



LOK SATTA

People Power

AP Election Watch 2004 Report
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Impact of AP Election Watch 1999

- Successfully prevented entry of new candidates with criminal record
- Placed the issue of criminalization of politics and the larger electoral reform agenda firmly on the centre-stage of political discourse.
- Lok Satta's EW work formed the basis for the successful litigation by ADR which led to the judgment on candidate disclosures.

Objectives of AP Election Watch 2004 (APEW 2004)

- To reverse the process of criminalization by pressurizing political parties to refrain from nominating established candidates with a criminal record.
- To influence the governance agenda (specifically local government empowerment, right to information, citizen's charters and local courts for speedy justice), irrespective of which party or candidates are elected.
- Mobilize public opinion in favour of larger electoral and governance reforms and impact political parties' behaviour.

Activities Undertaken in APEW 2004:

- Campaign against criminalization
- Media campaign
- Voter awareness drives
- Common Platforms
- Voter registration and voter roll surveys

Campaign Against Criminalization

- 1999 Election Watch – Post Nomination
- No significant impact on the voting behaviour as local factors such as caste etc. play a major role
- 2004 Election Watch – Pre Nomination
- Aim: To restrain political parties from nominating persons with criminal background.
- Problem: Identifying probable candidates.

Process

- Screening Committee: A screening committee under the chairmanship of Justice Jeevan Reddy (former chairman, Law Commission of India and a Supreme Court Judge) and comprising of eminent personalities from various walks of life to screen the antecedents of prospective candidates.

Criteria

The screening committee identified the following criteria:

- Conviction in any case
- Charges framed by a magistrate
- Rowdy sheet and/or History Sheet
- Withdrawal of charges, or closure of a rowdy sheet etc., by the government without any explanation, proving a malafide intent during the past 7 years
- Established use of force in tenders

Criteria

- Established cases of settlement of land or other disputes by force and forcible occupation of land
- Defaults to financial institutions or role in collapse of urban co-op banks, chit funds or other financial institutions (including dependent members of the family)
- Dismissal/Punishment awarded while in government for corruption or malfeasance, or pending disciplinary proceedings
- Indictment by a statutory commission of enquiry

What Should be Disclosed?

- Pending – Affidavits
- Acquittal – Supreme Court Judgments
- Grave Criminal Record:
 - Acquittals in Murder / Attempt to Murder
 - Repeated Delinquent Behaviour

Identifying the Probable Candidates – Criminal Antecedents:

- Lok Satta units
- Newspapers
- Media personnel
- Government officials
- Civil Society groups

Identifying the Probable Candidates – Criminal Antecedents:

- 1600 potential candidates from major political parties were identified
- 150 were candidates suspected of having a criminal/corrupt record.
- 74 candidates with some record of alleged criminal behaviour were placed before the committee.
- The committee deleted 23 names
- Final list of 51 prospective candidates with a criminal record.
- Acquittals - 13, 38 – cases pending , convicted and sentenced by a court of law, Rowdy sheeters or history sheeters

Criminal Candidates – Party Affiliation

Party	No. of Candidates
TDP	25
Congress (INC)	23
BJP	1
TRS	1
Ind.	1
Total	51

Lok Satta's Approach

- Scrupulously non-partisan and without any malice
- Lok Satta is not an adjudicating body on the criminality of any candidate
- This whole exercise was carried out, and information was made public in the spirit of citizen's right to know about individuals seeking to represent them
- The political parties were given due notice and the list of potential candidates with alleged criminal record was communicated to them and were given an opportunity to respond.

Impact

- Out of the 51 potential candidates only 29 were nominated
- Out of 29, only 11 candidates were elected
- Generated a fierce debate in the state and for almost 3 weeks the entire political discourse was centered around this issue
- Political parties were forced to ditch certain candidates due to the intense public pressure and media focus.
- But still some of the truly established candidates who have struck deep political roots continued to remain in the fray as the parties cannot contest in those constituencies without them

Survey of Electoral Rolls

- Lok Satta took up detailed field survey of voter registration defects.
- Survey – 1999 elections: 56 rural and urban polling station (approximately 56,000 voters)

Errors: 15% errors in rural areas

44.8% in urban areas.

Survey – 2004 elections.

- Sample Size -110 rural and urban polling stations
- Population of more than 1,00,000

Survey Area	No. of Constituencies	No. of Polling Stations	Total No. of Voters	Errors of Commission	Errors of Omission	Total No. of Errors-Omission and Commission	
						No	As % of total Voters
RURAL	34	68	68110	1496(2.2)	1996(3.0)	3492	5.1
URBAN	21	39	38915	2099(5.4)	2782(7.1)	4881	12.5
TOTAL	55	107	107025	3595(3.3)	4778(4.5)	8373	7.8

Common Platforms:

- Between the candidates of major parties.
- Very popular at the local level
- Assembly – 122
- Lok Sabha – 15

At the state level

- Former Home Minister Sri. Devender Goud of TDP
- Finance Minister Sri Rosaiah of Congress
- The debate televised live throughout Andhra Pradesh

Recent Electoral Reform Initiatives

- Political funding law
- Rajya Sabha elections
- Candidate disclosures
- Anti-defection laws
- Limiting size of cabinet

Electoral Crisis

- Large sums of unaccounted money spent on winning elections
- Illegitimate expenditure incurred for liquor, bribing voters, election officials
- Good candidates cannot contest and win in the current system. Ex. Manmohan Singh
- In the constituency based election, focus is on securing the extra edge through whatever means

Analysis of Recent Election Results

Union	Vote Share	No. of Seats Won
Congress + Allies	34.59%	217
BJP + Allies	34.83%	185

State: AP	Vote Share	No. of Seats Won
Congress + Allies	48.37%	226
TDP + Allies	39.69%	49

Critical Electoral Reforms Needed

- Proportional Representation
- Direct election of head of government at state and local government level
- Regulation of political parties to ensure democratic choice of candidates and open choice of leadership