

Jammu & Kashmir

Lok Sabha 2009 Elections

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Jammu & Kashmir Election Watch*

Lok Sabha elections 2009

Lok Sabha 2009 elections were held in five phases in Jammu & Kashmir from April 16, 2009 to May 13, 2009. This chapter includes the analysis of voting trend, criminalization, money power, gender etc in these elections. Information provided by ECI and details from the affidavits filed by contesting candidates have been used for above analysis.

Growth of political parties

In Lok Sabha 2004, 19 parties contested elections which rose to 23 in 2009 Lok Sabha elections. This reflects a rise of 21% in the number of parties from 2004 Lok Sabha elections to 2009 Lok Sabha elections.

Growth in number of candidates

A total of 83 candidates contested in Lok Sabha 2004 from Jammu & Kashmir. This number decreased to 81 candidates in Lok Sabha 2009 elections. This shows a decline of 2.46% in the number of contesting candidates from Lok Sabha 2004 to Lok Sabha 2009.

Executive summary for candidates and MPs

Summary for candidates

- Affidavits of all 81 candidates contesting Lok Sabha 2009 elections were analyzed by Jammu & Kashmir Election Watch (J&KEW).
- Out of these 81 candidates, 4 candidates declared pending criminal cases against them. JKNPP, JKPDP & INC had 1 candidate each with pending criminal cases according to their self sworn affidavits.
- Out of these 4 candidates with pending criminal cases, 2 had pending serious criminal cases like waging, or attempting to wage war against the Government of India, Collecting arms with intention of waging war against the Government of India, cheating etc. JKNPP & JKPDP has 1 candidate each with pending serious criminal cases.
- There were 81 candidates contesting in 2009 and out of these 4 candidates had pending criminal cases against them. Comparing this to 2004 Lok Sabha elections, there were 83 candidates contesting in 2004. Out of these 1 candidate had pending criminal cases against him.
- There were 5 IPC charges of heinous nature on the candidates which included waging, or attempting to wage war against the Government of India, Collecting arms with intention of waging war against the Government of India, cheating etc.

*This chapter would not have been possible without the efforts of several volunteers, groups and organizations from the state. ADR and NEW especially acknowledge with gratitude the efforts of Dr. Muzaffar Bhatt (State Coordinator, J&K Election Watch and Convenor, J&K RTI movement) & Syed Basharat (Special correspondent, Kashmir Times).

This volume is dedicated to all who were part of the Election Watch.

- A total of 14 candidates out of 81 i.e. 17.28% were crorepatis.
- A total of 4 candidates declared zero assets.
- A total of 9 candidates declared liabilities above 5 lakhs.
- Among major parties, the average asset per candidate for JKDP was Rs. 4.05 crores, for BJP was Rs 1.02 crores, for INC was Rs. 1.20 crore.
- 71.6% of candidates (58 of 81) had not furnished PAN card details.
- Number of women candidates was just 6 (7.4%) as compared to 75 of men (92.6%).
- More than 38% candidates (31 of 81) were graduates & above.
- None of the parties managed to get votes anywhere near 50%. The highest votes polled were approx 25% by INC and about 10% of the total registered voters. JKNC managed 19% of the votes and JKDP 20%.

Summary for MPs

- Of the 4 candidates with pending criminal cases against them, only 1 won and the remaining 3 were rejected by the voters.
- Out of 6 MPs, 1 (17%) has pending criminal cases against him. Comparing this to Lok Sabha 2004, affidavits were available for 6 MPs out of which no MP had pending criminal case against him/her.
- In Lok Sabha 2004, none of the MP has pending criminal case against them while in Lok Sabha 2009 1 MP has pending criminal case against him.
- The number of crorepati MPs has increased from 2 in Lok Sabha 2004 to 3 in Lok Sabha 2009.
- Among major parties, the average asset per MP for JKNC was Rs. 3.82 crores, INC Rs 68.22 Lakh
- Average asset for a MP from Jammu & Kashmir was Rs 2.23 crore.
- Out of 6 MPs, 3 had not declared their PAN details.

Voting and winning trend

The % of votes polled by major parties

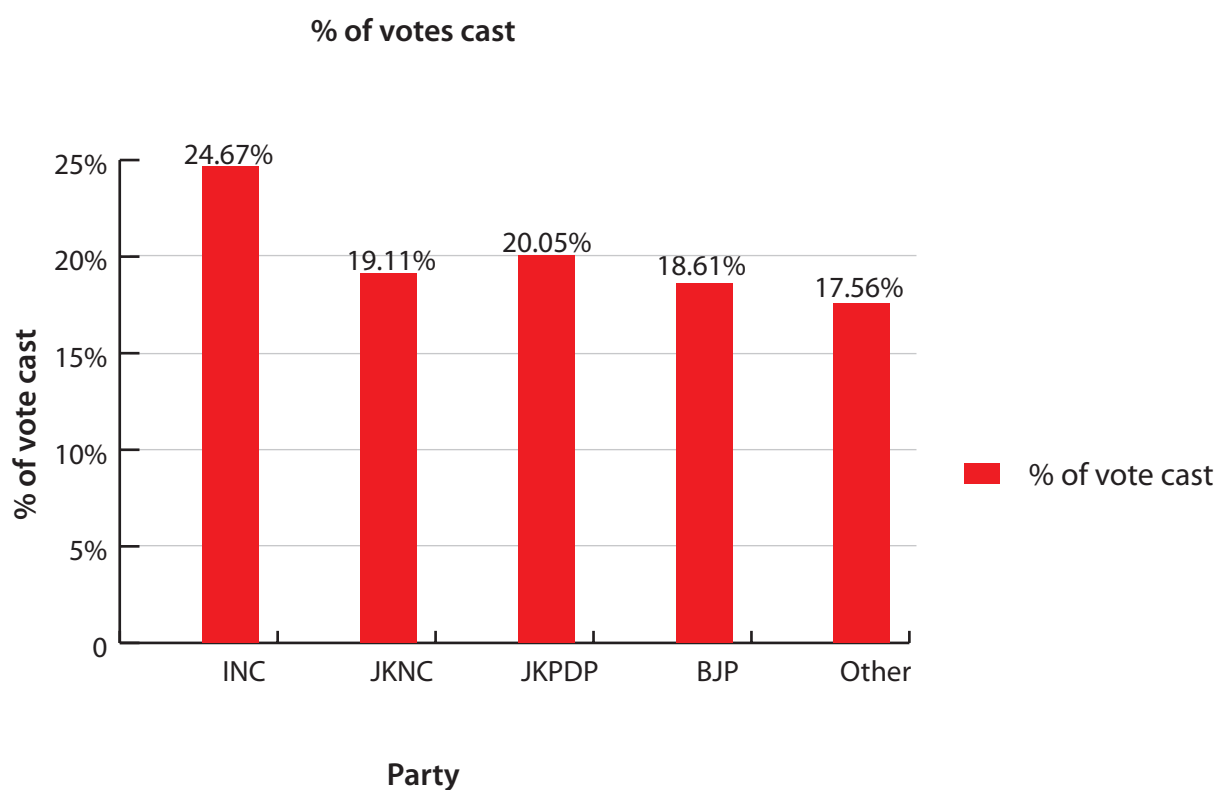
The % of votes cast by the four major parties clearly shows that none of them got anywhere close to the 50% mark. Total voting in the state was only 40%. INC managed approx 24.67% of the votes cast and only 9.78% of the registered voters. JKNC managed just 19.11% votes cast and 7.58% registered voters. The total electorate in J&K was 65, 73,118 and the total votes cast were 26, 07,335.

Further break-up is given in the table-

Table: Per cent of votes cast

Party	Total votes cast for the party	% of votes cast	% of total registered voters
Indian National Congress (INC)	6,43,175	24.67%	9.78%
Jammu & Kashmir National Conference (JKNC)	4,98,374	19.11%	7.58%
Jammu & Kashmir Peoples Democratic Party (JKPDP)	5,22,760	20.05%	7.95%
Bharatiya Janata Party (BJP)	4,85,303	18.61%	7.38%
Others	4,57,723	17.56%	6.96%

Figure: Per cent of votes cast in J&K- Party wise



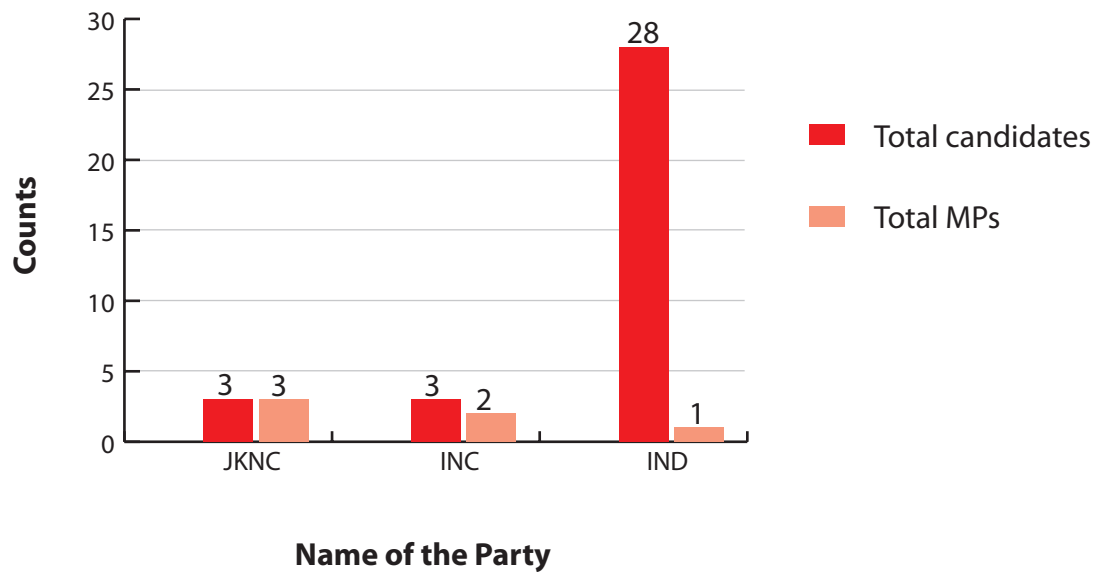
Candidates Vs MPs

Jammu & Kashmir has 6 parliamentary constituencies. Maximum numbers of MPs (3) are from JKNC followed by 2 of INC. The breakup of MPs as compared to total candidates from the party are-

Table: Candidates & MPs – J&K

Party	Total Candidates	MPs
JKNC	3	3
INC	3	2
IND	28	1
Total	-	6

Figure: Candidates vs MPs- Party wise



Analysis based on pending criminal cases

Pending criminal cases- analysis for candidates

A total of 81 affidavits were analyzed by J&KEW for Lok Sabha 2009 elections. Out of these 81 candidates, 4 candidates declared pending criminal cases against them. Out of these 4 candidates with pending criminal cases, 2 had pending serious criminal cases like waging or attempting to wage war, or abetting waging of war, against the Government of India, Collecting arms, with intention of waging war against the Government of India, Cheating and dishonestly inducing delivery of property etc.

Party wise break up for candidates with pending criminal cases

Total 4 candidates contesting elections from J & K had pending criminal cases against them. Out of 3 candidates of INC, 1 had pending criminal cases. JKPDP had 1 candidate with pending criminal cases out of 6.

Table: Candidates with pending criminal cases and serious pending criminal cases- Party wise break up

Party	Total candidates analysed	Candidates with pending criminal cases	Percent of candidates with pending criminal cases	Number of Candidates with pending serious criminal cases	Percent of candidates with pending serious criminal cases
INC	3	1	33%	-	-
JKNPP	2	1	50%	1	50%
JKPDP	6	1	17%	1	17%
IND	28	1	4%	-	-
Total	-	4	-	2	-

Serious crimes distribution – Party wise for candidates

The table below shows the breakup of serious IPC sections against contesting candidates.

Table: Serious IPC section break up for candidates of major parties

IPC/Party	IPC Description	JKNPP	JKPDP
121, 121A, 122, 123	Collecting arms, etc., with intention of waging war against the Government of India	4	0
420	Cheating and dishonestly inducing delivery of property	0	1

Party wise comparison of pending criminal cases on candidates in Lok Sabha 2004 & Lok Sabha 2009

A comparison between 2009 & 2004 Lok Sabha elections of candidates from different parties and with pending criminal cases is given in the following table. The number of candidates with pending criminal cases has increased in Lok Sabha 2009 elections as compared to Lok Sabha 2004 elections.

Table: Comparison Lok Sabha 2004 vs. Lok Sabha 2009

Party	Lok Sabha 2004			Lok Sabha 2009		
	Number of candidates analysed	candidates with pending criminal cases	% of candidates with pending criminal cases	Number of candidates analysed	candidates with pending criminal cases	% of candidates with pending criminal cases
BSP	3	1	33%	5	0	0%
INC	3	0	0%	3	1	33%
JKNPP	4	0	0%	2	1	50%
JKPDP	3	0	0%	6	1	17%
IND	29	0	0%	28	1	4%
Total candidates	-	1	-	-	4	-

Details of candidates based on pending criminal cases

The table below lists candidates with pending criminal cases. Out of these 4 candidates with pending criminal cases, only 1 won and rest 3 were rejected by the voters. The detailed list is given below.

S No	Name	Constituency	Party	Age	Serious IPC Counts	Total no. of cases	Details of Serious IPC counts	Won/Lost
1	MOHAMMAD IQBAL JAN	Baramulla	JKNPP	32	4	1	4 charges related to collecting arms, etc., with intention of waging war against the Government of India	Lost
2	MOHAMMAD DILAWAR MIR	Baramulla	JKPDP	55	1	1	1 charge related to cheating	Lost
3	MADAN LAL SHARMA	Jammu	INC	56	0	1	-	Won
4	THINLESS ANGMO	Ladakh	IND	46	0	1	-	Lost

Pending criminal cases- analysis for MPs

Out of 6 MPs from J&K in Lok Sabha 2009, 1 MP has pending criminal cases against him. Contrasting this with 2004 Lok Sabha, not a single MP had pending criminal cases.

Party wise comparison of pending criminal cases on MPs in Lok Sabha 2004 & Lok Sabha 2009

The table given below lists MPs with pending criminal cases for both Lok Sabha 2004 and Lok Sabha 2009 elections.

Table: Comparison Lok Sabha 2004 vs. Lok Sabha 2009- MPs with pending criminal cases- Party wise

Party	Lok Sabha 2004			Lok Sabha 2009		
	Number of MPs analysed	MPs with pending criminal cases	% of MPs with pending criminal cases	Number of MPs analysed	MPs with pending criminal cases	% of MPs with pending criminal cases
INC	2	0	0%	2	1	50%
JKNC	2	0	0%	3	0	0%
JKPDP	1	0	0%	0	0	0%
IND	1	0	0%	1	0	0%

MPs with pending criminal cases

Details of MP from J&K who has pending criminal cases against him are given below-

S No	Name	Constitu-ency	Party	Age	Serious IPC Counts	Total no of cases in which accused	IPC description
1	Madan Lal Sharma	Jammu	INC	56	0	1	2 charges related to voluntary causing hurt to deter public servant from his duty and wrongful confinement

Analysis based on assets

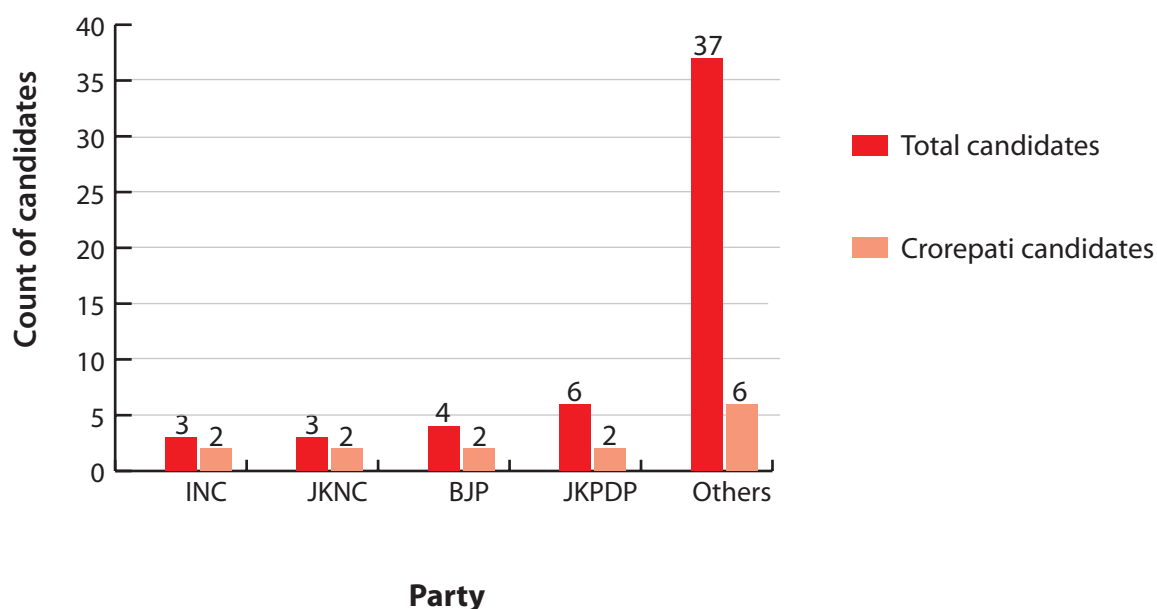
Analysis based on assets – for candidates

Out of 81 candidates contesting Lok Sabha 2009, 14 were crorepatis. Most of the major parties had more than 50% of the candidates as crorepatis- JKNC (67%), BJP (50%) and INC (67%).

Table: Crorepati candidates- Party wise break up

Party	Total candidates analysed by NEW	Crorepati candidates	% of crorepati candidates
INC	3	2	67%
JKNC	3	2	67%
BJP	4	2	50%
JKPDP	6	2	33%
Others	37	6	16%
Total	-	14	-

Figure: Crorepati candidates from major parties



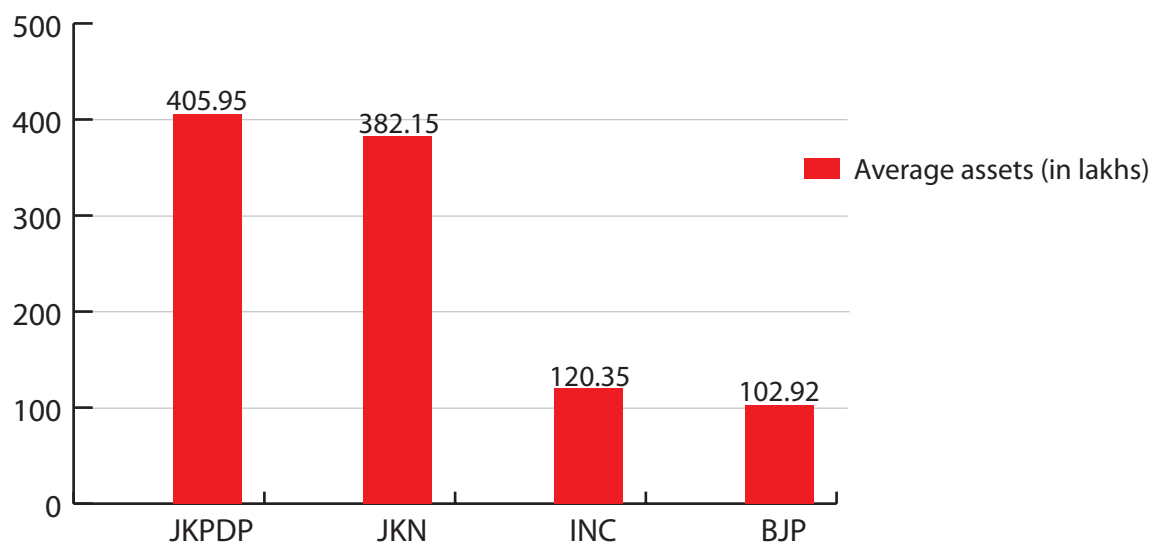
Average assets for Candidates

For candidates of JKPDP average assets were approx 4 crores. Detailed list is given below.

Table: Average assets for candidates Party wise

Party	Average Assets	Candidate Count
JKPDP	Rs 4,05,95,874 ~ 4 Cror+	6
JKNC	Rs 3,82,15,380 ~ 3 Cror+	3
INC	Rs 1,20,35,633 ~ 1 Cror+	3
BJP	Rs 1,02,92,352 ~ 1 Cror+	4
Other parties	Rs 27, 84, 438 ~ 27 Lacs+	65

Figure: Average assets (in lakhs) for candidates of major parties



Asset details for Crorepati candidates

Given below is the list of crorepati candidates who contested Lok Sabha 2009 elections from J&K.

Table: Crorepati Candidates in J&K

S No	Name	Constituency	Party	Movable Assets (Rs)	Immovable Assets (Rs)	Total Assets (Rs)	PAN Given	Won/ Lost
1	IFTIKHAR HUS-SAIN ANSARI	Srinagar	JKPDP	14,23,700	21,78,00,000	21,92,23,700 21 Cror+	Y	Lost
2	FAROOQ AB-DULLAH	Srinagar	JKNC	15,41,140	9,63,00,000	9,78,41,140 9 Cror+	Y	Won
3	HUSSAIN ALI	Jammu	BSP	23,60,000	2,30,00,000	2,53,60,000 2 Cror+	Y	Lost
4	KHALIDA BE-GUM	Srinagar	JKANC	7,62,542	2,27,00,000	2,34,62,542 2 Cror+	N	Lost
5	NISAR AHMAD KHAN	Anantnag	BSP	1,00,000	2,24,00,000	2,25,00,000 2 Cror+	N	Lost
6	PHUNTSOG NAMGYAL	Ladakh	INC	1,44,69,787	79,92,000	2,24,61,787 2 Cror+	N	Lost
7	GOWSIA BASHIR	Baramulla	IND	10,50,000	2,00,00,000	2,10,50,000 2 Cror+	N	Lost
8	MOHAMMAD DILAWAR MIR	Baramulla	JKPDP	16,50,000	1,85,00,000	2,01,50,000 2 Cror+	N	Lost
9	HILAL AHMED BAIG	Jammu	IND	10,25,000	1,50,00,000	1,60,25,000 1 Cror+	N	Lost
10	AVTAR KRISHAN PANDITA	Srinagar	BJP	1,70,000	1,50,00,000	1,51,70,000 1 Cror+	N	Lost
11	LILA KARAN SHARMA	Jammu	BJP	35,79,407	98,70,000	1,34,49,407 1 Cror+	Y	Lost
12	SHARIEF UD DIN SHARIQ	Baramulla	JKNC	19,55,000	1,00,00,000	1,19,55,000 1 Cror+	N	Won
13	MADAN LAL SHARMA	Jammu	INC	44,82,734	74,00,000	1,18,82,734 1 Cror+	Y	Won
14	SAJAD GANI LONE	Baramulla	JPC	11,81,313	1,00,00,000	1,11,81,313 1 Cror+	Y	Lost

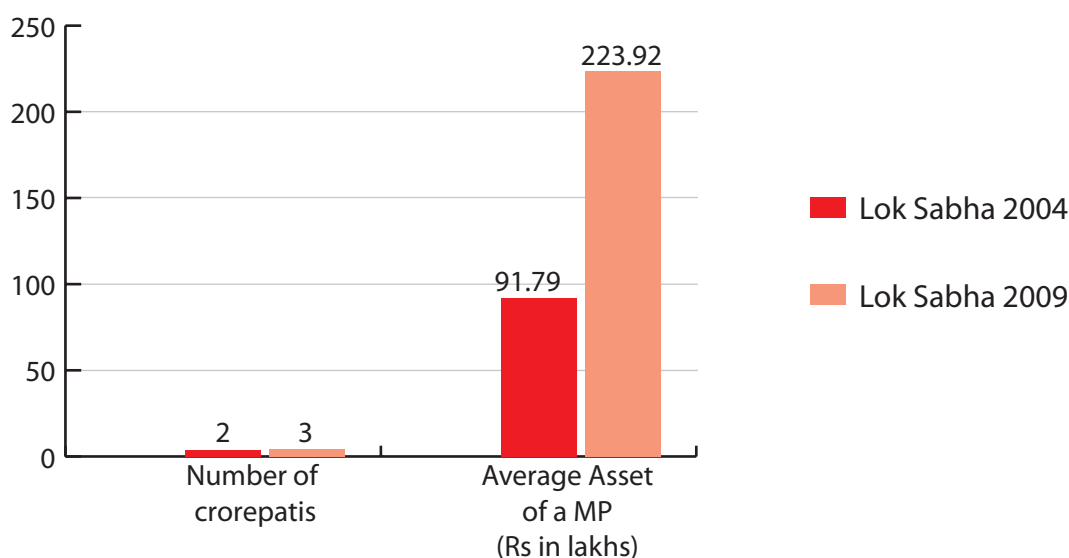
Analysis based on assets- for MPs

Out of 6 MPs in Lok Sabha 2009, 3 MPs are crorepatis as compared to 2 crorepati MPs from Lok Sabha 2004 i.e. an increase of 50%. The average asset of a MP in 2004 Lok Sabha was Rs 91.79 lakhs which rose to Rs 2.23 cr in 2009. Between 2004 & 2009 there has been an average asset increase of 144% for MPs.

Table: Comparison Lok Sabha 2004 and Lok Sabha 2009 based on assets

	In Lok Sabha 2004	In Lok Sabha 2009	Increase	% Increase
Number of crorepatis	2	3	1	50%
Average Asset of a MP (Rs in lakhs)	91.79	223.92	132.13	144%

Figure: Comparison Lok Sabha 2004 and Lok Sabha 2009 based on assets



Chances of winning based on assets

As can be seen from the table, the higher the assets the more are the chances of winning of a candidate. 50% of the candidates who declared assets more than 5 crores and above won. On the other hand not a single candidate with assets less than 10 lakhs won. The election results seemed to be highly influenced by the money power of the candidates

Table: Chances of winning based on assets

value of assets	no of candidates analyzed	no of MPs	% of MPs
Very high (5 cr and above)	2	1	50%
High (50 lakhs to 5 cr)	20	3	15%
Medium (50 lakhs to 10 lakhs)	18	2	11%
Low (less than 10 lakhs)	41	0	0%

Average assets per MP for major parties

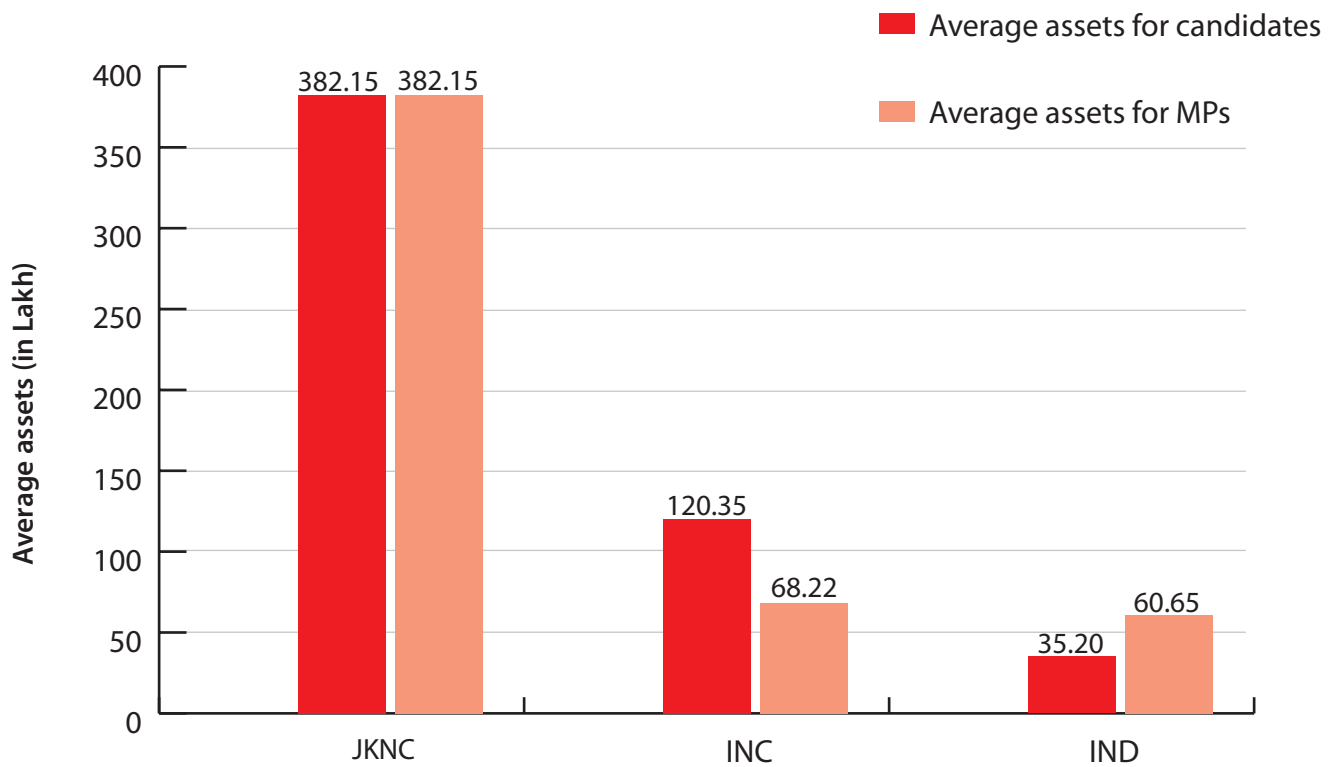
Average asset for a MP from JKNC is Rs 3.82 crores, followed by 68.22 lakh for INC.

Table: Average assets for MPs

Party	No of candidates	Average assets for candidates	No of MPs	Average assets for MPs
JKNC	3	Rs 3,82,15,380 ~ 3 Cror+	3	Rs 3,82,15,380 ~ 3 Cror+
INC	3	Rs 1,20,35,633 ~ 1 Cror+	2	Rs 68,22,556 ~ 68 Lacs+
IND	28	Rs 35,20,183 ~ 35 Lacs+	1	Rs 60,65,000 ~ 60 Lacs+

Figure: Comparison average assets for candidates & MPs in Lok Sabha 2009 shown in next page

Figure: Comparison average assets for candidates & MPs in Lok Sabha 2009



Crorepati MPs- PAN not given

1 crorepati MP from J&K has not declared his PAN details even though these declarations are part of the affidavit. Details are given below-

Table: Crorepati MPs- Party wise break up

S. No.	Name	Constituency	Party	Total Assets (Rs)	Movable Assets (Rs)	Immovable Assets (Rs)	PAN Given
1	SHARIEF UD DIN SHARIQ	Baramulla	JKNC	19,55,000	1,00,00,000	1,19,55,000 ~ 1 Cror+	N

Female representation in Lok Sabha 2009 elections

Out of 81 candidates only 6 or 7.40% were women. None of these female candidates won the election.

Full Asset and pending criminal cases details

Assets for all MPs from Jammu & Kashmir in Lok Sabha 2009

Se- rial	Name	Constitu- ency	Party	Movable As- sets (Rs)	Immovable Assets (Rs)	Total Assets (Rs)	Liabilities	PAN Given
1	FAROOQ AB- DULLAH	Srinagar	JKNC	9,78,41,140 9 Cror+	15,41,140 15 Lacs+	9,63,00,000 9 Cror+	0.00	Y
2	SHARIEF UD DIN SHARIQ	Baramulla	JKNC	1,19,55,000 1 Cror+	19,55,000 19 Lacs+	1,00,00,000 1 Cror+	13,10,000 13 Lacs+	N
3	MADAN LAL SHARMA	Jammu	INC	1,18,82,734 1 Cror+	44,82,734 44 Lacs+	74,00,000 74 Lacs+	1,49,750 1 Lacs+	Y
4	HASSAN KHAN	Ladakh	IND	60,65,000 60 Lacs+	15,65,000 15 Lacs+	45,00,000 45 Lacs+	0.00	N
5	MIRZA MEH- BOOB BEG	Anantnag	JKNC	48,50,000 48 Lacs+	13,50,000 13 Lacs+	35,00,000 35 Lacs+	0.00	N
6	CH. LAL SINGH	Udhampur	INC	17,62,378 17 Lacs+	7,62,378 7 Lacs+	10,00,000 10 Lacs+	26,50,000 26 Lacs+	Y

Full details of pending criminal cases on MPs from Jammu & Kashmir

S. No.	Name	State/ Dist	Constitu- ency	Party	Age	Seri- ous IPC Counts	No of Cases in which Ac- cused	No. of Cases in which Con- victed	Total
1	MADAN LAL SHARMA	JAMMU & KASHMIR	Jammu	INC	56	0	1	0	1
Cases (Accused)			IPC Section		Description				
			332		Voluntarily causing hurt to deter public servant from his duty				
			342		wrongful Confinement				
Cases (Convicted) -----No Cases----									