"Evolution of Election Management in India"

I.   Democracy and Elections in India

In 1951-52, Independent India conducted its first elections. Mr. Sukumar Sen, the first Chief Election Commissioner is said to have remarked that this was "the biggest experiment in democracy in human history". There were several sceptics at that point. A veteran editor at that time commented "a very large majority will exercise votes for the first time: not many know what the vote is, why they should vote and whom they should vote for; no wonder the whole adventure is rated as the biggest gamble in history".

We have conducted 16 General Elections to Lok Sabha, the last one in April-May, 2014 and about 357 General Elections to State and UT Assemblies, including the on-going Jammu & Kashmir and Jharkhand elections, coming a long way from a 173 million electorate in the first national election to 834 million electors in 2014.

The founding fathers of Indian Constitution had straightaway adopted "universal adult suffrage" while in many other democracies, including Britain, women had to struggle hard for centuries for their voting right. It was only in 1918 that the British women of the age of 30 years or more got their right to franchise.

I can say without any doubt in my mind that the experiment has succeeded, the gamble has paid off, and India stands in the forefront of democracy with the other great nations of the world.

II.   Elections in Ancient India

Democracy and elections are not new to India. The world famous Uttaramerur inscription in Kancheepuram District of Tamil Nadu is testimony to this. Nearly 1,100 years ago, a village had an elaborate and highly refined electoral system and even a written Constitution prescribing the mode of elections. It gives details about the constitution of wards, the qualification of candidates standing for elections, the disqualification norms, the mode of election, the constitution of committees with elected members, the functions of those committees, the power to remove the wrongdoers, etc.

There are also numerous references to Republican forms of Governments in ancient India, in the Buddhist literature.

III.   Elections in pre-Independence India

Elections in the modern form, where electors registered on the electoral rolls of well-demarcated territorial constituencies express their choice by means of ballot papers and ballot boxes, have seen their evolution in early part of the 20th century.

For the first time under the Indian Councils Act, 1909, based on Minto-Morley Reforms, it was provided for the setting up of legislative councils at the Centre under the Governor-General of India and in the provinces under the provincial Governors.

The Government of India Act of 1915 amended by Government of India Act 1919' based on Montagu-Chelmsford Reforms, provided as under:

- a bicameral legislative body was created at the Centre - Council of State as the Upper House and the Central Legislative Assembly as the Lower House;

- for the first time, elected members constituted majority in each of the Houses.

- the Council of State was to have 60 members, of which 34 were to be elected.

- However, only a limited number of persons were granted the right to vote on the basis of certain elite qualifications, like, the ownership of property, or payment of income tax, or payment of municipal tax, or holding of land, etc.

- The franchise to the Council was far more restricted. Property qualifications had been pitched so high as to secure the representation of only the wealthy landowners and merchants.

General elections were held in British India in 1920. They were the first elections in the country's modern history.

The next General elections were held in British India in November 1923 for Central Legislative Assembly and Provincial Assemblies and again in 1926 to elect members of the Imperial Legislative Council and the Provincial Legislative Councils.

Thereafter, General elections were held in September 1930 and subsequently, in 1934. The total electorate for the 1934 elections was 14,15,892, of which 11,35,899 were in contested constituencies. The total number of votes polled was 6,08,198.

As a result of disenchantment of the Indian people with the constitutional set-up under the 1919 Act, British Parliament passed, on 2 August 1935, the Government of India Act 1935. It envisaged a federal set-up of the British provinces and the Indian princely states. It proposed to set up a bicameral federal legislature, consisting of an upper House, called the Council of State, and a lower House, called the House of Assembly or Federal Assembly.

Provincial elections as mandated by the Government of India Act, 1935 were held in the winter of 1936-37.

IV.   India as Modern Electoral Democracy

The Constitution adopted the Parliamentary form of government, with the President as the Head of the State. Parliament is a bicameral legislature, with the Council of States and the House of the People as two chambers. Constitution devoted a separate Part XV containing Articles 324 to 329, to elections.

- **Article 324** provides setting up an independent Election Commission of India to conduct elections to Offices of President and Vice-President of India and to Parliament and State Legislatures.

- **Article 325** mandates the preparation of one general electoral roll for each territorial constituency containing the names of all eligible electors, without discrimination on grounds of religion, race, caste or sex or any of them.

- **Article 326** adopted 'universal adult suffrage' as basic tenet of direct elections to lower Houses of Parliament and State legislatures, namely, the House of the People and State Legislative Assemblies.

- **Article 329** bars the intervention of courts in electoral matters when the electoral process is on.

Democracy is one of the inalienable basic features of the Constitution of India. The roots of democracy have been firmly established in the country and it is looked upon as one of the most stable democracies on the globe by the whole comity of nations.

To create a level playing field for all political stakeholders and to conduct honest and fair elections, it is essential for the Election Management Body to be independent of the Government or party in power. Under Article 324, Election Commission of India has been entrusted with:

"The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the offices of President and Vice-President held under this Constitution shall be vested in a Commission"

Further, "the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court and

the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment:"

The schedule for the conduct of election is decided by the Commission and not by the Government of the day.

V.   Voting Systems followed

In the early 1950s, when the level of literacy was only around 16.6 percent, the easiest method appeared to assign a separate ballot box for each candidate and to display his election symbol on that box so that the distinctive features of election symbols might help a voter in distinguishing between the boxes of the different candidates.

Accordingly, **'Balloting System'** was adopted and used for first two General Elections. In the third general elections in 1962, The Commission after consultation with the political parties, switched over to the **'Marking System'.**

The Marking system since third general elections in 1962 had been working remarkably well. However, crores of ballot papers had to be printed at a countrywide general election involving huge consumption of paper, lakhs of ballot boxes were required for taking the poll and their storage and upkeep during the non-election period was another serious administrative problem.

On the suggestion of the Election Commission in 1977, ECIL and BEL produced some prototypes of Electronics Voting Machines (EVMs). One such prototype developed by ECIL was demonstrated on 6 August, 1980.

A common design for the EVM was evolved, providing full safeguards for ensuring secrecy of ballot and against tampering of machines and at the same time, ensuring rapidity of poll and instantaneous results.

Commission decided to use these machines on experimental basis, for conducting poll at 50 out of 84 Polling Stations of Parur Assembly Constituency of Kerala in the General election held in May, 1982.

But then there arose a controversy, when certain political parties raised doubts about the functioning of these machines. The Goswami Committee on Electoral Reforms in February, 1990 had a special look at these machines. An Experts' Sub-Committee was constituted. The Experts Committee was fully satisfied with the tamper-proof functioning of these machines. Goswami Committee in May, 1990 recommended that the machines should be put to immediate use. In the meantime,

the law was also amended in December, 1988 by the insertion of a new Section 61A in the 1951 Act by the Representation of the People (Amendment) Act, 1988, empowering the Election Commission to use these machines.

All the general elections held to various State Legislative Assemblies from 2001 to 2003 were conducted by using these EVMs. The 14th general election to the House of the People in April-May 2004 was a historic occasion when the entire country voted for the first time by means of EVMs. Now, all elections to the House of the People and State Legislative Assemblies are being conducted by using EVMs. The quantity of paper saved by adopting the EVMs in General Election 2014 is an estimated 10,000 MT, which is equivalent to 1,70,000 trees.

Counting of votes recorded in EVMs is relatively a simple, quick and easy affair. There are no invalid votes and the sum total of the votes secured by all the candidates must tally with the total number of votes recorded at the polling station.

VI.   Important aspects of Election Management and GE 2014:

Electoral Rolls

The purity of electoral Rolls is the first step towards ensuring fair and honest polls. As of today, over 99% of our electors have their photos on the rolls and about 98% of them have been issued photo I-Cards.

We conduct an Annual Summary Revision and before every General election, a Special Summary Revision is ordered. Special enrolment cum verification campaign was held on 9th March, 2014 (Sunday) across the country, which was the first Sunday after announcement of the election schedule for General Election, 2014, to improve enrolment and give an opportunity to voters to verify their names and we received about 82 lakh applications for registration. We had 834 Million electors on our E-rolls for general Election 2014 and their number is more than the combined population of:

(i)   about 737 million of all 59 countries of Europe;

(ii)   about 557 million of all 41 countries of North America; and

(iii)   about 840 million of all 51 member countries of the Commonwealth of Nations taken together, minus India and Pakistan.

Schedule

Before the statutory process for any election commences with formal notification by the President, Governor or Election Commission, a Schedule giving

the detailed timetable is announced by the Commission. The announcement is made to give prior notice of the impending election to the political parties, the electorate in general so that they are informed of the coming big event directly concerning them; and, to alert the electoral machinery so as to be in a state of readiness for conducting the election according to the fixed schedule.

The Schedule is drawn keeping in view the interests and convenience of all sections, harvesting season, festival season, examination schedules of schools and colleges, vagaries of weather etc. We drew a Schedule of 9 Poll Days for 2014, which was extended to 10 such Poll Days due to insertion of a separate date for Goa.

Security

Security personnel from various forces were deployed and required to be on constant move across the country during 10 Poll days of the election. This is considered very important due to the following factors:

(1) security arrangement,

(2) custodianship of delivering free fair elections,

(3) existence of manifold threat perceptions,

(4) prevalent Left-wing extremism in some parts of the country,

(5) situation in Jammu and Kashmir and North-east,

(6) overall communally sensitive situation, etc.

Some of the salient features of the security arrangements were:

➢ Using the available Coys. of CAPFs from one Poll Day to other generated a **Force Multiplier Effect**.

➢ **76** Helicopters of IAF deployed; **1516** sorties performed by the helicopters.

➢ Air Ambulances were kept in readiness.

➢ **570** trains organised for movement of CAPFs, 932 special coaches provided by the Railways, with pantry facilities, arrangements for food packets.

Vulnerability Mapping

Taking due cognisance of the role being played by the muscle power in elections and taking into account certain prevailing socio-economic realities of electoral politics, the Commission developed the concept of 'vulnerability mapping' to

identify the weaker sections and other vulnerable voters who face intimidation and to provide special confidence building measures to enable them to vote on the poll day.

Human Resources/ Logistics

Millions of Government employees and other persons are involved in election process, throwing up a major human resource management challenge for election managers and administrators. A proper and a professionally organised training forms the core of the human resource management so adequate training is given to all.

Over 11 million civil and security personnel were called upon to assist in the General Elections. The Indian Parliament had lent further strength to the intention of the Constitution makers when it provided in 1998 that all officers and staff connected with election work shall be deemed to be on deputation to the Election Commission for the period during which they are so employed and be subject to the control, superintendence and discipline of the Commission, as inserted by the Representation of the People (Amendment) Act, 1988.

The pro-active initiatives of the Commission for better Human Resource Management include a checklist; Frequently Asked Questions (FAQ); Handbooks, Compendiums etc. given to widen their knowledge base.

Observers

Deployment of Observers has become an integral part of election management. The Commission dispatched hundreds of Central Observers to the 543 constituencies. General Observers as well as Expenditure/ Awareness/ Police Observers and a large number of Micro-observers at polling stations were deployed to oversee strict implementation of election laws, instructions and procedures to maintain level playing field, ensure rule of law and transparency.

With the use of micro-management strategies to ensure free and fair elections, Micro-Observers are deployed, who are mostly the staff of the Government of India and Central PSUs function as the extended arms of the Commission's Observers under whose supervision the deployment of Micro-Observer takes place. Their responsibilities and duties are defined in the form of checklists and uniform reporting formats. They have become a key intervention for poll day monitoring of events at the polling stations.

Model Code of Conduct (MCC): Unique aspect

The Government, which comprises the party in power, has all the resources of the State at its command while those not in power have none. There was a need felt to create a code of conduct to be followed by all stakeholders, particularly the party in power.

MCC is a unique document evolved with the consensus of political parties. Seal of approval has been put on it by the Supreme Court. Election Commission enforces it right from the day it announces any election schedule. MCC has no statutory backing and many of its provisions are not legally enforceable. However, public opinion is the moral sanction for its enforcement and hence, the MCC has evolved to be a Moral Code of Conduct.

Politically conscious State of Kerala first time observed a code of conduct. On the eve of Legislative Assembly elections in February 1960, State Administration had taken the initiative to evolve a code of conduct covering important aspects of electioneering like meetings and processions, speeches and slogans, posters and placards etc. It was only from the time of 10ᵗʰ General Election to the House of People in 1991, that the Election Commission pro-actively ensured the observance of the Model Code in its true letter and spirit by all concerned.

There are a set of key provisions of Model Code of Conduct that are applied equally on all political parties, candidates, relating to:

- General conduct, Public meetings/ Processions by political parties, Poll day conduct, Polling booth regulations, Misuse of vehicles, including aircraft, helicopter, Defacement of property, Election campaigning including pasting of posters, hoardings, etc.

- Common ceiling for election expenditure for all candidates.

- Allocation of airtime on State controlled media organizations.

MCC has specific provisions to keep a check on the ruling Party functionaries and on misuse of State resources. Some examples for the benefit of the audience:

- Official visits, official machinery, official transport, Government facilities and infrastructure including Government Guest House accommodations shall not be used for electioneering.

- There will be no sanction of grants/payments out of discretionary funds, no announcement of financial grants, no laying of foundation stones etc., no promise of construction of roads, provision of drinking water or any other facilities.

- No advertisement in Newspapers/Media shall be issued at the cost of public exchequer.

Expenditure Monitoring

Historically, muscle power and money power have caused damage to our efforts to hold free and fair elections. We were able to almost fully neutralize muscle power through deployment of security but what has been agitating our minds is how to deal with unaccounted money that is pumped into election process to unduly influence the voters. We have engaged revenue and investigating officials at various levels to heighten vigilance and scrutiny. The Election Commission is determined to do its best to curb this menace.

Every candidate or his agent has to keep account of all expenditure of election alongwith supporting vouchers of day to day expenses; format of 'Register' and 'Abstract of Election Expenses'. Candidate has to lodge the account of election expenses with the District Election Officer within 30 days from the date of declaration of result.

Voter Education and Awareness

Election Commission has been concerned about participation of citizens in the country's electoral process. Voter Education is used to describe the dissemination of information, materials and programmes to inform voters about the specifics and mechanics of the voting process for a particular election. Voter Education is informing the public on their democratic rights, election procedures, candidates and the issues. Information on who is eligible to vote; where and how to register; how electors can check the voter lists to ensure they have been duly included; what type of elections are being held; where, when and how to vote; who the candidates are; and how to file complaints etc.

Information on the role, responsibilities and rights of voters; the relationship between elections and democracy and the conditions necessary for democratic elections; why each vote is important and its impact on public accountability; and how votes translate into seats.

SVEEP, the Systematic Voter Education and Electoral Participation:

- motivational campaigns, mass mobilizing activities like human chains, rallies, street plays, musical concerts and sports events;

- facilitation went hand in hand with motivation through easy registration process, name search in electoral roll, reminder services on poll day;

- providing Basic Minimum Facilities (BMF) - drinking water, washrooms, ramps for physically challenged, volunteers to manage queues and many more voter friendly measures.

Recent Elections to State Assemblies

General Elections to the Lok Sabha, 2014 were conducted with Legislative Assembly elections of 4 States, viz., Andhra Pradesh, Odisha, Sikkim and Arunachal Pradesh. In October, November and December 2014 four more States went to polls, viz. Maharashtra, Haryana, J&K and Jharkhand, with 546 Assembly Constituencies having Polling Stations located in snow-laden mountains to deep forests, hilly areas, the metro city of Mumbai to far flung and remote villages across Jammu & Kashmir and Jharkhand.

Some initiatives taken in General Election 2014:

- ▶ Voter slips distributed nationally.
- ▶ Polling hours were extended to 11 hours.
- ▶ Basic Minimum Facilities (BMF) and Model polling station concepts were brought in.
- ▶ Standardization of voting compartment
- ▶ Awareness Observers were introduced for overseeing voter participation efforts.
- ▶ 'None of the Above' (NOTA)
- ▶ Voter Verifiable Paper Audit Trail (VVPAT)
- ▶ Social media was brought under the ambit of media related laws and regulations
- ▶ Highest ever turnout of **66.4 %** against **58.19%** in 2009
- ▶ **55.38 crore** voted in 2014, compared with 41.73 crores in 2009 – **32.71%** increase
- ▶ Total Male turnout 67.09% and female 65.63%

- Gender Gap reduced to just **1.46** percentage points from **4.42** in 2009.
- 71 delegates from 37 countries participated in EVP - Namibia, Nigeria, Lesotho, Malaysia, Mauritius, Myanmar, Nepal, Uganda, Kenya, Bhutan , Egypt, Saudi Arabia, Tunisia, Somalia, Palestine, Iraq, Yemen and Oman
- ITEC Trainees- 30 participants from 19 countries.

Declaration of Results

The due Constitution Notification was handed over to the President of India by the three Commissioners on 18th May, 2014, in a printed booklet (for the first time), within 48 Hrs. of counting and declaration of results.

The Mission

Like any system involved in Governance, no electoral system can also be regarded as perfect, forever. The electoral system in India is no exception either. It has its own shortcomings too, and electoral reforms to remove or rectify those drawbacks are always an ongoing process.

There are massive challenges before us and we have resolved to stay in the forefront of our efforts to overcome them.

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