

Elections 2013

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Indian elections have always tended to be rambunctious, rowdy, noisy and not always necessarily peaceful. I have had the great good fortune of being an international observer nominated by the Sri Lankan Government to observe four levels of elections in that country, local government, provincial government, parliamentary and presidential. As Collector of a district I have had the opportunity to run two general elections in my district and, therefore, I have had firsthand knowledge of how elections are conducted. What struck me about Sri Lanka was that there were no posters and banners except at the offices of different political parties and at the site of approved public meetings. Walls were not defaced by slogans, loud speakers were used only at designated places and for meetings authorised by the district administration and the police, canvassing was low-key and candidates had to observe a strictly enforced code of conduct. The contrast with India could not be more complete.

The Election Commission, starting with T.N. Seshan as the Chief Election Commissioner, initiated changes which brought some order and discipline to our elections. The first step in this direction was the enforcement of a model code of conduct which, broadly speaking, laid down that once the schedule of election was announced, government could not initiate any new projects, make any postings and transfers, give promise of future developments of a particular type, sanction additional funds without the approval of the Election Commission and generally government was required to act in a caretaker capacity only. The idea was that all the political parties will go into the elections on an equal footing, with the ruling party being prevented from giving favours which might give it an undue advantage. Gradually the Election Commission, under successive CECs, moved the country towards a position in which almost the entire government machinery connected even remotely with elections came under the control of the Election Commission. The purpose of this was to ensure that government servants did not take sides in any election, did their duty impartially and were immunised against any undue pressure by the ruling party or the contending opposition parties. The grip of the Election Commission is no so tight that right from the lowest level of government servants to the highest, every single posting comes within the purview of the Election Commission and government has no discretion in this behalf.

After initial resistance against this state of affairs all State Governments now fell in line and a few months before the elections the entire government machinery virtually passes into the control of the Election Commission. This includes the police, whose deployment to maintain order during an election is done under the overall control of the Election Commission, the State Chief Electoral Officer and the District Election Officer, that is, the Collector. The process which started with T.N. Seshan whereby elections could become fair, be conducted in an orderly manner in an environment of public peace and order, bribery could be controlled or even eliminated and parties forced to function within a frame of decency, has been continued by successive Chief Election Commissioners. It is a very well recorded fact that for the first time in the history of Jammu & Kashmir the Election Commission under N. Gopalswamy ensured free and fair elections in that State. A similar exercise was conducted in West Bengal in which the Left Front registered an impressive victory despite their being strict control over rigging, though in the subsequent election under similar conditions the Left Front was defeated at the polls by

Mamata Banerji's Trinamool Congress. It is no mean achievement of the Election Commission to conduct fair polls in two of the most difficult States in India.

I have recently canvassed for an independent candidate in Betul for the State Assembly polls conducted on 25th November, 2013. I was Collector Betul fifty-one years ago and have been the District Election Officer in that capacity and have conducted a general election there. It is a district of which I am very fond and I know it intimately. All the persons contesting the polls were known to me, probably because their fathers and grandfathers knew me when I was the Collector. I found that the noise level of electioneering was much less than before, city walls were not defaced by painted slogans, the posters and banners were few and far between and the schedule of public meetings approved by the authorities was adhered to. There was a genuine apprehension that violation of any of the conditions prescribed by the authorities would lead to immediate action. One advantage of an orderly election is that there is a sharp decline in public violence which hitherto has unfortunately marred many elections in India. In the northern districts of Madhya Pradesh, notorious for dacoity and general lawlessness, there were a few ugly incidents, but these were very quickly suppressed by the police and order was restored. This is a very significant achievement of the Election Commission because absence of violence almost automatically leads to a high turnout of voters. Madhya Pradesh registered a seventy-one percent turnout and Mizoram had about eighty-one percent turnout. A high voter turn-out is indicative of the health of our democracy because it means that people are prepared to accept personal discomfort in order to vote, confident in their belief that law and order will be maintained, they need not have any concern about personal safety and that public awareness of the power of the vote has permeated down to the last village and the last citizen. I consider the conduct of elections in this manner by the Election Commission as both a hallmark of the maturity of our democracy and also of the dedication of the Election Commission to conduct free and fair polls. It is also a tribute to our voters that they realise the power of vote, they are prepared to exercise their franchise and they have faith in the system which encourages them to be so forthcoming in casting their votes. It is also a tribute to the Electronic Voting Machines (EVM), which makes India the most technically advanced nation in the world in the matter of casting of votes. Despite allegations to the contrary the EVM is virtually pilfer-proof, it is fast, it enables results to be announced within a few hours of the beginning of counting of votes and it has worked wonders in curbing rigging. I know that there are allegations that voting machines can be fixed, but my own experience is that even if one or two aberrations are found basically the EVM is an excellent method of casting the vote, protecting it from subsequent interventions which are mala fide and ensuring that a very fast count gives us results in a matter of hours. As people become used to the idea of voting machines being difficult to rig, incidents of booth capturing and other forms of violence during elections have drastically reduced. These are all positive factors of which the country can be proud. It is unfortunate that the media is quick to report the odd complaint about EVM malfunction, but reluctant to present the full picture of how India conducts its elections with great speed, competence and in a secure environment. The proof of this is that apart from two attempts by Naxalites to disrupt proceedings in Bastar Division of Chhattisgarh the terrorist forces are kept at bay and people exercised their franchise without fear.

There are some things which need immediate attention. In its zeal to ensure that elections are free, fair and conducted in a civilised manner, the Election Commission is over reacting to complaints and perceived fears regarding the fairness of the elections. For example, a senior police officer in Madhya Pradesh was posted as a Zonal IG. Some distant relation of his was

standing for election in another Zone. Nevertheless the IG was transferred to police headquarters from a field posting. How that IG could influence elections in another Zone when he himself would be busy with ensuring security during elections within his own Zone beats me. In fact the possibility of his intervening with elections when located in PHQ, where he would have almost no work and could have spare time to promote mischief in the area where his relation was standing for election, would be much more than what he could do in another Zone where he himself would be extremely busy attending to field work. I think the Election Commission needs to settle down and work out a manual which gives guidelines on postings and transfers, with subsequent monitoring of such transfers being done, with the Election Commission's intervention being limited to those cases where there is a genuine and compelling reason to believe that a person is unsuited for a particular post. I am not decrying Election Commission's excessive sensitivity in this behalf, but I do believe that the Commission should move towards a more balanced view on how to deal with complaints.

Another area of concern is the immediate reaction of the Election Commission to statements made by politicians in election meetings and assemblies. I wish our politicians were mature enough to restrict electioneering to issues only, though my fear is that this would reduce the size of their audience, a large part of which turns up to hear the candidates and their supporters by way of entertainment in a place which is otherwise devoid of means of amusement. In their public speeches our leaders, charged up with emotion, are likely to make exaggerated claims for their own parties, put excessive emphasis on the shortcomings of their opponents, up to an including vilely opposing them whilst promising the sun, the moon and a generous slice of the Milky Way Galaxy to their own supporters. In a village an election meeting is more entertaining than a travelling circus. I am not suggesting that the Election Commission should give unbridled licence to what can be said in an election meeting, but I would suggest that they must accept that elections are a time for exaggeration, denigration of one's opponents and generally attempting to fool the people, or persuade the people to vote in a particular way. Let the Election Commission monitor, but let it not act as a moral police and take all the fun out of electioneering. Who does not like to hear which candidate has the greater share of illegitimacy in his family? Sant Tukdoram may be ideal for a religious pilgrimage, but the seventh generation of illegitimate births is so much more spicy and entertaining in an election speech. Stop being a wet blanket, Mr. CEC and your colleagues.

The Election Commission is fighting a heroic battle to try and keep electoral expenditure under control so that it is genuine political belief which sways a voter, rather than the "Kambal-Bottle philosophy", or bribery. The Commission has prescribed strict norms of expenditure, has posted financial observers in every district, has conducted search of vehicles suspected of carrying money for an election campaign and is doing its best to ensure honesty in elections. This is one area where the success ratio is very low because many of our voters expect some personal benefit and the candidates are prepared to bribe. Perhaps State funding of elections is the only answer to the present chicanery which is the hallmark of most election funding. The next major reform which the Election Commission must persuade government to undertake is the mandatory state funding of elections and a virtual total ban on private funding even by the candidate.

I am not happy about the Election Commission's decision to include None of The above (NOTA) as an option when voting. I had advocated a similar move, but my suggestion was that if NOTA got the highest number of votes, then the election to that constituency should be

countermanded, all the persons whose nominations have been accepted should be debarred from election for six years and the cost of holding a fresh election for that constituency should be charged pro rata to the political parties who had nominated candidates whom the people did not accept. Then NOTA would be worthwhile because it would force the parties to field candidates who are locally acceptable and also cause them monetary loss. Otherwise the present exercise is meaningless, it wastes valuable votes but it still allows the worthless to be elected. This is a retrograde step and I hope the Election Commission is broadminded enough to accept this and take the next step as suggested by me. If not then the NOTA button should be removed.

Regardless of the results the people of India and the Election Commission have much to be proud of because we are emerging as a matured and responsible democracy. The next step in this direction is that the parties realise that issue based politics, clearly enunciated ideologies, programmes and policies, practical suggestions for development which promotes welfare is what will bring them to power. That is when politics and elections will move to a higher plane, a larger orbit.
