Lok Satta

People Power

Electoral Reforms Campaign funding
Electoral Reforms – Campaign Funding

Problems

• Explanation 1 of Section 77 of RP Act, 1951

• No public auditing

• Weak (non-existent) enforcement (IT)

• No disclosure norms

• No penalties

• No asset and income disclosures

• No incentive for open funding
Campaign Expenditure – India and US Comparison

Expenditure for Lok Sabha + all Assemblies – all parties + candidates
Estimated : Rs.2500 + Rs.4500 crores
Total : Rs.7000 crores = $1.5 b
70-80% is for vote buying

US election expenditure : 2000
Presidency + House + 1/3 Senate + 1/3 governors

Estimated expenditure: (Soft + issue ads Hard) $ 3 billion
80% is for TV advertising.
Actual campaign expenditure : 50%

$ 1.5 billion

Adjusted to our low percapita income, and high purchasing capacity of Rupee, our expenditure is 60 times that of US!
Campaign Expenses – Vicious Cycle

- Illegitimate expenses are often 5-10 times the ceiling or more
  (Assembly ceiling: Rs 6 lakhs
  Lok Sabha ceiling: Rs 15 lakhs)
- Every crore spent illegitimately
  ↓
  Rs 10 crore returns
  (to cover ROR, Interest, personal upkeep, supporters, family’s future, next election costs)
  ↓
  Rs 100 crore collected through bureaucracy
  (for every legislator, there are 2000 employees who need to collect ‘rent’)
  ↓
  people suffer ten times more.
  Payment extorted, on pain of delay, harassment, humiliation, anxiety and greater loss.
Electoral Funding – Possible Reforms

• Full tax exemption to donor
• Full disclosure norms (both donor and recipient to EC, IT and public)
• Party accounts – audited, disclosed and open
• Candidates income and assets disclosure
• Severe penalties for non-disclosure or false disclosure
  - fine ten times the amount
  - disqualification for 6 years
  - Donor’s imprisonment for 6 months
  - Candidate’s imprisonment for one year
  - Party’s derecognition
  - Office bearer’s imprisonment for 3 years
Possible reforms (contd.)

- Reasonable ceilings
- Repeal of explanation under Section 77
- EC to be final authority on compliance and penalties
- Imprisonment by special tribunals.
Electoral Funding – Possible Reforms

Public funding:

Indirect – air time – public channels
private channels
  - more flexible use of time
  - televised debates

Direct – only after other reforms are in place
  - non-discretionary
  - verifiable

A model:
  - funding for all candidates
  - a threshold of 10% votes in the constituency
  - Rs 5 or 10 per vote polled
  - parties to get 50% advance based on last election
Will vote buying disappear?

- not immediately
- people will continue to take money for voting
- candidates will spend personal money for sometime
- severe penalties will force disclosures
- local government empowerment will reduce vote buying

value of vote will then be far greater than the money offered
Electoral Reforms - Polling irregularities

Voter registration

• Serious flaws

• Sample survey  ▶ 40% errors in towns

• State-wide survey  ▶ 15% errors in villages
  ▶ > 40% errors in towns

• 21.7% possible fraudulent voting in cities
## Verification of Voters’ Lists in Andhra Pradesh
### Survey of Rural Polling Stations

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Simple solutions

Voter registration:

- Post office nodal agency
  - Voter lists on display
  - Voter lists for purchase
  - Statutory forms
  - Receipt of application
  - Acknowledgement
  - Action taken intimation

Polling fraud:

- Voter identity card
  - Repoll if tendered votes exceed 1%
  - Wide publicity to utilise tendered vote