

Long Live Tuglaq

■ Dr. M.N. Buch

The Constitution of India in Part XV provides for the setting up of an Election Commission, presided over by the Chief Election Commissioner, to conduct elections for the post of President, Vice President, House of the People, The Council of States and for the Legislative Assembly and Legislative Council of every State and Union Territory. Superintendence, direction and control of elections is vested in the Election Commission by Article 324 of the Constitution. In order that the Commission may fulfill its duties Article 324 (6) provides that the President or the Governor of the State, as may be the case, will provide the Election Commission with all staff necessary for the discharge of its functions, which will work under its control.

There are many things that the Election Commission does in exercise of its powers under Part XV of the Constitution. It prohibits government from making any announcements which could be taken as sops to voters during the process of elections. It prohibits the use of government facilities by ministers during elections, it controls the expenditure incurred by candidates, it prohibits any display which might unfairly benefit a party to elections and, by posting officers of impeccable reputation, it tries to ensure that the bureaucracy remains proactive but neutral during elections. The fact that free and fair elections could be held in Jammu & Kashmir, West Bengal, Bihar and other troublesome States is proof of the effectiveness of the Election Commission.

Chief Election Commissioners such as T.N. Seshan, N. Gopalaswamy and James Lyngdoh pushed forward the frontiers of what the Election Commission can do. Rigid enforcement of the model code of conduct by T.N. Seshan made governments and politicians afraid of the Commission. This helped in ensuring fair elections. N. Gopalaswamy streamlined the system and he ensured that law and order was maintained, polling was without fear and that even in Jammu & Kashmir elections were honestly held after a long history of rigging. Our Chief Election Commissioners have succeeded in conducting elections in a manner which has won the admiration of the world.

Into the scene has stepped S.Y. Qureshi, the present Chief Election Commissioner. Qureshi had a reputation for rectitude, restraint and efficiency as an IAS officer. Suddenly as Chief Election Commissioner he has come out with some absolutely weird orders regarding State Assembly elections in Uttar Pradesh. Whoever controls U.P. has a big say in the fate of the nation because of the very large number of elected MsP and MsLA. Therefore, the Congress is eyeing U.P, all the more because the putative heir to the throne of Rajiv Gandhi is himself leading the electoral fight in U.P. Defeating Mayawati is the principal aim of Rahul Gandhi and his party. An Election Commission which is in your corner would help in the fight for power and it is alleged that Qureshi is now in Rahul's corner. Therefore, the Election Commission has issued a string of the most strange orders one can imagine. Every statue of Mayawati is to be shrouded, every statue of an elephant is to be covered. The logic advanced is that these monuments are built with public funds, they are symbolic of the Bahujan Samaj Party and, therefore, they must all be covered lest they unfairly attract the attention of the voter and deliver his vote to Mayawati.

Ashoka is remembered for his rock edicts, the Nehru family has a whole series of statues throughout India, not to mention street names, the names of airports and even government schemes. Annadorai also has statues, as does Shivaji. The Dalits, the Harijans, have faced centuries of exploitation, social ostracisation, personal humiliation and indignity and economic deprivation. Mahatma Gandhi waged war against social injustice to Dalits and Ambedkar waged an equally

unrelenting war for the rights of the Dalits. Gradually untouchability has begun to fade. Reservation has brought more Dalit children into the school and college system and reservation in jobs and in elected offices has brought greater representation of the Dalits in the power structure. The Dalits now do not beg for their rights, they fight for them. However, what is still missing is symbols of pride and this Mayawati is now providing them. To them a statue of Mayawati represents a tribute to a lower caste woman who has struggled for and achieved power. One must never underestimate the place of a sense of pride in the esteem in which people hold themselves. That is the contribution of Mayawati's statues to the psyche of the Dalits. S.Y. Qureshi has delivered them a kick in the teeth by ordering that these statues be shrouded.

Not a single other statue has been subjected to this kind of indignity by the Election Commission, not Shivaji, Nehru, Indira Gandhi or Ram Manohar Lohia. Where do we go from here? Do we ban the Tricolour because the Congress flag also has the same colours? The hand is the election symbol of the Congress. Do all people in U.P. have to go around with hands hidden? Do we ban bicycles because the bicycle is the symbol of the Samajwadi Party? Do we take away every sickle from every cultivator and every hammer from every carpenter because the hammer and sickle are the symbols of CPI (M)? Do we uproot lotuses from every pond in U.P. because the lotus is the symbol of the BJP? The symbol of the DMK is two leaves. Will Yaqub Qureshi order that every tree and every plant in Tamil Nadu be covered at the time of an election there lest the voters see the leaves on these plants and decide to vote DMK?

Nowhere does the Constitution say that in conducting elections the Election Commission will act with extreme whimsicality. Quershi's orders would certainly have pleased Mohammed Bin Tuglaq because extreme whimsicality was hitherto his monopoly. All one can say is, "Thank you Yaqub for reminding us that our slogan is Tuglaq zindabad".
