

29th April 2017

Press Release

13th Annual National Conference on Electoral and Political Reforms: Day 1

The 13th ADR Annual National Conference commenced today at Panjab University, Chandigarh with the inaugural speech of Chief Election Commissioner (CEC) Dr. Nasim Zaidi.

Address by Dr. Nasim Zaidi

Dr. Zaidi, the Chief Election Commissioner (CEC) congratulated ADR and Punjab Election Watch on the organizing of the 13th Annual National Conference at Panjab University, Chandigarh.

He appreciated the ongoing efforts of ADR and National Election Watch (NEW) in carrying forward the civil society movement for electoral and political reforms. While addressing the audience, he stated that the Election Commission of India (ECI) has completed a study on data needs of the Commission and an analytics roadmap has been prepared based on best practices adopted by several leading electoral management bodies. This roadmap is likely to be implemented in one year time frame and this will integrate all kinds of databases in the Commission. He laid strong emphasis on data presentation and visual analytics in the friendliest manner possible.

The CEC said that the use of money in the poll process has increased significantly. The ECI seized over Rs. 350 crores during the recently concluded five state assembly elections which was three times higher than what was seized in the 2012 assembly elections. He expressed grave concern on this issue and mentioned that this is only the tip of the iceberg.

The CEC stated that a multi-dimensional approach needs to be taken to curb the misuse of money power in elections. He said that we should formulate a strong anti-bribery law or legal framework, there should be strict enforcement on the ground and lastly, ethical voting practices need to be inculcated by voters.

Dr. Zaidi spoke about some of the initiatives taken by the ECI to curb bribing in elections. He said that the ECI has made recommendations to the Law Ministry to amend the RP Act and to insert a new section 58B, which would empower the Commission to countermand elections based on credible evidence relating to widespread bribery. Although the Law Ministry has disagreed thrice with this proposal in the last one year, the Commission is constantly pushing the need to be empowered on the lines of Section 58 of RP Act which deals with countermanding of elections due to booth capturing. The CEC has also proposed that bribing of voters should also be made a cognizable offence.

The CEC observed that there has been steep rise in the assets of the candidates seeking re-election and that the electors have every right to know the causes behind this sharp increase in assets. An important development which has taken place is that the ECI has recommended the amendment of Form 26, where they would be required to add a column for declaring the details of sources of income of candidates and their spouses.

Dr. Zaidi also mentioned that they have been formulating policy to make sure that there is transparency in declaration by candidates on any disqualifications at the time of their nominations. The Commission has earlier seen instances where the candidates did not declare their disqualifications at the time of nomination. The ECI has amended the rules to include declaration of disqualifications in nomination forms as mandatory. This includes holding of office of profit, insolvency, allegiance to a foreign country and any disqualifications incurred under Section 8A of RP Act. This also includes grounds of corruption and most importantly any substantive contracts with the government which the candidate might not have disclosed at the time of filing their nomination papers.

Dr. Zaidi said that the political parties under the current legal framework are loosely governed, be it registration, funding, expenditure etc. Regarding election financing, he said that it should rest on four pillars. 1) Laying down the expenditure limit of candidates and also of political parties, 2) Disclosure requirements for more transparency, 3) Compliance of disclosure requirements and 4) Penalties for non-adherence.

The CEC also expressed concern, the way few recent electoral reforms have been introduced in the past few months by the government. He said that by not reducing the limit of anonymity from Rs. 20,000 to Rs. 2000, the transparency has not been brought about. He also stated that if the contribution has been made in the form of electoral bonds, it would not be a part of the contributions report of the political parties. This is a retrograde step which will enhance opacity in political party funding.

Increasing Opacity in Political Financing

[Panelists: Prof. Sanjay Kumar (Director, Centre for the Study of Developing Societies), Shri Manish Tewari (Former MP and Union Minister of State), Shri Sukhpal Singh Khaira (MLA – Punjab Legislative Assembly 2017), Prof. Jagdeep Chhokar (retd.): (Founder Member and Trustee of ADR) Chairperson – Dr. Ajit Ranade (Founder member and Trustee of ADR)]

Dr. Sanjay Kumar (Director CSDS) stated that accountability and transparency are two main issues regarding electoral reforms. He insisted that instead of focusing on big reforms we should concentrate on making small changes as these changes are easy to make and would ultimately lead to bigger changes.

Shri Manish Tewari, former MP and Union Minister, said that although the political parties want the status quo regarding the funding of political parties, the people want reforms. He suggested that all donations, regardless of the amount, should be linked to aadhar card.

Shri Sukhpal Kaira, MLA Punjab Assembly 2017, expressed that initially the political society was clean and now, over the years, the political system has deteriorated due to the increasing money power. He said that the step taken by the government to reduce the cash limit for donations to political parties from Rs. 20,000 to Rs. 2000 was an eyewash and there is urgent need for revolutionary and drastic reforms. He said that there is a law but implementation is where it matters and where it lacks.

Prof. Chhokar of ADR stated that the increase in the opacity of political party funding is not new and every government has been doing it since the past 20 or more years.

State/Public Funding of Political Parties

[Panelists: Prof. Arun Kumar: (Former Sukhamoy Chakravarty Chair Professor at the Centre for Economic Studies and Planning, Jawaharlal Nehru University). Prof. Trilochan Sastry (Founder member and trustee ADR), Dr. M R Madhavan (President and Co-founder of PRS), Dr. Eshwar Anand (Professor, Symbiosis Institute of Media and Communication) Chairperson – Prof. Jagdeep Chhokar]

Commenting on the nature of State/Public funding, Prof. Arun Kumar (Ex JNU prof.) said that black economy has grown manifold during last 70 years due to illegal nexus among politicians, businessmen, mafia etc. and also due to direct entry of criminals into politics post 1980s. He also said that there is a need for sustained movements against corruption and demand for accountability to defeat the abovementioned illegal nexus. Therefore, he felt that public funding will not help unless corruption is removed.

Dr. Madhavan, president PRS, said that the government has the funds to provide state funding for the candidates contesting elections. He said that the funding can be in kind or in cash.

Dr. Eswar Anand of Symbiosis expressed his disappointment and said that even after so many recommendations over the years, the only thing lacking to implement them is the political will. He said that state funding should be given in kind and not in cash.

Professor Trilochan Sastry of ADR highlighted the main issues with public funding and said that the common voter has to take responsibility for it's own welfare and not vote for candidates who are buying votes.

Prof. Jagdeep Chhokar of ADR emphasized that the only pre-requisite before even talking about public funding is internal democracy among political parties.

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

[Panelists: Shri Sudhir Pal (State Coordinator, Jharkhand Election Watch), Shri Sanjay Singh (State Coordinator, Uttar Pradesh Election Watch), Shri Ranjan Mohanty (State Coordinator, Odisha Election Watch)

Chairperson: Dr. Vipul Mudgal (Trustee of ADR and the Director of Common Cause)]

Dr. Vipul Mudgal (of ADR) while speaking on the issue stated that, over the years, there has been decentralization of corruption along with the decentralization of governance.

Shri Sanjay Singh of UP Election Watch said that political parties are not willing to change and the ECI has it's own limitations. 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 UP such as formation of district election committee, celebrity videos, local songs etc. He insisted that the key to success in this area is persistence.

Shri Sudhir Pal, state coordinator, Jharkhand Election Watch, discussed the work that they have been doing in collaboration with the state CEO. He expressed how the election machinery can work throughout the year and not just during elections. He requested all the state partners of National Election Watch to formulate a 5 year state document for voter awareness in their respective states.

Shri Ranjan Mohanty of Odisha Election Watch said that in the recent elections in Odisha, there were two main issues. Usage of muscle and money power and low voter turnout. He discussed the activities they have undertaken to address these issues and look for solutions.

Shri Sharad Kumar of AGNI, Mumbai said he primarily focused on the recent BMC elections. One of the prominent campaigns undertaken by them was the School Campaign. They focused on school children to motivate them to persuade their parents to vote in the BMC elections.

Regards,

Media and Journalist Helpline +91 80103 94248 Email: adr@adrindia.org	Maj. Gen. Anil Verma (Retd.) Head National Election Watch, Association for Democratic Reforms 011 4165 4200, +91 88264 79910 adr@adrIndia.org , anilverma@adrindia.org	Prof Jagdeep Chhokar IIM Ahmedabad (Retd.) Founder Member, National Election Watch, Association for Democratic Reforms +91 99996 20944 jchhokar@gmail.com	Prof Trilochan Sastry IIM Bangalore Founder Member, National Election Watch, Association for Democratic Reforms +91 94483 53285 trilochans@iimb.ernet.in
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