IRI) and by Lok Prahari to the Chief Minister of UP and to the RTI queries regarding action taken thereon, Lok Prahari had filed a PIL WP (c) 143 of 2016 in the Apex Court to effectuate meaningful implementation of the judgment in Manoj Narula's case in this regard. However, in the face of the reluctance of the Hon'ble Court to entertain the PIL under Article 32 of the Constitution, it was withdrawn with a view to pursue the matter in the High Court. Accordingly, a Writ Petition No. 22237 (M/B) of 2016 was filed in the Lucknow Bench of Allahabad High Court which is pending for hearing.

Third, Non-compliance of the Apex Court's order dated 10.3.2014 in WP © No. 536 of 2011 that was directed in relation to sitting MPs and MLAs who have charges framed against them for the offences which are specified in Section 8(1), 8(2) and 8(3) of the RP Act, the trial shall be concluded as speedily and expeditiously as may be possible and in no case later than one year from the date of the framing of charge(s). In such cases, as far as possible, the trial shall be conducted on a day-to-day basis. However, these directions have not been complied with due to reluctance on the part of the High Court and Apex Court to ensure their compliance.

Fourth, No disqualification even for those charge sheeted for heinous crimes.

Fifth, Prisoners can contest even though they cannot vote.

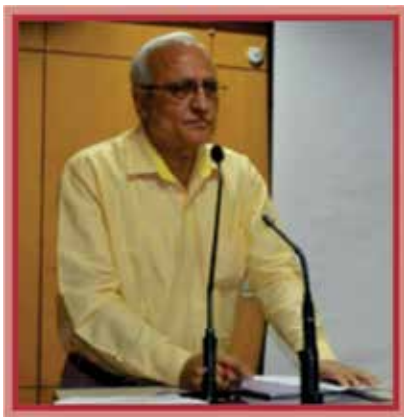
Sixth, Lack of effective deterrent punishment for filing false affidavit. In the Reform Proposal by the ECI to the Law Commission in February 2014 it was noted that: "The lack of any serious consequences for making false disclosures has certainly contributed to the widespread flouting of the Supreme Court and the Election Commission's directives on this matter. Such misrepresentation affects the voters' ability to freely exercise their vote. Therefore, there is an urgent need to:

- i. Introduce enhanced sentence of a minimum of two years under Section 125A.
- ii. Include conviction under Section 125A as a ground of disqualification under Section 8(1) of the RPA.
- iii. Set-up an independent method of verification of winners' affidavits to check the incidence of false disclosures in a speedy fashion.
- iv. Include the offence of filing false affidavit as a corrupt practice under Sec. 123 of the RPA.

Seventh, Lacuna in the guidelines for registration of political parties. The guidelines and application format laid down by the Commission for registration of political parties provide for affidavits from the office bearers of the main organs of the applicant party showing information about their criminal antecedents to be furnished in form in Annexure VI to the guidelines. Mr. Shukla suggested that the Commission may consider issuing necessary order in exercise of its exclusive powers under Article 324 of the Constitution and Section 29A (8) of the RP Act, 1951 to bar registration as a political party if any of its office bearers is disqualified to be to be a Member of Parliament/State Legislature or does not have right to vote under the law. Further, the guidelines for registration of parties may also be amended to incorporate the information about disqualifications in Sections 8A, 9, 9A, 10, and 10A also in the affidavit in form Annexure VI to the Guidelines issued by the Commission.

Lastly, First past the post system. The existing system needs to be replaced by the one which requires the winning candidate to get more than 50 percent + 1 of at least the votes polled, if not of the total voters in the constituency since voting is not compulsory. This can be achieved through the system of proportional representation /single transferable vote or having a second round of polling between the first two contestants if none secures the requisite votes in the first round. It will ensure that one/two castes/communities cannot dictate the outcome of the poll as the winning candidate will be required to get support of a much larger number of voters. This way the role of muscle power in winning election will also get minimized.

Adv H C Arora



Taking the discussion forward, **Adv Hari Chand Arora** of the Punjab & Haryana High Court, referred to the SC Judgement in the case of Public Interest foundation Vs UOI (2014). In this judgement, he said, the Court had ordered, **in cases where charges have been framed against sitting MPs/MLAs, the trials must be expedited so that they are conducted on a day-to-day basis and concluded within a one year period.** He pointed out that this judgment is **not being implemented.** Incidentally, he said, there are not many cases of MPs and MLAs in Punjab and Haryana where Courts have concluded hearing within one year of charges being framed. This he said requires a pro-active and collective approach.

In this context, he also talked about the **case of hostile witness** in the SC i.e. witnesses turning hostile when the case is against a powerful person. To resolve this, the court has granted a locus standi that any citizen can file an application demanding **a case of perjury to be filed against such witnesses who have turned hostile.** This, he said, would definitely create an impact, compelling the judge somehow not to allow hostile witnesses to get away lightly. He also highlighted the issue of **pension being taken by several convicted MPs and MLAs** like the Chautalas in Haryana who are taking around Rs. 2.15 lakhs to Rs. 50,000 each, Lalu Prasad in Bihar etc. He went on to add that in the Central Act, there is no such provision for stopping the pension of convicted MPs and MLAs. Contrasting this situation with a governmental official who even with a service of 20 years, if convicted on charges of corruption, is dismissed and also deprived of the pension.

Going ahead, he reiterated the **contempt for court judgment in Manoj Narula's case** by giving an example of a MLA from the state of Punjab who, despite being convicted under the Prevention of Corruption

Act, completed his term in the Assembly as a Minister. At the end, he also flagged the issue regarding 'Notification to disqualify MLAs' and explained how all his efforts in this direction have proved futile.



Prof. Ashutosh Kumar

Prof. Ashutosh Kumar, Dept. of Political Science - Panjab University, began by saying that Indian democracy comes as a sign post to new democracies of Asia, Africa and Latin America but even after widening and deepening of democracy, there are lots of problems in its procedural part. He emphasised that the **institutional aspect of the electoral process is in dire need to reform.**

In this process, he raised certain questions like: why would a political party in a competitive democratic polity give ticket to candidates with criminal antecedents? He said that it is puzzling for him, to see, how such candidates are elected by public not just once but consistently despite being indicted? What is so attractive about such candidates? What is the incentive that these tainted candidates bring to the table, so much so that parties are enamoured? What is the trade-off/the gain?

He pointed at certain advantages that parties have while giving tickets to such tainted candidates, **first, such candidates do not need fund from the party instead they bring funds to the party; second,** these candidates **besides buying votes can also intimidate those voters who are not ready to take money,** an additional qualification; third, in closely contested elections, such criminal candidates **help in cutting votes of the opposition candidates.**

He further mentioned, in countries like Uganda, Brazil and Italy, where candidates have to report their criminal background they have faced electoral retribution. But, in case of India, nothing of this sort has happened despite India being in the advanced stage of democratic consolidation.

He felt that there is **lack of internal democracy in political parties,** and **tickets distribution is done in an un-democratic way.** We have a patronage democracy, where **parties which are caste/community based, are much more prone to give tickets to tainted candidates as voters also don't mind voting for such candidates** also because of the fact that such candidates **provide protection.** He pointed out that there is **an inter-state variation** where **states with high illiteracy, economic inequality, and prominent role of caste or ethnic identity, witness more criminalization in politics.**



Prof. Manjit Singh

Prof Manjit Singh of Swaraj Abhiyan said that whole problem is in our mentality that we are from middle class and like intellectuals, this middle class holds seminars, conferences, workshops, etc and gives lots of suggestions.

He continued that actually there are **two nations within India.** One India belongs to Middle or Upper Middle class, which discusses about democracy and other related things. Second India belongs to a bigger 75% people who comprise Dalits, peasants, unemployed youths, North East Indians, tribals,

etc. who are basically worried about making their both ends meet. The question of their very survival is so important for them that they rarely think about democracy, which is a like a luxury item for them.

He concluded at the end saying that lets have **thousand types of local self-governments instead of centralised government**. He was of the opinion that we should not impose our policies and thinking on the people that basically belong to people living in Second India. Finally he summed up his speech saying that we need **layered democratic structure instead of hierarchical democracy**.

Prof. Trilochan Sastry

Prof Sastry concluded the session by saying that when ADR started in 1999 the primary purpose was to attack criminalization of politics and it continues to remain so. He also thanked the panelist for throwing further light on this issue.

Impact of Media on Elections & Governance

Chairperson: Maj. Gen. Anil Verma (Retd.)



[Panelists (left to right): Mr. Vishal Monga (Chief of Bureau, Times Now), Mr. Sarabjit Pander (Former Special correspondent, The Hindu, Chandigarh), Chairperson – Maj. Gen. Anil Verma (Retd.) (Head of ADR), Mr. Mukesh Bhardwaj (Executive Editor, Jansatta), Mr. Uttam Sengupta (Executive Editor, National Herald)]

Maj. Gen. Anil Verma (Retd.)



Maj. Gen. Verma, Head of ADR, opened the panel for the discussion highlighting the role of media for pressurizing political parties to carry out reforms in their internal functioning as also in the functioning of Central/ State Governments.

Mr. Mukesh Bhardwaj

Mr. Mukesh Bhardwaj (Executive Editor, Jansatta) provided a historical overview of the **evolution and transition of media**. He elaborated

how the media has survived and thrived over these years. He said that these days newspapers have become a product and to sell a product one has to go with the norm. Thus, information in the newspaper is decided by the norm. He further added that most of the stories come from vested interests, but the decision to publish it or not remains with the reporter. Media takes great care to ensure that the factually correct news has been presented to the public thus, the **generalisation of media being corrupt is wrong**. He said, “Had the media been as bad as it has been

portrayed then Manu Sharma would not have been behind bars.” He rejected the claim that the media has lost its credibility. He considered it a **biased view**, which brings all the media groups under one domain.



Mr. Vishal Monga



Mr. Vishal Monga (Chief of Bureau, Times Now) clarified that **politicians do not get pressurized by the media**. Instead of pressurizing the politicians, he believed media is a **perception creator**. Media is a powerful tool which helps to create a perception of politicians among the public, and he stated that it actually works. People adhere to the perception of politicians created by media.

Regarding the paid news, he said that though the Law Commission recommends that the act of paid news should be treated as a criminal offence, so far there is no one who has been convicted for the offence of paid news. The only deterrent for the journalists for this corrupt practice is the fear of job loss. He stated that even if a journalist was tried on the charges of corrupt practice, it will take years to conclude the case. Thus, the **lacunae in the legal system help the practices like paid news** to prevail. He said, “When there is no law, then how can we stop paid news”. Further, he brought in focus, the **nexus between media house owners and the politicians**. He stated that the journalists are not the one who are benefiting from the paid news. He said that it is the media owners who are earning the profits from the paid news. It is the politicians who are controlling these corrupt people to create a positive perception of themselves in the media.

He pointed out that **generalisation of media being corrupt is out rightly incorrect**. He lauded the role of media in bringing about change. He felt that there have been several instances where media has provided justice. He said, “Had media not acted as the watchdog of democracy, then Congress government would not have lost in 2014. Congress lost because of scams and media was the one that revealed them.”

Moving towards the new age media, he called social media as an **uncontrollable source of information**. There is no check on the credibility and flow of information on the social media. Social media has become a source for a lot of news, but a lot of stories generated by social media have been found to be factually incorrect. He ended by saying that it is **easy to allege but difficult to prove** that media is corrupt.

Mr. Sarabjit Pander



Mr. Sarabjit Pandher (Former Special Correspondent, The Hindu, Chandigarh) spoke of the significance of information. He said, “Information gets you to the power and throws you out of the power. Thus, information is power.” He believed that vehicle of this information is media that’s why whoever wants powers would try to control media. Even the politicians are trying to control media through their collaboration with the media houses. He said if we call media house owners as media then they are not journalists, they are businessmen, they want capital, they want to control power and to **share power with the first estate** i.e. Legislative and they want to **influence the second estate** i.e. Executives and they want to get some degree of **immunity from the third estate** i.e. judiciary by using the fourth estate of media. This is the power equation which all

media persons need to deal with.

While discussing the problems faced by media, he said that about 85% of Indian media doesn't get proper salaries, a journalist at the grassroot level doesn't even get a salary equal to the minimum wage provided to the labour. Newspapers across the country have failed to implement the Wage Board which is made by the Act of Parliament. He said whenever there is injustice, media makes noise everywhere but when media's rights are denied they have no way to publicise the issue.

He agreed with Mr. Monga while addressing the topic of social media. There is no credibility and sense of accountability for the information that is broadcast on social media websites. He further added that **social media is not a revolution** as people call it because revolution brings positive change, but **social media has not brought any improvement**. He expressed that media is not responsible for paid news neither the politicians, the sole responsibility lies on Election Commission of India because they don't raise questions. After addressing the other existing quandaries in media, he stated that media is the only estate out of four estates, which is **ready to listen to criticism and willing to change itself**. However, other states are not even ready to address the issues.

Media houses earn money because of their credibility, if any news channel or newspaper is not credible people will stop subscribing to them. Since everybody is making money then why not media, he asked. However if media is making money at the cost of not providing information then it needs to be questioned. He concluded by saying that the **media will continue as the watchdog** but if the democracy fails, no one can save media.

Mr. Uttam Sengupta



Mr. Uttam Sengupta (Executive Editor, National Herald) said that **elections have changed beyond recognition** be it election expenditure, bribing the voters or the way political parties choose their candidates. Political parties are now asking candidates to first get 25,000 followers on social media and then approach the party for a ticket to contest elections. Bribing the voters has become far more sophisticated, now instead of giving cash, voters can be given recharge coupons, gift cards, fuel, petrol and even motorcycles and they can be obliged not just before or during the election period but after election also (thanks to smartphones and direct mobile transfer and so on). He also raised the issue that the **media is unable to understand the changing dynamics of elections**. While addressing the issue of paid news, he questioned what

if the owners of the media houses become the Member of Parliament. In that case, how will the content of the news be scrutinised. He also stated that never in India's history have so many industrialists controlled bulk of the media houses and influence the media to support a particular political party.

He suggested that the way forward to resolving issues related to media was a **provision of auditing media** itself. The reason media is there is so that public interest can improve and they can raise questions that nowadays media has forgotten. He recommended investigation of the nexus between the media house and politicians. Further, he focused on the utility of the exit polls. He questioned if exit polls served any purpose at all, except affecting the public opinion. He stated that in the process of the covering news that is not useful to the public, **media houses have conveniently ignored the important issues**. Media has become less people-centric as the issues they cover are not related to issues people face on daily basis. He concluded by saying that today's **media is cut off from the people**.

Open session



Wrapping up the session, **Chairperson Maj. Gen. Anil Verma (Retd.)**, concluded that people need to change the way they look at media and there is a need to scrutinize social media as well as mainstream media by regular audits. Media also needs to divert their focus from earning high TRPs to their sole purpose of being the watchdog for the citizens and society in general.

Resolutions and ‘Next steps for NEW’



Prof. Trilochan Sastry (Founder Member and Trustee of ADR) thanked everyone for their participation and cooperation. He said that the purpose of the Annual National Conference is to meet each other, update everyone with the work done by different State Election Watches in their areas and get ideas for next year's Action Plans. He was particularly, appreciative of Maharashtra State Election Commission's initiative for displaying Candidates' details outside Polling booths during the Municipal elections and also digitalization of candidates' background data with technological

help from ADR and spreading the awareness at local level.

He said that we should think about practical action plans which we could initiate all over India. He said that all criminal cases of MPs and MLAs should be disposed of within one year. He requested all National Election

Watch partners to send RTIs and inquire the status of cases against MPs and MLAs in their respective states. He also said that we have to try and get few elections set aside, where candidates misrepresent election expenditure, as it will be a strong deterrent for political parties and would discourage them from fielding candidates with criminal cases and who indulge in bribing and intimidating voters.

Shri Jaskirat Singh (Trustee of ADR) explained the working of the Election Watch Reporter (EWR) which is an android app. It can be easily installed and the app allows capture of pictures with GeoTag i.e your location, area, time etc. and it can help in gathering information on distribution of liquor, money etc. during elections. It maintains the anonymity of a person reporting if he/she is not willing to disclose his/her identity.

He also thanked all the panel members, State Partners, audience and the ADR team for their contribution, participation and efforts to make the National Conference a big success.

State Partners' Meet

Strategy Workshop – National Election Watch Partners' Meeting

Venue & Date: Golden Jubilee Conference Hall, Panjab University, Chandigarh 28th April, 2017

Agenda	
Time	Session
15:00 – 15:15	Welcome address and Background to the meeting: Vision of ADR – Future Course of Action Maj. Gen. Anil Verma (Retd.)
15:15 – 15:30	General instructions
15:30 – 16:30 (Including Tea)	Strategy Building Group discussion – region-wise: <ol style="list-style-type: none"> Broad activities envisioned <ol style="list-style-type: none"> Target groups Communication & Outreach methods Research & Advocacy to be undertaken Network and alliance partners Resources required (human, knowledge, skill, technology, finance etc.) Ideas on how the resources can be enhanced (including generating them locally) <i>Group I (Assam, Tripura, Nagaland)</i> <i>Group II (West Bengal, Odisha, Jharkhand, Bihar)</i> <i>Group III (J&K, Punjab, Uttar Pradesh, Himachal Pradesh)</i> <i>Group IV (Gujarat, Maharashtra, Madhya Pradesh, Rajasthan)</i> <i>Group V (Kerala, Karnataka, Tamil Nadu, Andhra Pradesh & Telangana, Puducherry)</i>
16:30 – 17:30	Presentation by all groups Maj. Gen. Anil Verma (Retd.)
17:30 – 18:00	2017 Assembly Elections: <ol style="list-style-type: none"> Innovative activities planned & lessons learnt – Goa, Manipur, Punjab, Uttarakhand, UP Plans for Strategy, Outreach and Dissemination – Gujarat and Himachal Pradesh
18:00 – 18:15	Presentation: 'Hum Badlenge Apna Bharat' Campaign –Ms Aparna Lal
18:15 – 18:30	Future Plans and Way Forward Prof. Trilochan Sastry

Annual brainstorming session with the state partners was held on 29th April'17 as a prelude to the National Conference. Discussions were held as per the Agenda below

and attended by the following team members:

Prof. Trilochan Sastry, Dr. Ajit Ranade, Prof. Jagdeep Chhokar, Maj. Gen. Anil Verma (Retd.), Mr. Jaskirat Singh (Haryana & Punjab EW), Shri Rakesh Reddy Dubbudu (AP&TEW), Shri Balvinder Singh (J&KEW), Shri Kuovi Angami (Nagaland EW), Shri Subir Dasgupta, Shri Gautam Mukhopadhyay, Prof. Anath Bandhu De and 1 Member (WBEW), Shri Sharad Kumar (Maharashtra EW), Pankti Jog (Gujarat EW), 2 Members (Gujarat EW), Shri Biswendu Bhattacharjee (Tripura EW), Shri Rajiv Kumar (Bihar EW), Shri Sudhir Pal and 2 Members (Jharkhand EW), Shri T. Ravindran (Kerala EW), Shri P. Joseph Victor Raj (Puducherry EW), 4 Members (Puducherry EW), Shri Parvinder Singh Kittna (Punjab EW), Ms. Rolly Shivhare (MPEW), 2 members (MPEW), Shri Ranjan Mohanty (Odisha EW), 2 Members (Odisha EW), Shri Sanjay Singh (UPEW), Shri Siddharth Kalhans (UPEW), 3 Members (UPEW), Shri Kamal Tak (Rajasthan EW), Ms. Deepa Seshadri (Tamil Nadu EW), Ms Kathyayini Chamaraj (Karnataka EW) and ADR Team.

Welcome address

Maj. Gen. Anil Verma (Retd.) – Head, Association for Democratic Reforms

Maj. Gen. Anil Verma (Retd.) opened the session welcoming all the delegates from different State Election Watch teams at the Golden Jubilee Hall in the Panjab University on the eve of 13th Annual National Conference. He began by saying that the National Conference gives us the opportunity to come together, discuss, and analyse the work done by our state partners in the past year and to plan and formulate strategies for the current year.

Strategy Building - Presentation by groups

Chairperson: Maj. Gen. Anil Verma (Retd.)

Group – I (Assam, Tripura, Meghalaya, Nagaland, Manipur)

Mr Biswendu Bhattacharjee, the Tripura coordinator had presented on behalf of the Group-I. Regarding the campaign and Election Watch activities, he said, it has been very difficult to reach out to youth as universities and colleges have not been cooperating with them.



He suggested preparing the individual report card of the MLAs based on their performance in the Assembly, use of local area development fund and their implementation of the manifesto.

He said, he would like to take forward two campaigns, Know Your Neta and Mera Vote, Mera Desh campaign in his region. Further, he said, local language press and social media are useful tools & Folk media and cultural troops are effective means of reaching out to people.

He complained that finding an apolitical network is a problem as most organizations are aligned with political parties in one way or the other, therefore he said, we have to build & mobilize our own people if we intend to do something. Regarding preparation of Report card of MLAs, he said,

RTI applications from ADR's Delhi office to State Assemblies and DM's office, will be helpful.

Group – II (West Bengal, Odisha, Jharkhand, Bihar)



Mr Sudhir Pal, the Jharkhand coordinator had presented on behalf of the Group-II. He laid down two objectives to work upon: (1) How to prepare a cadre of informed citizens/voters who have basic awareness about the constitution, the political system, their rights as citizens and the democratic structure; and (2) How to exercise basic democratic rights by effectively engaging voters post elections either through publishing an Annual Performance Report or asking MLAs in certain constituencies to tell voters what all work have they undertaken. This would fix accountability of legislators and pressurise them to perform.

He said intensive work should be done on local self-governance bodies like PRIs and ULBs. Regarding stakeholders, he said we need to work alongside local MPs/MLAs post elections, in their constituencies. As a target group, youth engagement at all levels was seen as most important as students can play a fruitful role in imparting technical knowhow to the local leadership, followed by women who are participating quite actively because of reservations.

Formal and informal channels as means of communication like Gram Sabha which also has a legal and constitutional mandate besides most developmental programs are somehow routed through the Gram Sabha. He emphasized on using other channels affiliated to the Gram Sabha like farmer's club, youth club, SHGs, NSS etc. Mass media and social media to be used strategically.

Research and advocacy work at the local level e.g Annual Performance Report (comparing Promises Vs Realisations) & Inner party democracy in regional parties (including their decision making, transparency, funding pattern) to be studied.

He recommended alliance with CEO's office for Systematic Voters' Education and Electoral Participation (SVEEP), besides also partnering with the State Election Commission, NGOs, Academic Institutions, NSS, Nehru Yuva Kendra Sangathan (NYKS) etc for our voter awareness campaigns.

Group – III (J&K, Uttarakhand, Himachal Pradesh, Punjab, Uttar Pradesh)



Mr Siddharth Kalhans from the UPEW presented on behalf of Group –III, he began by explaining how in the recently concluded Assembly elections in UP they had targeted youth and deprived sections like vulnerable tribes, dalits, OBCs, farmers, women and new groups like industrial labour, domestic workers, teachers union and journalist union, farmers and producers organization and civil society. He said, they had also interacted with youth, visited colleges, organized workshops, awareness camps, and taken out rallies in colleges and padyataras in remote areas. He further added that they had also worked with women SHGs, Mahila, MNREGA & Majdoor unions.

Most importantly, he said, we targeted the areas which are backward and infamous for dacoity like Chambal region. ADR team specially visited the areas including Chitrakoot and organized camps, workshops and interacted with villagers, asking them not to buckle under pressure of muscle men. ADR team also worked in Sonbhadra and Mirzapur where Naxal influence is more prevalent. In Jammu, he said, awareness campaign using auto rickshaws was undertaken. Street plays and stage plays were also organised in a few areas in UP.

Further, in UP, he said, FM channels, and community radio were used in the campaign. Celebrity videos were prepared and showed in colleges. Additionally, some theatre owners in Lucknow, also agreed to screen these videos in between the shows and before and after the shows.

Unique trend was started by distributing ‘yellow rice’ to the voters, asking them to vote. Yellow rice, in this region, is a cultural symbol which denotes something positive.

He said, ADR team worked in collaboration with the Election Commission and was part of their Clean and Clear election campaign. NSS and NCC were a major part of their network. Also collaborating with Weavers’ Associations, Safai Karamchari Association etc.

Before the elections were conducted, UPEW had conducted a research on the prospective candidates. Based on the feedback of political parties as well as eminent and pro-active personalities, a report was prepared, the outcomes of which were astonishing. A large percentage of the prospective candidates were notorious contractors/mafias dealing with land/mining/building/education etc. Another research, he added, was conducted on impact of demonetisation on elections and it was found that it had made the electoral process more expensive.

Group – IV (Gujarat, Goa, Maharashtra, Madhya Pradesh, Rajasthan)

Mr Kamal Tak, the Rajasthan coordinator presented on behalf of Group-IV. He began by saying that networks like student group, civil society, (proposed creating a) union of old and aged people should be focussed on spreading awareness, further adding that new mediums like WhatsApp groups, YouTube channels shall be put to full use.

He emphasised on political education of groups so that people can ask relevant questions regarding social-



economic-political issues (e.g. women empowerment, minimum wages etc) to their candidates and demand greater accountability and queried as to how ADR can impart training regarding the same?

He proposed that details of funds spent under MLALAD and the works on which it was spent should be made available on state assembly website, the way it is done currently for MPs. In addition to this, social audit should be undertaken of MLALADS under the guidance of CAG/PAG.

For research & advocacy, he proposed, limiting the manifesto to ensure that promises made by the candidates are fulfilled.

Group – V (Kerala, Karnataka, Tamil Nadu, Andhra Pradesh & Telangana, Puducherry)



Ms Deepa Seshadri, member of TNEW presenting on behalf of the Group-V, began by saying that in terms of target groups, first time voters, school and college going students, IT professionals (who seems to have been excluded from this democratic dialogue) should be engaged.

She proposed, training candidates who wish to contest at the grassroots level to make them aware of their roles and responsibilities, obligations and rights. Besides also partnering with few existing organizations which have been involved in doing such work and have designed a curriculum around it. The Karnataka EW has done ‘Know Your Candidates’ programs, where they had invited candidates and talked about their assets, liabilities and income and asked candidates to present themselves to the constituents,

this, she said can be done at the ward and the assembly level in other states.

Moving ahead, she pointed out that the ‘Election Watch App’, which was a wonderful idea because it allows anonymity and geo-spatial tagging of the photographs where the complaint has been recorded, unfortunately suffers with issues. For example when students are asked to download the app they are interested in knowing what would happen with their complaint, on which there is no clarity. She suggested, an arrangement could be made with the Election Commission, where any complaints received through the Election Watch App can be forwarded to the Commission and the Commission can be requested to revert back on the action taken. She also proposed creating Election Watch App for iOS devices.

In Tamil Nadu, she said, media is increasingly turning politically biased which is a major challenge. Most news channels or newspapers are owned by political parties. So, she suggested that ADR should work on building neutral, independent and unbiased media and partner with those institutions to disseminate information. Currently there is selective reporting by the media based on their inclination. She emphasised on manifesto dissemination, so that citizens can prepare their charter outlining their expectation from the government.

For research, she suggested some topics like NOTA, Right to recall and if it has been a successful strategy in some other countries then how can it be implemented in India. She also suggested whether political parties should be allowed to fund media outlets or not. As cash for votes and bribing of voters is a big problem, she

proposed researching if countermanding of elections is the only solution.



In addition, she suggested Fast track special courts which will dispose of violations relating to Model code of conduct in three months and pushing for severe penalty for lying or giving wrong information in the affidavit.

She also suggested if ADR could come up with best practices toolkit standard operating practices of all the different ideas tried by different teams and put it in the common database so that others can learn from it.

Giving a presentation on the activities undertaken by Puducherry EW, **Mr P. Joseph Victor Raj** the state coordinator explained how information dissemination was done using WhatsApp and Facebook. People were made aware about facts like 20% candidates were with criminal records, 27% did not file their PAN numbers & 59% did not file their IT returns. Besides voters were also asked not to accept money or sell their votes for cash.

2017 Assembly Election Campaign

Presentation by Mr. Sanjay Singh – State Coordinator, Uttar Pradesh Election Watch

The Chairperson of the session, Maj. Gen. Anil Verma (Retd.), Head of ADR, invited the Uttar Pradesh State Coordinator, Mr. Sanjay Singh, to speak on the various activities taken up by him and his team, as part of the State Election Watch campaign, in the run up to the Uttar Pradesh Assembly elections held between February and March, 2017.

Mr. Sanjay Singh



Mr. Sanjay Singh made a presentation highlighting the activities taken up by his team from the launch of the Election Watch campaign in July, 2016 till the declaration of results of the Assembly elections in 2017.

He began by stating that the Uttar Pradesh Election Watch (UP EW), in association with ADR, has been working on an intensive election watch campaign for the past two years in order to not only have a cleaner Assembly but also have a well informed electorate. Since its inception in 2005, UP EW has succeeded in percolating to more than 40 out of 75 districts of the state. Out of all the actively functioning civil society organisations in the state, he said that a total of 1473 people heading various organisations and about 273 organisations were a part of the Uttar Pradesh State chapter of

National Election Watch.

Discussing about the strategy followed his team during the Assembly elections in 2017, he said that focus was mainly on educating the youth of the state. His presentation provided details of various activities undertaken by his team at the district level such as increased focus at tier-2 and tier-3 towns as opposed to the norm of

conducting focussed activities at the state capital or district headquarters. He also provided information of the ‘pad-yatra’ organised by the team during which 100 km were covered, educating voters on the way and distributing reading materials such as pamphlets and booklets. He made the observation that ‘pad-yatra’ made the people realise that the activities taken up by his team were serious in nature, meant to increase public literacy on elections and its reforms. Because of this realisation, Mr. Sanjay Singh said that more members of the public volunteered to be a part of his team and spread the word.

Providing details of his experience engaging with other stakeholders, Mr Sanjay Singh elaborated that he and his team worked with political party representatives, High Court and District Court advocates, youth from colleges and schools etc. to improve voter awareness in the state ahead of assembly elections.

Other activities that UP EW had taken up as part of the election watch campaign included ‘nukkad natak’ or street plays, engagement with MNREGA labourers, creating manifestos of the public, regional level consultations to discuss about political party funding and need for electoral reforms, engagement with the media to spread details of the campaign, organising ‘human chain’ of 10 km with active participation from college students, activated district level core committees with eminent members of the public, activated election watch teams at the constituency levels, engagement with the officials of the Election Commission as part of the SVEEP campaign, youth-training programmes, etc. He felt that such active engagements paved the way for not only increased voter turn-out but also increased awareness among the masses on the need for electoral and political reforms.

He also highlighted the first-time effort of his team in collecting more than 10,000 signatures from voters of different backgrounds promising not only to reject the candidates who distribute money for votes but also lodge a formal complaint with the Election Commission by providing details of the candidates taking up such electoral malpractices.

As part of his plans for the future, he mentioned that the core committees set up at the district and constituency level for election watch campaigns before elections would now be utilised to observe the governance issues at their levels and the same would then be escalated to higher levels for improving efficiency of governance at the grassroot level.

Details of the presentation made may be accessed from adrindia.org.

Hum Badlengi Apna Bharat Campaign

Presentation by Ms. Aparna Lal – Communications Head, ADR

The Chairperson Maj. Gen. Verma, invited the Head of Communications of ADR, Ms. Aparna Lal, to speak about the ‘Hum badlengi apna Bharat’ campaign launched with the aim of educating young students and voters on the importance of voting and the issues related to electoral and political reforms.

Ms. Aparna Lal



Ms. Lal began by emphasising the need to engage the youth in strengthening our democracy. As part of ‘Hum badenge apna Bharat’ campaign, she said that ADR will be conducting workshops across the country to educate School and College Students about the “Critical Connection between Informed Voting and Good Governance.”

As a pilot project, ADR has planned to hold workshops in 50 schools of Delhi, both in Private and Government schools wherein critical issues such as connection between ‘Informed voting’ and ‘Good Governance’, encouragement to actively participate in the voting process and select honest and capable candidates, etc. would be taken up for discussion. She also said that the school students from classes VII to XII will be made

aware of the existing challenges facing our democratic system and made to ask pertinent questions such as “Why they should not vote for a candidate with criminal background?”, “Why they should not sell their votes?”, “Why voting on the grounds of Caste, Religion, Language or Region is harmful in the long run?” and “Why their responsibility does not end with voting and why they should critically examine each and every policy of the Government?”

Elaborating on the online fund raising campaign, Ms. Aparna said “To make people aware of the ‘Hum Badenge Apna Bharat’ campaign and generate interest among the masses besides collecting the initial funds, ADR conducted an Online Fund-raising campaign during Feb and March’17. This was the first time ADR tapped the potential of crowd funding.” She stated that through the online fund raising campaign, a total of Rs 4,22,000 has been collected and Rs 2,50,000 is expected to come in the near future.

Detailing about the launch of the programme, she said that it is expected to be launched from July 2017 with plans to cover two schools every month, which could be increased to one school every week later. As part of the preparatory work, two sets of Course Materials are being made, one for Junior Students, from Class VII to VIII, and another for Senior Students, from Class IX to XII which would be translated to Hindi and other regional languages for better consumption. As part of the workshop, all the students will be requested to sign a **Pledge** that they will never vote for a candidate with criminal background after they turn 18.

To encourage participation, a **‘Poster & Essay Competition’** will be announced for the students with a 10-day deadline with cash prize and ADR memento to the 3 winners. Students will also be given a **Feedback Form** to express their views on the workshop.

She concluded by stating that ADR aspires to take this programme to as many schools of the country as possible and to achieve this, there would be active collaboration with the schools, other NGOs working in the Education sector and Media Houses for spreading the word about the campaign. She also stated that ADR would approach reputed companies for their CSR funds.

She thanked all the donors from the National Election Watch family who generously donated to the campaign and also helped spread the word.

Future plans and way forward

Prof Trilochan Sastry – Founder Member & Trustee, ADR/ NEW



Prof Sastry started by appreciating the quality of discussions in the preceding sessions and the various suggestions put forward during the course of the meeting. He recommended that rather than saying what one should do/ not do, it would be beneficial if only the best practices followed by various states be adopted by all as per their strengths/ needs at the state level.

Talking about the allocation of funds to various states, he said that it would be beneficial in the long run if partners were able to raise funds in their personal capacity to take up activities.

Discussing on the various suggestions of the participants, he lamented that it was not possible to take up and implement all the good suggestions as it might either not be practical or the vision of ADR was not in tune with what was suggested. As the long term goal of ADR was to usher in good governance, only

those suggestions which directly help the organisation to achieve it's goals would be taken up.

Photo Gallery





National/State Election Watch Coordinators

National Coordinator/Head

Maj. Gen. Anil Verma (Retd.)

+91-88264-79910
anilverma@adrindia.org

Andhra Pradesh

Mr. Rakesh Reddy Dubbudu

+91-98854-19012
rakesh@bhumi.in

Arunachal Pradesh

Dr. Nani Bath

+91-94369-52143
nanibath@rediffmail.com

Assam

Mr. Tasaduk Ariful Hussain

+91 361 2338-888
+91-94350-54775
arif@nestinfo.org

Bihar

Mr. Rajiv Kumar

+91-9631976889
rajivkumar_patna@rediffmail.com

Chhattisgarh

Mr. Gautam Bandyopadhyay

+91-0771 4064-328
+91-98261-71304
gautamraipur@gmail.com

Goa

Mr. Bhasker Assoldekar

+91-98203-53159
vibhanatural@hotmail.com

Gujarat

Prof. Jagdeep Chhokar

+91-99996-20944
jchhokar@gmail.com

Haryana

Mr. Jaskirat Singh

+91-93160-84953
jaskirats@gmail.com

Himachal Pradesh

Mr. V.K. Malik

+91 9418150001
vinodkmalik@hotmail.com

Ms. Abha Bhaiya

+91 9468768872
abhabhaiya@gmail.com

Mr. Bhim Singh

+91 9418073190
bhimsingh1975@gmail.com

Mr. Sanjay Choudhary

+91 94184-94041
+91 8679209350
choudharysanjay90@yahoo.com

Jammu & Kashmir

Mr. Balvinder Singh

+91-94191-95295
sangarshtimovement@gmail.com

Dr. Shaikh Ghulam

+918803943048
drshaikhgr@gmail.com

Jharkhand

Mr. Sudhir Pal

+91-0651 2202-202
+91-94311-07277
manthanindia@gmail.com

Karnataka

Prof. Trilochan Sastry

+91-94483-53285
trilochans@iimb.ernet.in

Dr. R. Balasubramaniam

+91-94480-79611
drrbalu@gmail.com

Mr. Harish Narasappa

+91-98860-27804
harish@dakshindia.org

Mr. Vasudev Sharma

+91-94484-72513
vadeshanv@gmail.com

Ms. Kathyayini Chamaraj

+91-97318-17177
kchamaraj@gmail.com

Mr. Gururaja Budhya

+91-94488-49353
gururajabudhya@gmail.com

Kerala

Mr. T. Ravindran

+91-93493-33458
ravindran@transdot.net

Madhya Pradesh

Ms. Rolly Shivhare

+91 9425466461
rollyshivhare@gmail.com

Maharashtra

Dr. Ajit Ranade

+91-97022-15312
ajit.ranade@adrindia.org

Mr. Sharad Kumar

+91 9869 403721
sharadkumar40@gmail.com

Manipur

Ms. Laishram Mesiah Devi

+91 8974955503
mesiahdevi@gmail.com

Meghalaya

Ms. Mayfereen Ryntathiang

+91-8575017983
mayfereenlyngdoh@gmail.com

Mizoram

Mr. Vanlalruata

+91-98633-73928
ruataprism@gmail.com

Nagaland

Ms. Hekani Jakhalu

+91 9856307033
hekanijakhalu@yahoo.com

Odisha

Mr. Ranjan Kumar Mohanty

+91-0674 2382175
+91-0674 2352278
+91-94370-13723
pecuc@hotmail.com,
odishaelectionwatch@gmail.com

Punjab

Mr. Jaskirat Singh

+91-93160-84953

jaskirats@gmail.com

Mr. Parvinder Singh Kittna

+91 9814313162

pavikittna@gmail.com

Puducherry

Mr. P. Joseph Victor Raj

+91-94860-86938

vrhope@gmail.com

Rajasthan

Mr. Nikhil Dey

+91-94140-04180

nikhildey@gmail.com

Mr. Kamal Tak

+91-94134-57292

rajelectiono@gmail.com

Telangana

Mr. Rakesh Reddy Dubbudu

+91-98854-19012

rakesh@bhumini.in

Mr. Rajendra Prasad

+91 9849 648363

rmvfindia@gmail.com

Tamil Nadu

Dr. Sudarsan Padmanabhan

+91-044 2257-426

+91-94447-82884

padmanab@gmail.com

Tripura

Mr. Biswendu Bhattacharjee

+91-94361-25214

biswendu.tripura@gmail.com

Uttar Pradesh

Mr. I.C. Dwivedi

+91-0522 2391-141

+91-0522 3094-504

+91-94150-01468

icdwivedi@gmail.com

Mr. Sanjay Singh

+91-94151-14151

sanjaysingh033@gmail.com

Dr. Lenin

+91-99355-99333

+91-99355-99330

lenin@pvchr.asia

Mr. Sanjay Rai

+91-522 2349-556

+91-9415121462

sanjaykrai@yahoo.com

Mr. Mahesh Anand

+91-94152-33694

+91-99367-47774

gramswarajsamiti@gmail.com

Uttarakhand

Mr. Sanjay Sondhi

+91 135 2607452

sanjay.sondhi1@gmail.com

Mr. BP Maithani

+91-9012878346

maithani_56@yahoo.com

Mr. Girija Pande

+91-9412351759

girija.pande@gmail.com

West Bengal

Mr. Biplab Halim

+91-033 2483-6491

+91-033 2472-5571

+91-98311-24736

bipimse@cal.vsnl.net.in,

bipimse@hotmail.com

Dr. Ujjaini Halim

+91-98302-99326

ujjainihalim@hotmail.com

