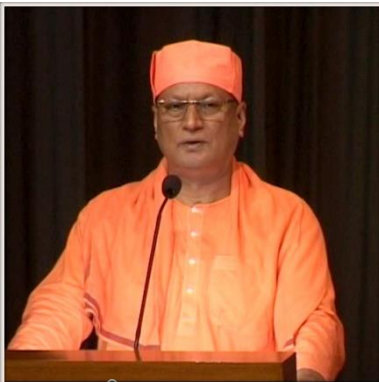# Minutes of the Sessions

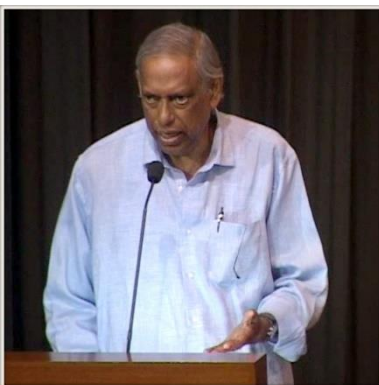# Day – 1 (21ˢᵗ March,'15)

Inauguration & Welcome Address

Prof Trilochan Sastry (ADR/NEW), Shri Biplab Halim (WBEW), Shri Chittotosh Mukherjee, President, WBEW & Ex-Chief Justice, Kolkata & Mumbai High Court and Swami Suparnananda Maharaj, Secretary, Rama Krishna Mission , Golpark

Swami Suparnananda Maharaj

Swami Suparnananda Maharaj welcomed Chief Justice Chittotosh Mukherjee, Prof. Sastry, Sh. Biplab Halim and all members of ADR & NEW and also attendees from various districts of West Bengal. He said organising the event was a good gesture on part of ADR as ADR is very **keenly focused on introducing a system of conducting free and fair elections**. He pointed out that it is very difficult to practice honesty in election process and the **current effect of politics is that it is weakening the strong**. He exhorted the political parties and politicians to rise above "politics".

Mr. Biplab Halim

Mr. Biplab Halim expressed great pleasure in seeing NEW delegates from all over the country; from Kashmir to Kanyakumari and from Arunachal to Gujarat attending the sessions. He said that this conference is going to **add valuable contribution to the process of good governance and inclusive democracy**. He heartily welcomed the Chief G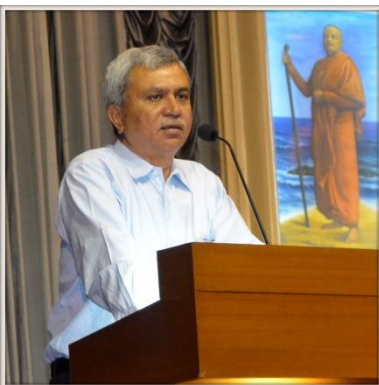uest for the day Mr. H.S Brahma and over 1000 social activists, especially women activists from all the districts of West Bengal. During the conference, he said that **people have always been a decisive force in the history since democracy belongs to people** and therefore, their active participation can strengthen functional democracy.

Mr. Chittotosh Mukherjee

Mr. Chittotosh Mukherjee while welcoming Mr. H.S Brahma, said that it was his pleasant duty to also welcome all other people present for the conference. He said that the conference was a platform which would **give encouragement to all participants and strategize to strengthen democracy**. He also observed that the Preamble of our Constitution, speaks about "We the People of India" and democracy on the basis of "Universal Adult Suffrage". He also pointed out the necessity to formulate strategies to exercise control over elected representatives and their functioning in the electoral and political process since it is important and vital for a vibrant democracy.

According to him another important aspect that we needed to ponder over was to **make Panchayat institutions stronger at the grass root level**.

Prof. Trilochan Sastry

Prof. Trilochan Sastry thanked West Bengal Election Watch for organizing the event and the audience for participating in the event. He said that the **most important question before everyone present in the conference was to understand why are we doing this?** Why are we working for good governance? He said that we all have been working together on this for the past 15 years. We have partners from all over the country. He also pointed out that **ADR does not carry any ideology to be imposed on our fellow countrymen**. The only reason behind doing this is that our efforts should benefit the "People of India".

He stated that important question facing everyone present at the conference was to **identify our *"Next step ahead"*.** He said that it is a big task that we all have set up for ourselves. Giving the foundation of ADR & NEW work, he stated;

1. We will **speak the truth** based on our data/facts on the Candidates/MPs/MLAs/Parties and we will verify, cross-verify our data on the basis of the facts.

2. We are and will continue to be **impartial** and unbiased. We are not here for any political party.

3. **Transparency and accountability** - two very fundamental aspects that we emphasise are equally applicable to us as this is what we are demanding from our Political Parties and Parliamentarians.

Address by Shri H. S. Brahma,
Chief Election Commissioner, Election Commission of India

Chairperson – Dr. Ajit Ranade

Dr Ajit Ranade

Dr Ajit Ranade said that this was **ADR-NEW's 11th in the series of National Conference** which we have been organising annually over the years in different cities. While introducing the Chief Guest for the day Shri. H.S Brahma, he stated that he had retired on 30th April, 2010 as Secretary, Ministry of Power, Government of India before joining the Election Commission.

Shri. H.S Brahma

Shri. H.S Brahma began by saying that the biggest challenge facing our country is **how to ensure that India becomes not only the largest but the greatest democracy in the world**. While posing a question before the audience, Shri. H.S Brahma asked- How can our representatives as well as political parties function properly? He said that our Parliamentarians should work for the greatness of the country and the biggest responsibility of the citizens was to ensure electing the *"Right person at the right place at the right time".*

As a democratic country and as democratic citizens of the world, we must understand that **voting is not a mundane, routine job**. He emphasized that our citizens vote in a large numbers to ensure majority representation. He pointed out that though we have around 1600 political parties in India, out of them **less than 200 parties contest elections**. Unless political parties are serious in serving the interests of the country and people, democracy will serve no purpose. We need to work on the political parties reforms since political parties are the fulcrum and main stakeholders - one cannot imagine democracy minus political parties. He also stated that **as long as the Indian citizens do not put pressure on the parties, reforms will not occur**. Therefore, electoral reforms and political parties' reforms should also be pursued simultaneously.

Shri. Brahma held that in order to have an effective say in choosing the right government, it would be desirable that the majority of Indian voters vote in every election. He informed the audience that between 1951 and 2014, Election Commission has conducted 16 General elections and not a single

political party or a candidate has ever complained of any unfair practice on the part of the ECI. He said that the credibility of elections depends upon the credibility of the Commission itself.

He informed the audience that ECI has implemented a technology whereby one can see all details of the voters on ECI's website. A voter can see, correct and locate his/her name, address, polling station online. This system was introduced from 21st January, 2015. He stated that by August, 2015, **ECI is going to link Aadhaar number with the voter IDs whereby India would be the only country in the world not to have any duplicate voter ID**. With Aadhaar number, ECI is going to provide a system so that the voter can change the address. He also enumerated ECI's plans to have a National roll-out of e-services, National voter services portal (NVSP), a mechanism for e-voting and a system to have an encyclopaedia of election related information.

Shri. Brahma also highlighted some major challenges facing the ECI like correction of electoral roll, use of muscle and money power, control of freebies distributed by the political parties or candidates, paid news, enforcement of Uniform Model Code of Conduct and challenges from electronic & digital media.

Shri. Brahma dwelt upon various upcoming electoral reform proposals advocated by the ECI. A brief summary of the proposals is mentioned below:
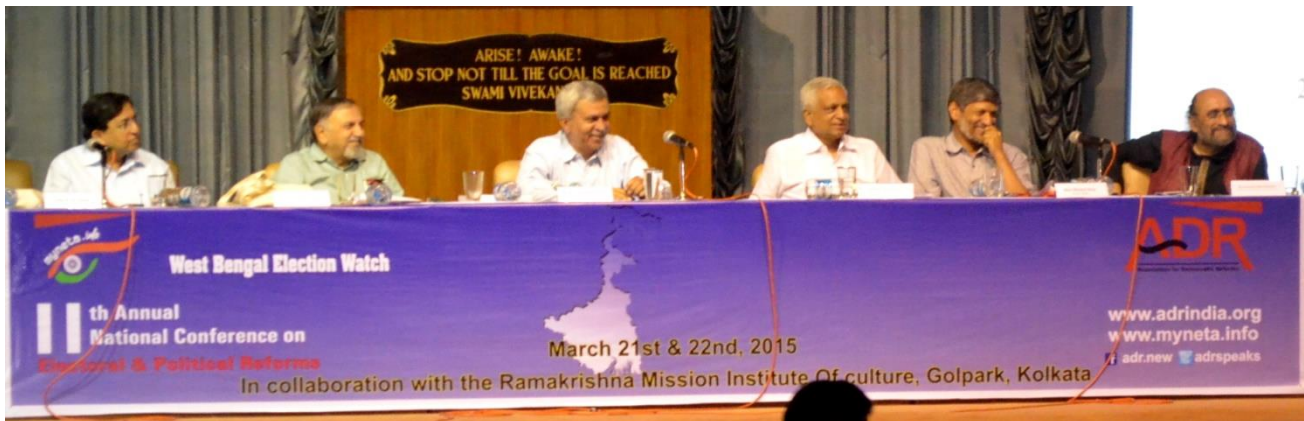
a) Introduction of another clause under Section 29A of the Representation of the People Act, 1951, authorizing the Election Commission to issue necessary orders for **regulating registration and de-registration of political parties.**

b) Political parties should be required by law to get their **accounts audited annually by external auditors approved by CAG or ECI**, and to put them in public domain to enhance transparency in the fund raising and expenditure of political parties.

c) **Ceiling on expenses by political parties**.

d) A person accused of serious criminal charges and against whom charges have been framed by the Court, should be kept out of electoral arena. This would be a **reasonable restriction in larger public interest.**

e) Amendment should be made in the Representation of the People Act, 1951, to provide therein **publishing and abetting the publishing of paid news** for furthering the prospect of election of any candidate or for prejudicially affecting the prospect of election of any candidate as **an electoral offence** with punishment of a minimum of two years imprisonment.

f) A candidate should be permitted to **contest election from only one constituency**.

g) There should be provision for **penal action against those making false declaration** in connection with elections. Making a false declaration has now been held by the Supreme Court as corrupt practice of undue influence.

h) The punishments under all the four sections (Sections 171B (Bribery), 171C (Undue Influence), 171-G (False statement about candidates), 171-H (illegal election expenditure) of Representation of People Act, 1951 should be enhanced and these offences **should be made cognizable**.

i) There should be **four different qualifying dates** for deciding the minimum age for electors -01 January, 01 April, 01 July and 01October. These may be specified as qualifying dates for enrolment. The ECI may decide the date to be chosen on a State to State basis depending on the period when election, if any, is to be held in the State.

j) In order to deal with cases of dummy candidates with similar or same names as the prominent candidates entering the fray to confuse electors, ECI had decided to **print photograph of candidates** on the ballot paper.

Shri. Brahma concluded his speech by quoting that our job does not finish by voting once in 5 years. **Regular pressure, monitoring and review is required** from all of us. He emphasized that *"We- the citizens"* are the key players in democracy. So it is our duty that we always remain **watchful, vigilant, alert, and inquisitive** of what our elected representatives are doing.

Making flow of money in politics transparent: a case for good governance

Chairperson: Prof. Trilochan Sastry

[Panelists (left to right): Shri P. K. Dash (Director General – Expenditure, ECI), Shri Shailesh Gandhi (Former Information Commissioner), Prof. Trilochan Sastry (Chairperson), Shri Subhash Chandra Agrawal (RTI Activist), Shri Nikhil Dey (NCPRI/MKSS), Shri Paranjoy Guha Thakurta (Journalist and political commentator)]

Mr. Nikhil Dey

Mr. Nikhil Dey stated that thanks to the way National Election Watch was formed and the way Election Watch is being conducted, information had become the source for everyone to monitor and regulate India's electoral process. However, we were still **struggling to regulate and monitor the flow and influence of money** in elections.

Bringing out the extent of corporate influence in our political system, he mentioned that regardless of who wins the election, the corporates wield their influence as they donate to all political parties and after the completion of elections exercise this influence is utilized to amend policy decisions to their advantage.

He praised the move which forces the candidates to reveal his expenditure details within 30 days of the result being announced. He stated the need for conducting audits of the candidates and the winners not just before the elections but also after the elections and not only of the expenditure but of their efforts in improving governance in their constituencies. He suggested that we **find the pressure points where there is rampant bribery and corruption** in the administration i.e. the avenues of corruption used by the MPs & MLAs to earn back the money spent and more. One such pressure point is the **power to transfer officials and public servants** which leads to bribery and collusion between the MLAs and the officials. Finally, he recommended that **public/social audits of a few MLAs/MPs chosen at random** should be conducted on a continuous basis (both before and after the elections) **to increase accountability** in the electoral and political system.

Mr. Paranjoy Guha Thakurta

Mr. Paranjoy Guha Thakurta began by posing a question on **where the "Gangotri" of corruption began** and stated that it is the **nexus between business and politics**. He also emphasized the need to stop corruption and money power in elections and politics. The first issue that he stressed on was that of political parties' auditing where he questioned the appointment of auditors by political parties. He was of the view that the **parties should not be free to appoint auditors** but appointment of auditors should be by the CAG. The second issue that he raised was regarding the expenses of the candidates and political parties. While the candidates declare expenditure which is much less than the limit imposed by the ECI, there is no limit on the expenditure of political parties. **In the absence of any expenditure limits for the political parties, there can be no transparency**.

The third issue which he talked about was the **Rs 20,000 limit on anonymous donations** and felt that this was the most important issue on which **public pressure was paramount**. Though he agreed that reasonable restrictions on cash expenditure are required, he strongly felt that the blanket limit of up to Rs 20,000 in donations that are anonymously given, had to be changed.

He reiterated that if a change in legislature could be brought about, the public would be able to enjoy greater transparency in the election system, in the political funding, the system of funding political parties and the candidates who stood for elections. He felt that there was a **conspiracy at a higher level across the political class who do not wish to have transparency**; hence there should be **greater civil society pressure in order to usher in transparency**.

Mr. P.K.Dash

Mr. P.K.Dash agreed that the Constitution of India visualized multi-party democracy, but the architects of the Constitution had not visualized that the parties would stoop to such a level for money power especially, at the time of elections where there was rampant vote buying. The first **risk of big money in elections**, was that it **disturbed the level playing field**. Secondly, he touched upon the various **sources of money used by political parties** during elections and at other times. The other factor which he pointed out was that there are **cash transactions** for which details of donors were unknown.

As per law, there was minimal legislation in this field and where it existed, he felt that it was ambiguous. He explained that in a situation where 90% of the donations were not disclosed, it would not be possible to ensure that the restrictions set by Section 29(B) of the Representation of the People Act had been met with. He raised a doubt as to how it could be ensured that a foreign company or a loss making company had not donated below Rs 20,000 to the political parties. Mr. Dash said that **through systematic legislation and awareness drives by civil society organisations, elimination of vote buying was possible**. He said that though there were middlemen to whom money was distributed, he visualized that the day was not very far when, the middle men in India too start demanding huge sums from political parties which would help the common man get the much needed amendment. He stated that once the voters become aware that money power was not going to help them in the long run and once civil society organisations put pressure in creating awareness not only among voters but also on the legislators to enact laws, then the much needed transparency will be achieved in political parties' finance.

He opined that **impartial investigation was crucial for transparency** but the penal action against defaulting candidates, is equally important. The Supreme Court had stated that if the affidavit filed by the candidate was proven to be wrong, the candidate would be disqualified by the court. He concluded his speech by stating that with these suggestions, he hoped that there would be a clearer picture as the election process in India was not so bleak. He stated in the end that he hoped we would **keep up the spirit of democracy in India** and that each one of us would **contribute to the strengthening of the democracy**.

Mr. Subhash Chandra Agarwal

Mr. Subhash Chandra Agarwal started by emphasizing on the need for electoral reforms and for the **control and monitoring of expenditure incurred by candidates**. He expressed disappointment at the fact that despite a number of Commissions coming out with various reform recommendations like Law commission reports, no action had been taken by the respective governments. He also brought out the issue of **regulating the registration of political parties**. Experience shows that most of them do not contest elections and their sole aim for registering a party was income tax exemptions.

He batted for the audit of national political parties by CAG itself. Further speaking on political reforms, he brought out the **shortcomings of the First-Past-the-Post system** where the percentage of votes against a candidate was more than the percentage of acceptance. His answer to this problem

was that **NOTA rules be revised** to ensure that if NOTA wins, there should be a bye-election where NOTA is disabled and also that the candidates who were defeated by NOTA should be disqualified. He said that major electoral reforms have not been initiated due to the **lack of political will** and that in India the democracy has become **"For the politicians, by the politicians and of the politicians"**. Reflecting on the unethical practices in Indian politics he stated that even some of our PMs have defaulted on public money with similar cases rife among the MLAs and MPs throughout the country. He admitted that there are flaws in our democracy and that **public pressure is required to initiate reforms** on a large scale which in turn would go a long way in making India a role model for democracies around the world.

Mr. Shailesh Gandhi

Mr. Shailesh Gandhi began by asking whether it was the right time to impose an impossible limit on election expenditure of candidates. He said that it was to be understood that not all people who join politics enter the arena with a criminal intent or malevolence in their mind. He strongly felt that the society had created an environment wherein if a person intended to join politics, the only way through which that could happen was through dishonesty, whereas he/ she might have wanted to join to bring electoral reforms in the political system. By imposing a limit on expenditure, the candidate with honest means would not be able to win the elections.

Mr. Gandhi asked "what if the candidates' election expenditure limits were completely done away with?" As the statements submitted by the candidates were anyway incorrect, disclosures in the public domain served no purpose. He stated that the Election Commission is **unable to unveil a lot of the discrepancies submitted by the candidates** nor is it able to investigate and penalize the erring candidate. Mr. Gandhi felt strongly that **if the vicious cycle of dishonest disclosure was continued, the electoral system would not be reformed**.

Finally, he talked about the laudable judgement of the Supreme Court (which ADR made possible) which ensured that the contesting candidates declare their asset details in their affidavits. But the problem was that there had been no dent in dishonesty because of the judgement. He suggested that the **affidavits filed by candidates should be scrutinized by the Income Tax authority**. As this action did not require any legal backing but only the will of the Election Commission, he felt that the ECI should forward the affidavits of at least the winning candidates and the first runners-up to the Income Tax department for verification against the candidates' IT Returns.

Open Session:

Prof. Chhokar: He said that earlier we used to witness that law-breakers were becoming lawmakers but now even political parties have become lawbreakers as was evident by the open defiance of the CIC order by the six National political parties. Hence resolution should be passed against political parties as well. Further he opined that it is not possible to bring out the desired reforms as it is the government and ruling party which has to work towards it. He provided a few instances supporting his opinion referring to the attempt to pass an amendment which would overturn the CIC order terming political parties as public authorities. He said that the repeated attempts to usher in reforms have failed as the Parliament tries to block every such attempt, including the Supreme Court verdicts.

Time to Build a Functional Democracy: Empowering Local Body Institutions

Chairperson: Mr. M.N. Roy

[Panelists (left to right): Dr. Gouri P. Dutta (WBEW, former member, State Planning Board, former MLA), Shri Sudhir Pal (Manthan Yuva Sansthaan, Jharkhand), Shri. Sukhvilas Verma (INC, IAS Retd.), Shri Nikhil Dey (NCPRI/MKSS), Chairperson – Shri M.N.Roy , Shri Chandan Dutta (WBEW), Ms. Pankti Jog (MAGP)]

Mr. M.N. Roy

Mr. M.N. Roy commenced the discussion by referring to the recent report of the 14th Finance Commission which highlights the need to improve the services at the local level by strengthening grassroot democracy. A proper democratic set up, he stated, is essential at the local level to nurture productivity and efficiency in governance.

Mr. Nikhil Dey

Mr. Nikhil Dey began by questioning the veracity of the common claim that Panchayat Elections are the most representative grassroots elections in a democracy like India. He put forth the example of the ordinance passed by Rajasthan State Government which, according to him was completely undemocratic and unrepresentative. The ordinance made it **mandatory for a candidate contesting for the position of a Sarpanch to be at least 8th class pass** and a candidate contesting in Panchayat Samiti elections or Zilla Parishad elections to be at least 10th class pass. He went on to state that the manner in which the ordinance was passed by the Rajasthan Government i.e. 4 days before the Panchayat Raj elections in Rajasthan and 2 days after the courts had closed, were proof of the fact that no discussion or debate was desired on the matter from the electorate at large. This draconian imposition on the electorate he stated, excludes 95% of the women and 80% of the general population in Rajasthan who are not 8th class pass. The message that goes out to this section of the electorate is, "Go and vote, but the baton of power would remain with us (the elite)".
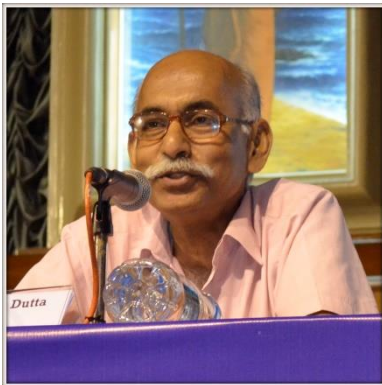
Mr. Nikhil Dey opined that through this law and many other similar laws such as this (laws making it mandatory to have toilets or not having more than two children to be entitled to contest elections etc.) there has been a **complete capture of power by the elite**. He also mentioned that while many people claim that having educational qualifications as a criterion to contest elections would reduce corruption in elections, he believed that after 5 years, corruption would in fact increase. He said it is unreasonable to expect a person who does not even have a proper house, to have a toilet in order to contest elections. He called for an organized protest against such laws as a part of National Election Watch.

Mr. Dey, presenting a few success stories of MKSS, stated that as an organization they fielded 3 to 4 candidates in the panchayat elections for the position of Sarpanch on the condition that the candidate does not spend more than Rs. 1000 for the election campaign. It was found that consistently **some of the good and honest candidates won the elections**. On this note he also added that in order to have effective governance at the grassroots level, it is important to **decentralize executive authority** at the level of the panchayats.

Presenting a few more examples of the work done by MKSS at the grassroots level, Mr. Dey stated that a Janmanch (direct meeting of the candidates with the electorate) was organized wherein written manifestoes were taken by the candidates and **assurances of good honest and clean governance were made to the electorate**. Even though after the elections there have been cases

where some promises were not adhered to, this interaction with the electorate paves the way for **public scrutiny and accountability of the candidates before and after elections**. The Janmanch was recorded on video and CDs for the same were distributed among those interested. It was also decided that **social audits of the panchayats** would be conducted every 6 months.

Mr. Dey concluded by stating that these measures provide a space for the electorate to scrutinize the behavior of the candidates and improve the responsiveness of the whole system of governance at the grassroot level.

Mr. Chandan Dutta

Mr. Dutta began by giving a brief historical context to the establishment of Panchayati Raj by stating that even though we as a country pride ourselves to be a democratic republic, in 1950, the Constitution did not mandate the conducting of local body elections. It was merely stated in the Constitution that if the states wished to do so, they could conduct local body or panchayat elections. Because it was not mandatory to hold local body elections or Panchayat elections, many states did not establish this form of decentralization for many years. Only a few states like Rajasthan and Madhya Pradesh took up the mantle of conducting local body or Panchayat elections however even that was in its nascent form. After about 42 to 43 years, when a lot of discussion and debate had already been done on the subject, the 73rd Constitutional Amendment was passed making it mandatory for the states to conduct local body elections and the system of **Panchayati Raj was first given legitimate Constitutional backing**. Women were given representation through reservation of at least a third of the seats in the Panchayats. The decentralization process was further extended to include **Gram Sabhas and Gram Sansads providing the space for small villages and tribal communities to have their own electoral process**. In all intents and purposes Mr. Dutta stated, this was a very good amendment to the Constitution and in states like Rajasthan, Madhya Pradesh, Sikkim and Himachal Pradesh this amendment brought forth some very positive changes in local governance.

Mr. Dutta however went on to state that even though the 73rd amendment was a powerful amendment legitimizing the mandatory conduct of panchayat elections, after 10 to 12 years it was seen that there were many problems plaguing this system. He briefly enumerated the following points of concern regarding Panchayati Raj in India:

1. There has been a tendency to control the Panchayats, rural and urban local bodies from the top or the centre. **Real decentralization of authority** and executive power has not happened.

2. There is creeping **influence of political parties in the Panchayats** leading to a partisan bias and an unhealthy control of partisan interests on local governance. This unhealthy form of influence of political parties disrupts the natural social structure of the local communities dividing them even further. Political parties have guidelines on managing local body institutions which essentially means that they intend to capture power and control authority at the local level through Panchayats.

3. There is a form of **stagnation** in these bodies at the local level due to a **lack of real or practical executive authority**.

4. One of the **main purposes** of establishing Panchayati Raj was to give **space to under-represented**, backward and underdeveloped sections of the society, especially women, by decentralizing authority and power of governance at the local level. In practical terms, even this has been failing.

Mr. Dutta having enumerated the points of concern given above went onto state that hence it was important to **get together as a community**, a movement and a responsive electorate, to scrutinize the current system and question the political parties and the Centre on their capture of power and control at the local level. It was hoped, he further stated, that the 73rd Amendment in the Constitution would help decentralize developmental planning to the lowest level of governance. However, in practical terms, he opined, this has not occurred.

Further, he went onto say, many panchayat and local body elections are getting postponed. It **should not require a court directive to conduct these local body elections** as these are mandated by the Constitution itself. However, presently this seems to be the case. He referred to a previous session wherein it was discussed that the political parties were in defiance of a law (the RTI Act) they themselves helped create. Mr. Dutta stated that this kind of defiance is also true in the case of Panchayat elections wherein postponement of local body elections is in direct defiance of the law established by the Constitution itself. In conclusion, he stated that he was in agreement with Mr. Nikhil Dey regarding the need to come forth with a common resolution from this conference that **local body elections and their functioning is established in the manner it is mandated by the Constitution**.

Mr. Sukhvilas Verma

Mr. Sukhvilas Verma began by stating that it is important to note that through the 73rd and 74th Constitutional Amendment, the authority was given to the States to conduct Panchayat Elections. He stated that in his experience as the Chairman of the State Finance Commission of West Bengal in 2007-08 when he travelled across the country he found that **in practical terms many states had not established this structure of local governance**.

Further, he stated, it had been mandated that the 29 state subjects would be devolved to the local body institutions and their role, responsibilities and authority would be defined regarding those subjects. The roles and responsibilities should have been defined through a notification as mandated by the West Bengal Panchayat Elections Act, 2003, however that notification was never issued.

It is now seen, he opined, that these **Panchayati Raj institutions merely work as the agents of the Centre and the State**. They merely implement the schemes generated by the Centre and the State like the MNREGA and the Right to Food Act etc. Panchayati Raj institutions, Mr. Verma stated, do not have any authority or autonomy to take up their own developmental activities or projects.

Further, he stated, the state of District Planning Committees is dismal. The plans chalked up by these committees across the state reflect a **lack of any political will**. This is because there has been no devolution of work and authority to the Panchayati Raj institutions as also **limited funds are designated for these bodies**.

Mr. Verma stated that there is a tendency to call these institutions corrupt and to claim that any devolution of responsibility or authority would only increase this corruption. However, he opined that these **Panchayati Raj institutions are corrupt because of the lack of autonomy** given to these bodies. He posed a rhetorical question, "If Panchayati Raj institutions are not given the responsibility and authority to undertake their own projects, how can they be expected to be accountable?" He suggested that an overall awareness of this situation needs to be generated.

Lastly, giving the example of West Bengal he stated that through a state notification it was mandated that all activities related to developmental projects need to be conducted through the SDO and the BDO. This limits the scope of the Panchayat bodies even more. In conclusion, he stated that the current scenario is very grim and **thought needs to be given to the future of Panchayati Raj institutions.**

Ms. Pankti Jog

Ms. Pankti Jog began by stating that ever since the RTI Act had come into existence, the MAGP had tried to bring this Act to the villages. She went onto enumerate **many success stories related to the work that MAGP had done at the grassroots level**. She enumerated three points that indicate whether there is a functioning democracy:

1. Informed citizens.
2. Inclusive participation.
3. Accountability of all governing bodies to the electorate.

She stated that there cannot be functional democracy in an area where all these indicators are missing.

She went onto state that citizens at the grassroots level are not provided with any information or are provided with distorted information. Their voices are not heard and there is no mechanism for grievance redressal. Further, there is **no scope for their participation in governance** and accountability moves upwards instead of moving downwards to the citizens, with the village Sarpanch being accountable to the upper level but not equally accountable to the citizens. Similarly, no collector, BDO or MLA comes to the village to give a report on the current activities undertaken by them and thus accountability does not move towards the citizens.

Ms. Pankti stated that because of these reasons, citizens were thus **losing their faith in the whole governance system and the power they have as citizens of the country**.

Giving their experience as a part of MAGP, Ms. Pankti stated that if citizens were given the space to voice their concerns, if they are provided with information that is accessible to them and is factually correct and if there is constant support given to the citizens so they can register their complaints and can draft RTI applications, then there can be a lot of positive change.

She further said that while there is still a situation where a Dalit cannot move freely in an area where the upper caste reside and when these communities face deep social discrimination in their own villages; it is important to empower people like these through the Panchayats.

She further gave the example of an intervention undertaken by MAGP called RTI on Wheels. This was an effort to **reach the most marginalized communities with information** that relates directly to their lives and empower them to file their own complaints and RTIs to seek redressal. The program helped

reach the communities and give them the legal knowledge and training to take up their complaints with the establishments.

It was found out, she stated, that people were responsive to this kind of intervention and eager to get information and help. These interventions were directed through the Panchayats and the Panchayat members were intricately involved in disseminating information to the village. These **interventions also empowered the citizens to question social and political equations** that bred discrimination and injustice.

She concluded by stating that while there is a long way to go, as long as the **rural communities are engaged positively and given the space to voice their concerns** there would be hope for a better future.

Mr. Sudhir Pal

Mr. Sudhir Pal began by stating that it took 12 to 13 years of struggle before Panchayati Raj elections were conducted in 2010 in Jharkhand. The second term for these bodies would begin in the coming months of July and August. He further stated that while the 73rd amendment states Panchayati Raj institutions should be autonomous, in reality however, it was seen that instead of being the third tier of governance, these bodies simply **acted as an agency that implemented the schemes of the Centre and the state**. These schemes are implemented by politically motivated institutions (for example the PDS distributor is from a political party cadre) and the Panchayat bodies are asked to work with these politically motivated institutions to implement these schemes in their areas.

Mr. Pal went onto state that Jharkhand has a reservation of 50% seats for women. In the panchayat elections, 56% of the seats were won by women and especially by women from the marginalized tribal communities. As a result, women have started taking up initiatives to bring in change. They are more mobilized in leading their communities to change. Additionally, he stated, **Gram Sabhas have become more aware and alert** and as a result, **information about schemes and policies are reaching to the lowest levels** to all sections of the society. Due to the active participation of political parties, the clandestine manner in which government work was done before, was curbed.

Further, Mr. Pal stated, due to the devolution of responsibilities and work at the Panchayat level in Jharkhand, and the law giving them legitimate authority, the governance system at the local level has improved. Schemes like Swachh Bharat Abhiyan have worked effectively at the local level due to the involvement of the Panchayats.

Mr. Pal stated that the State Government tries to establish a Sarpanch Raj (Head of the Panchayat) rather than Panchayati Raj. The Sarpanch however is a rubber stamp and is simply treated like a signing authority. He concluded by stating that **it is important to strengthen the local body institutions** in order to build good grassroots governance.

Dr. Gouri P. Dutta

Mr. Dutta began by posing a question. Who empowers whom? He stated that there are two main types of institutions in local governance - Rural bodies and urban bodies. He further stated that a vast population of the country lives in the rural areas. During the freedom movement the main demand was for self-governance. However, the structure of governance established in the country after independence was one that mirrored the colonial structure. Panchayats and local governance was given no space in the original form of governance where the elite Indians sought to amass power instead of decentralizing it. It took **nine years for the Panchayat Act to be passed** in the parliament and even then these bodies were not legitimized as autonomous political institutions but merely as agents that were involved in development activities.

In 1978, he went on, it was seen that panchayats were not working anywhere. The Ashok Mehta Committee then stated that panchayats would be political bodies and it was also proposed that Panchayats would be given certain regulatory powers over traditional institutions. However, Mr. Dutta stated, these regulatory powers were not given.

Further, he stated that throughout India Panchayats were virtually non-existent and only after the 73rd amendment, Panchayats were elected through adult franchise. According to him, when adult franchise was instituted, people were not trained or made aware of how they should use their rights. On this note, he again posed the earlier question, who empowers whom. **Empowerment,** he stated, comes from the **knowledge of your capacity and your resources** and the capacity with which you can work. The problem he opined was, people were not aware of the resources they had and people did not trust the establishment or the government.

He concluded by stating that there was a need to strengthen Panchayati Raj institutions to bring in good governance.

Need to enhance transparency and accountability in political parties

Chairperson – Prof. Jagdeep Chhokar

[Panelists (left to right): Shri Ravindra Kumar (M.D. & Editor – in – Chief, The Statesman), Shri T. S. Krishnamurthy (Former CEC), Chairperson – Prof. Jagdeep Chhokar, Shri Manoj Bhattacharya (RSP), Shri Prabodh Chandra Panda (State Secretary, CPI), Shri Asim Dasgupta (CPI (M)), Shri Amit Choudhary (CPI(ML)(L))]

Mr. Asim Dasgupta

Mr. Asim Dasgupta made five key observations. First, he emphasized that the **need of enhancing transparency and accountability** needed to encompass not only political parties, but a larger framework, including the Election Commission, the Government at the Center and the States, the Press and relevant NGOs. Second, he noted that each political party has an ideology, consistent with which it has a program, from which its activities are derived. Therefore, these should not have any hidden aspects, and be communicated **transparently to all**, for instance through a website. Third, **activities require expenditures and receipts**, details of which should be made available in a clear statement to the ECI and Income Tax authorities. Also, these statements should also contain a list of crorepati elected representatives as well, citing ADR's data on the same. Further, there should be an attempt to cross check the veracity of the data, and if any inconsistencies or false statements are found, the **disqualification clause of the Representation of the People Act should be enforced.** Fourth, he held the view that **elections should be totally Government funded** in kind, with a list of permissible campaign materials. Also he reiterated his support of ceiling limit on paid news expenditure, with periodic reviews based on inflation. Fifth, he suggested, that to prevent unfair elections, the Election Commission should have **permanent staff and observers at the District and State levels**, instead of temporarily assigning officers from the state cadre for election duty. He put forth that State Election

Commissions should have the power to declare the election dates, and elections should have independent third party observers, like some credible NGOs. Finally, he suggested that now it was time to consider other electoral systems instead of the First-Past-the-Post method that is currently in force.

Mr. Prabodh Chandra Panda

Mr. Prabodh Chandra Panda noted that **money and muscle power have vitiated our current parliamentary democracy**, and various committees, administrative departments and the Election Commission have released reports giving recommendations in order to tackle this malaise. However most of these recommendations have not yet been complied with, particularly the Indrajit Gupta Committee's recommendations. He agreed that **state funding of elections was a good measure**, however funds not in cash, but in kind, for example propaganda material like posters, hoardings etc. and fuel for vehicles, posters and so on. State and Central governments need to raise funds for this. Next, he stated that all political parties need to submit their **accounts to the Income Tax authorities and the Election Commission** in a timely manner. The source of the donations, should be disclosed properly, and all collections above Rs. 10,000 should be in the form of a cheque or bank draft. He held forth that the current **First-Past-the-Post electoral system should be replaced with a proportional voting system**, citing the fact that the government at the Centre had secured only 31 per cent of the total vote, which meant that 69 per cent of the voters did not vote for them. He disagreed with the view that political parties should be under the Right to Information Act. He concluded by stating that the Election Commission was currently handicapped by having a low number of employees, and depended on the State and Central government for officers to be deputed. This was greatly hampering its autonomy and independence.

Mr. Manoj Bhattacharya

Mr. Manoj Bhattacharya considered the rising wealth among elected representatives, and noted that behind every huge accumulation of wealth, there are huge crimes as well. He stated that our **democracy was limited to casting votes once every five years**, and it was a mockery of democracy that voters did not have any right to monitor their elected representatives. He noted that democracies around the world were facing turbulent times, and governments existed only to serve the interests of an

oligarchy. Further, he observed that the paradigm of development had shifted to serve the interests of a few large industrialists and multinationals corporations. He queried whether democracy would be able to survive, when there are millions of the underprivileged are not given a voice to represent their needs.

Mr. Amit Choudhary

Mr. Amit Choudhary observed that elected representatives comprised a minority of the nations' wealthiest people. Subsequently, he wondered if they would be really concerned about the issues plaguing the vast majority of the impoverished population, especially those subsisting below the poverty line. He observed that **donations to political parties comprised of large portions of black money**. To resolve this, he stated that **State funding of elections is a must**. Also, apart from full disclosure of criminal background to the Election Commission, this data must be made **readily available and widely communicated to voters prior to elections**. He advised implementing 'Right to Recall' to increase accountability of winners. Referring to donations, he stated that even a transaction of Rs. 1000 should be in form of a cheque. Finally, he concluded that pressure must be brought upon political parties, from the outside, to enact such measures.

Mr. Ravindra Kumar

Mr. Ravindra Kumar observed that **political parties were most vocal about political reform, principally when they were not in power**. As a general rule, he felt that the political class favored opacity in electoral systems, and all others should act in counterpoint to this. He also noted that no political party had yet complied with the CIC's direction to bring them under the purview of the RTI Act. He noted that the general attitude of the political class was, that if the law did not suit them, it can be ignored. Finally, he concluded by reiterating that **the moment parties came into power, they felt a compelling need to be opaque**. Any transparency that is sought, would have to come from the voters themselves.

Mr. T.S. Krishnamurthy

Mr. T.S. Krishnamurthy concurred with the opinion that political parties changed their demeanor when in and out of power, and the Supreme Court alone had been effective in implementing reforms in the last ten years. He accepted that State funding of elections could be effective, but only if a national election fund was created for donations, whether corporate or individual. If necessary, a cess could be levied by the Central government for this. He felt that **State Election Commissions were lacking in power**, and were at the mercy of the respective State Governments. He also affirmed that the **first-past-the-post system was flawed**, allowing candidates with low percentages of the total votes to be elected. He was also critical about internal democracies in parties, referring to cases where posts in parties were not rotated, and **internal elections were opaque**. He concluded by hoping that political parties would increase internal democracy and recognize the need for immediate reforms.

Vote of thanks

Prof. Satyabrata Chowdhury of West Bengal Election Watch, who is an active member of the Election Watch team of West Bengal and acting President of Indian Association, gave the vote of thanks to end the first day of the 11th National Conference.

Prof. Chowdhury said that the first day of the National Conference jointly organised by ADR and WBEW started off with the National Anthem and inaugurated by Swami Suparnananda Maharaj who made an interesting comment by saying that the political parties created division among the people whereas the spiritual world united the people. Prof Chowdhury thanked all the speakers who participated in the four sessions apart from also thanking the audience who came from long distances whose presence made the program meaningful.

Day – 2 (22nd March,'15)

2014 Lok Sabha and Assembly elections:
Lessons learnt and future course of action

Chairperson: Maj. Gen. Anil Verma (Retd.)

[Panelists (left to right) – Shri Ranjan Mohanty (Odisha Election Watch), Shri Sudhir Pal (Jharkhand Election Watch), Dr. Amiya Samanta (West Bengal Election Watch), Chairperson - Maj. Gen. Anil Verma (Retd.), Shri Ajit Ranade (Maharashtra Election Watch), Shri Balvinder Singh (Jammu & Kashmir Election Watch), Shri Rakesh Dubuddu (Andhra Pradesh Election Watch), Shri Anil Sharma (Uttar Pradesh Election Watch)]

Mr. Ranjan Mohanty (Odisha Election Watch)

Mr. Ranjan Mohanty said that during Odisha Assembly and the Lok Sabha 2014 elections, people volunteered for various things during the campaign period. One example he gave was the **sand art on ADR & NEW on Puri Sea Beach**. He shared five major activities which were taken up by Odisha Election Watch:

1. My Vote, My Country campaign.
2. Engagement with the youth in collaboration with NSS & Odisha CEO office.
3. Collaboration with media.
4. Using RTI tool.
5. Helpline.

He specified that they mainly focused their campaign in **three major districts of Odisha** i.e. Bhubaneshwar, Sundergarh and Puri. They held meetings with women folks apart from launching auto rickshaw campaigns, awareness meetings with the youth, signature campaigns, oath taking by

students, poster campaign, F.M radios, and T.V campaign during festival times. They also had **regular engagement with the media** and organised press conferences and panel discussions.

Mr. Ranjan Mohanty stated that their affidavit analysis awareness included:

1. Support to Election Officers for EVM awareness.

2. Fostering integration among government agencies as well as civil societies.

3. Timely information sharing on candidate's profile.

4. Informed youth activity in election process not just as volunteers but as responsible citizens.

Giving a way forward on behalf of Odisha Election Watch, Mr. Ranjan Mohanty mentioned following points:

1. Mobilisation of youth and students for decriminalization of politics.

2. Electoral reforms in local body elections.

3. Regular engagement with media.

4. MLA performance assessment.

5. Study of voter turn-out in urban areas.

6. Use of RTI in getting different information.

Mr. Sudhir Pal (Jharkhand Election Watch)

Sharing the experience on behalf of Jharkhand Election Watch, Mr. Sudhir Pal stated that they carried out a massive campaign programme during Jharkhand Assembly elections. He said that the main objective behind the campaign during Jharkhand elections was:

1. How to conduct free and fair elections.

2. Eligible voter's interest and involvement in active voting participation.

3. Awareness on the issue of selling of votes/bribing.

4. Increase voter turn-out during elections.

5. Propagate through various mediums the "Right of the voters to know".

6. Engagement with the CEOs and DEOs.

7. Urging political parties to reduce money and muscle power.

8. Workshops cum discussion with youth about their issues in election manifesto for voicing their demands.

9. Agenda dialogue with the representatives.

Mr. Sudhir Pal also shared his **experience on media advocacy** that was conducted during the elections. Their work included the following:

1. Regular articles in media carrying ADR's data in English and Hindi.

2. Live phoning programme on T.V. Approximately 2500 phone calls came on different issues.

3. Toll free number was widely published and used by the voters.

4. Continuous media coverage of campaigns.

5. A total of five press conferences were held during the campaigning time.

6. "Jharkhand ka Naxtra" live programme on candidate's profile on Naxtra T.V.

7. Based on Lily Thomas judgment, one MLA nomination was rejected/disqualified.

8. Filed reports with the use of ADR data.

In conclusion, Mr. Sudhir Pal gave details of the **outcome of the campaign** that was conducted by the Jharkhand team. This included:

1. Travelling in 32 assembly constituencies, the team was able to reach 2 lakh people.

2. More than 10,00,000 signatures were obtained for ethical voting.

3. 10,000 cm square column space was devoted by print media for the campaign.

4. 90 hours of T.V programme were conducted.

5. There was an innovative "campaign on wheels" where in three local trains in Jharkhand were used by volunteers for their campaign on ethical voting in collaboration with the railways.

Mr. Sudhir Pal also shared the impact of the activities that were being carried out by the Jharkhand Election Watch. He pointed out that **due to their campaign and advocacy**, there was **an increase in the voting turn-out by 9%**. One nomination was rejected based on the ADR & NEW report. Because of the campaign, around 2000 liquor bottles and approximately Rs 4 crore were seized.

Dr. Amiya Samanta (West Bengal Election Watch)

Dr Amiya Samanta said that law and order situation was different in West Bengal and hence during elections, their main effort was to implement the "Rule of Law". He mentioned that Central Security Forces were deployed in booth areas. As a result of this there was a peaceful atmosphere during elections. Dr Samanta also informed that West Bengal Election Watch team had been successful in generating public awareness. He said that the print media in West Bengal is not as alert as the electronic media. He stated that the West Bengal Election Watch transmitted **awareness about myneta through mobile phones**.

Political parties appoint candidates with winnability factor. He pointed out was that we need to have a practical approach as far as the criminal candidates are concerned. He said that we need to distinguish between crime and its seriousness. The question is- How to identify a criminal? He also concluded by saying that the West Bengal Election Watch team is motivating everyone to vote and also creating awareness among the masses and educating them to choose the right person.

Dr Ajit Ranade (Maharashtra Election Watch)

Dr Ajit Ranade said that Maharashtra is the second largest state in India with a population of about 11 crores. Maharashtra is officially 55% urban and un-officially he quoted, it is even more than 60% urban. He pointed out that during the period 2014-2015, the State of Maharashtra saw two elections i.e. Lok Sabha elections and Maharashtra State Assembly elections and this time the voter turnout was higher. He also pointed out that in Maharashtra problem of voting is usually in urban areas.

Dr Ranade stated that the Maharashtra Election Watch conducted a **state-wide survey in 35 districts** of about 25-27 thousand voters. It was named as "**Intensive voter survey**" which roughly cost around Rs. 50 per respondent. **Fund for this campaign were generated locally**. The survey resulted in a rich data set on the issues of governance.

He mentioned that the Maharashtra Election Watch also conducted a **3 minute video campaign** where in the candidates were allowed to speak on whatever they wanted to say without any questions being asked in between. In places, where videos could not be made available, audios were used. In the end, he stated that, the Maharashtra Election Watch team carried out a **comparative analysis of the candidates of 288 constituencies** and conveyed this to the public.

Mr. Balvinder Singh (J&K Election Watch)

Mr. Balvinder Singh stated that in J&K, criminalization of politics is not a major issue but the **use of money power** is a bigger problem. He said that during elections, J&K Election Watch **engaged volunteer students and conducted voter awareness workshops**. He also pointed out that during the campaign, they learnt that people of J&K did not realise the importance of their vote. Therefore, the J&K Election Watch team had worked on this aspect with the slogan "Your vote can bring a change". They also conducted an auto poster rally which turned out to be quite successful.

Mr. Rakesh Dubuddu (Andhra Pradesh/Telangana Election Watch)

Mr. Rakesh Dubuddu stated that due to the issue of bifurcation in the states of Andhra Pradesh and Telangana, other issues just slipped aside. It was the first election after bifurcation therefore, it overshadowed all other issues. He said that in the year 2014, the voting percentage was around 75% and there was an active participation of young people during the elections. The election office of the state also issued online forms.

Mr. Dubuddu said that Andhra Pradesh has a **notorious reputation of an increasing role of money power in elections** and stated this problem has not yet diminished. One of the positives, however was that a lot of money was seized since a lot of money was spent. Their Election Watch team also carried **Padh yatra in 5-6 constituencies**. He said that media in the state was quite supportive. One concern that he pointed out was that the local media in the state was not quite receptive to our data. He said that their state also saw a lot of young candidates contesting, 68% of the candidates in the state were below 50 years of age.

Mr. Dubuddu shared following lessons that their team learned during the campaign:

1. Criticism from some quarters about categorizing the criminal cases booked during statehood agitation.
2. Issues highlighted seemed to have greater appeal with the urban voters.
3. Need to customize message depending upon the audience.

Mr. Anil Sharma (U.P Election Watch)

Mr. Anil Sharma said that during Lok Sabha elections, the **U.P Election Watch team covered 23000 km in 40 constituencies**. He said that their campaign was on *"Clean and Clear candidates"*. He stated that their objective was to have 1 lakh volunteers to be associated with U.P Election Watch by 2017. He pointed out that U.P Election Watch team used a video van medium with the slogan "Ache ko chune, Sache ko chune". He also shared that due to their campaign, Atiq Ahmed lost elections.

Ms. Mashqura Fareedi (National Election Watch)

Ms. Mashqura Fareedi briefed all present regarding the planning and conduct of the National Election Watch campaign for the Delhi Assembly elections held in December, 2013 and the Lok Sabha elections held in April-May, 2014.

She said that a planning meeting was arranged in mid-2013 to strategize the Election Watch process for Assembly and Lok Sabha elections in collaboration with representatives from National Election Watch. ADR and NEW launched a nation-wide Campaign titled '**Mera Vote Mera Desh**' for the Lok Sabha elections with the objective to reduce the influence of crime and money in elections. The Campaign rolled out in different parts of the country, urged voters to "vote for clean candidates" and not yield to inducements during elections ("don't sell your vote"). As part of the Campaign, a gamut of activities were initiated in all states including awareness drives with community based organizations, colleges and universities, media campaigns using print/electronic media, social platforms like Facebook and Google, street plays etc. The Campaign was endorsed by a number of celebrities (local and national) whose messages to voters were relayed using various media. Information on contesting candidates were provided to citizens through Press releases, toll free Helplines, SMS services and out bound bulk calls.

Ms. Fareedi also stated that the partners across the states undertook extensive campaigns to spread awareness regarding the need for a clean, transparent and accountable polity. The Mera Vote Mera Desh Campaign was spearheaded by the National Election Watch coordinators in almost every state in active collaboration with the Election Commission, civil society organizations, educational institutions, NSS, women's groups and various community based organizations.

The Trustees and Head of ADR along with the State Coordinators in states were invited to various talk shows/discussions on national and regional TV channels. They also participated in different Conferences and Seminars across the country on issues of elections and reform.

To solicit the support of various individuals for the Campaign, ADR also wrote letters to the individuals from various sections of the society informing them about the 'Mera Vote Mera Desh' Campaign and requesting their support towards decriminalization of politics and reducing the impact of money in our democracy.

ADR undertook a massive outdoor campaign across the country covering 81 major cities where the above messages were displayed through posters featuring Aamir Khan in buses, ISBT bus depots, railway stations, metros and autos.

ADR and NEW collaborated extensively with the media as part of the Campaign and achieved the following:

- **TV Channels:** With IBN7 ('Mera Vote Meri Sarkaar' Campaign), Zee Media ('Aapki Vote Aapki Taqat'), NDTV (for its web and Mobile applications) for the Assembly elections held in 2013 as well as the Lok Sabha 2014 elections with the purpose of providing information on contesting candidates to the voters.

- **Google:** Google India collaborated with ADR on its initiative to launch its election page (https://www.google.co.in/elections/ed/in/districts) where it sourced data on candidates from ADR.

- **Facebook:** ADR was approached by Facebook to collaborate on its initiative towards voters' awareness for the Assembly elections in Delhi, Chhattisgarh, Rajasthan, Madhya Pradesh and Mizoram. The collaboration, through which information on contesting candidates was made available through an easy to use, free of cost USSD platform, continued for the Lok Sabha elections as well.

- **Celebrity Videos**: A number of videos in twelve different languages with short messages from well know film, TV and sport celebrities were made encouraging voters to vote for clean candidates, not to sell votes and to vote for 'NOTA' in the event of not finding any suitable contestant. ADR also collaborated with **The Viral Fever**, India's first Online Youth Entertainment Network to make short films on voters' awareness targeted towards youth.

- **Cinema Halls:** Videos of Aamir Khan on ethical voting were projected in 911 cinema theatres across 43 cities in the country, for 7 days in each theatre 6 days prior to the polling date.

- **Cable TV:** The messages were also broadcast through cable TV in 20 cities (7 states) in collaboration with 9 cable networks (including regional language channels) for 15 days. In West Bengal, the broadcast lasted a month.

- **FM:** Aamir Khan messages were broadcast in 36 cities for 15 days through 36 radio stations (including local FM channels and 93.5 Red FM).

- **SMS Campaign:** the SMS campaign included the PUSH service where 2 crore messages with background details of candidates were sent out to citizens a few days prior to polling. PULL SMS service was also active which allowed citizens to access the criminal, financial and educational details of contesting candidates on their cell phones. At peak periods during the Lok Sabha Campaign, ADR received up to 35,000 requests on the PULL service.

- **Out Bound Calls:** Bulk calls were also made to citizens with Aamir Khan's voice message urging people to make an informed choice.

- **Missed Call Number:** A facility to give a missed call to certain numbers was also provided. Upon receiving a missed call, an out bound call was given to the caller's number with Aamir Khan's voice message followed by a request to feed the pincode to get information about contesting candidates of the area. Upon receiving the pincode information, an SMS with the background information of contesting candidates was sent.

- **ADR Anthem '***Woh Waqt Kabhi Jise Aana Tha'***:** ADR in collaboration with Harpreet (well known Sufi musician) and Gaurav Raturi (founder of Filmbooth), composed an anthem song for the **Mera Vote Mera Desh** campaign. The song focused on the issue of criminalization and the need for citizens to make an informed choice. It was shared widely in the social network. The song can be found here: https://www.youtube.com/user/adrspeaks

- **'Satyamev Jayate':** ADR also featured on Satyamev Jayate's television episode on 'Criminalization in Politics' telecast on the 30th March 2014 urging viewers to take a pledge to vote for clean candidates and not to sell their vote. Satyamev Jayate is Bollywood actor Aamir Khan's philanthropic venture in collaboration with Star TV.

Media Neutrality and its Significance in democracy

Chairperson: Dr. Vipul Mudgal

[Panelists *(left to right): Shri Sharad Gupta (Dainik Bhaskar, Editor, Political Affairs), Shri Snehashish Sur (Senior Journalist, Doordarshan Kendra, Kolkata),* Chairperson *- Dr. Vipul Mudgal, Shri Siddharth Varadarajan (Senior Journalist, Editor & Academician), Shri Suvojit Bagchi (The Hindu, Bureau Chief, Kolkata)]*

Dr Vipul Mudgal

Chairperson of the session welcomed the four eminent panellists, and requested those partners of Election Watch who also conduct conferences to include representatives from the media as a part of the analysis of the society. He stated that the **media played a very important role in mediating such as how elections are mediated**, which is the current topic of discussion. He emphasised that media should be included as a mainstream player in conference and seminars.

Mr. Snehashish Sur

Mr. Snehashish Sur said, ADR and WBEW's pre- and post- election analysis are very useful for media houses as they cannot afford to do it individually. He stated that ADR has the material and Media has the carriage to reach out to the last mile so a partnership between the two is very important for the dissemination of information. Agreeing with Dr Mudgal he said, we need **inclusive media as social activism is incomplete without media** as it transmits the message to the grass root level.

Mr. Sur said media is called the 'Fourth Estate,' but unlike the three other estates, there is no homogeneity in the structure of media. He explained, for the Legislative, the person is directly or indirectly elected by the people, similarly in the Executive and Judiciary machineries, people know the hierarchy and how to reach the top position. Though the responsibility has been given to the Fourth Estate but the society has not given a structure to it.

He said, journalists are heftily paid, those covering national and international events are well taken care of but reporters at the lower rung have to struggle for their survival. Talking about the ownership of media houses, he said, it's the media house owners who are calling the shots and most of the big media houses are controlled either by big corporates or publication houses. Since the mainstream media's main focus is only on profit maximizing that is why there is an **absence of fair, balanced and objective coverage** today. Media is not at all objective or neutral because of its **business interests and has also leaned towards political parties for its own existence** and furtherance.

There are election codes for the media and it is observed in letter and spirit only by the public service broadcaster, whereas most of the other media organizations do not follow it. He cautioned that there is a **need to relook the existing election codes for media**. The codes should be pragmatic and suit the situation because certain codes are very difficult to be followed and can lead to existential crisis.

Mr. Sharad Gupta

Mr. Sharad Gupta said it goes without saying that **unless media is honest and neutral democracy cannot function properly**. He said that people take media reports as gospel truth, especially in the rural areas. Media had a lot of credibility in the past but the scenario is fast changing today. Both newspapers and news channels are now publishing/broadcasting 'coloured/biased' reports and all **media houses display openly leanings towards a political party** or a person. There is no neutrality or transparency in the news reports and even common people know which media houses work for which party.

He stated that every person is entitled to his/her own ideological leanings but someone's **personal beliefs should not reflect in their news reports**. News and views are two different things and if both of these merge, it creates a dangerous situation.

Like US, in India also most of the major media houses will soon be monopolised by some big corporate houses, soon it will be very easy to create "selective media hype" and build selective mass opinion in favour/ against a person or party.

The credibility of journalists has surely reduced a lot in the past few years, and now the **focus has shifted from journalists to media owners**. Thus there is an urgent need to debate as to how media neutrality can be maintained in today's scenario.

Mr. Suvojit Bagchi

Mr. Suvojit Bagchi talked about the reality of grass root level or rural media reporting and how rural area is being ignored and information is omitted deliberately in favour of some powerful people, parties and organizations. He informed that **reporters in rural areas are not paid by the Media houses,** but are asked to collect money from corporate houses and they get some percentage of that money in return. Hence, in return of these financial donations, the malpractices and corruption which corporate houses indulge in, goes unreported.

Most of the mainstream journalists/media houses are not interested in the activities of rural areas despite over 70% of the Indian population being in villages. Thus in the mainstream journalism, there is a **huge rural disconnect and rural India is not being covered properly**. There is an urgent need to find ways to address this issue.

Mr. Siddharth Varadarajan

Mr. Siddharth Varadarajan said that **ideally media should do neutral, informative, free, fair, unbiased and factual reporting of elections and other democratic processes**. It should also highlight burning issues of the day and raise the public awareness to make sure that elections are fought on issues not anything else. Media should also be vigilant during elections and report electoral malpractices and keep a sharp eye focus on corruption taking place at any level of elections. Media should also focus on the need for innovation, change and reforms in India's democratic system.

However, he stated that unfortunately, the **vast majority of media houses do not play these roles**. Talking about the 2014 Lok Sabha elections, he said it was a high watermark in media's departure from neutrality. He felt that media had deliberately did the selective image making of one person's candidature forgetting its responsibility to do neutral, factual and fair reporting. This had been done by media many times in the past as well. He emphasized that as a correspondent, one may hate or admire one party or person, but while writing a report, one should only talk about facts.

He also talked about the new trend of 'Editorialising' of reports or contents, which is actually an act of reporters and anchors taking sides on a particular issue. He said this is quite prevalent in the media reporting today and it is very unfortunate that the **lines between presentation of news and views have completely blurred.**

Talking about the issue of 'Selective Vigilance' by Media, he said there is a lot of focus on last mile corrupt practices, like seizure of cash and liquor, during elections but no journalists bother to ask when the political parties tell ECI that a **vast majority of their donations or fund collections have come in the form of cash. This needs to be investigated.**

Media should also throw its weight behind issues like **imposing a ceiling on political parties' election expenditure** or the national political parties' **refusal to comply with CIC's order** of bringing them under the ambit of RTI.

While concluding, he stated that there is a **need of much greater transparency** in election related advertisements in newspaper and on news channels. Media houses must declare who has paid for the advertisement party, candidate or any other corporate house or individual. A **ban on both digital and print media advertisement** 24 hours ahead of the polling is recommended as presently only news channels face this ban and not the print media.

Conclusion

Concluding the session, the Chairperson Dr Mudgal stressed on the following points:

1. Today's society is becoming increasingly a "mediated society" where we do not go to the reality but reality comes to us every day on television.

2. Our consumption of politics is becoming more and more second hand. We don't consume politics directly by taking part in dharnas, rallies or other such activities but we get all the information via the media only.

3. Because we do not go to the reality, it is being "enhanced" or "distorted" deliberately and purposefully by the media houses for their business interest or political connections. Thus there is a case for serious and deep media research on the issue.

4. There has been an **unprecedented rise in demagoguery**, political spin, spin doctoring, impression management, image management, so we find that good can become bad and bad can become good. Media creates enemies, villains, heroes and celebrities and also destroys the same when needed.

5. Today politics is a brand, political leaders are a brand and the parties and candidates spend a lot of money on the making of a brand and media is profiting immensely from this.

6. Media is steering public opinion with the help of very sophisticated technologies, survey, lies and half lies.

Hence, it is quite obvious that "neutrality," which is the very basis of a news report, is totally absent in today's scenario. Except a few journalists or media houses, most of the media organizations are gaining huge benefit by indulging in above mentioned actions. He urged all to look at media in the new light and not just for finding friends or enemies. Media should be seen from the perspective of a mediated society in which the politics is consumed second hand and brought to us in a distorted manner.

He asked all to follow the slogan, "Media ko khabar denge aur Media ki khabar lenge."

Resolutions and 'Next steps for NEW'

Prof. Trilochan Sastry, Founder Member and Trustee, Association for Democratic Reforms and National Election Watch, highlighted the following issues which were deliberated upon during the proceedings of the conference:

1. **Abrogation of responsibility by the CIC in its 16th March, 2015 order**

On this matter the assembly urged the CIC to take *suo motu* action to correct this grave mistake which puts the existence of the RTI Act under threat and the very foundation of democracy at risk.

2. **Non-compliance by the Political Parties of the June 3rd, 2013 CIC judgment**

The assembly expressed its disapproval at the continued defiance of the law by the political parties by not appointing CPIOs and showing complete disregard of the CIC order dated 3rd June, 2013 which classified the National Political Parties as a 'public authority' thereby bringing them under the purview of the RTI Act.
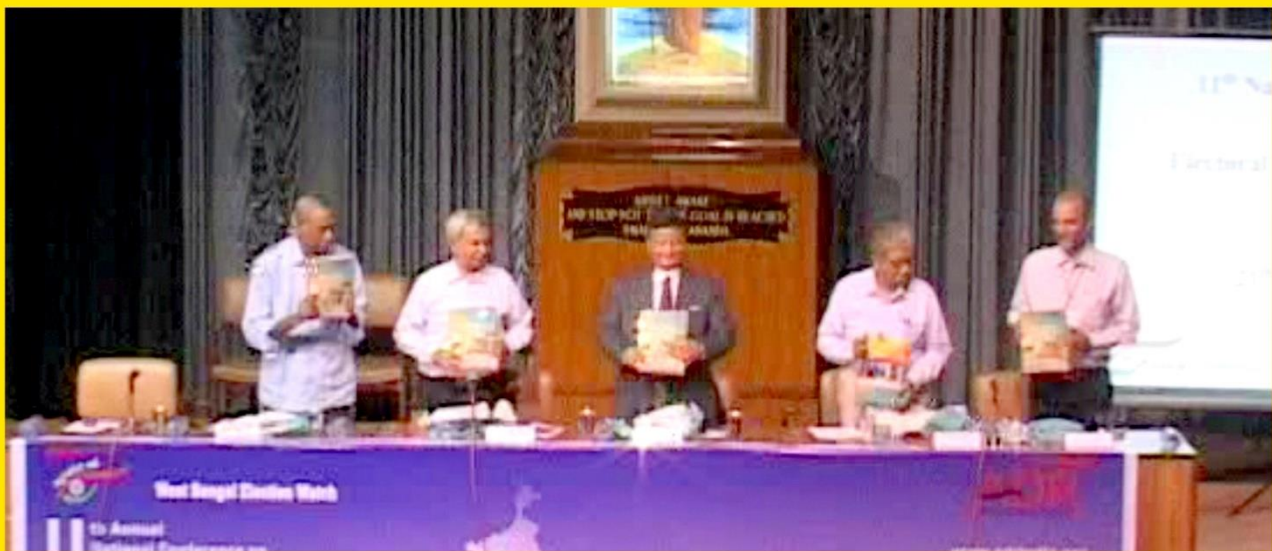
3. Black money in politics

ADR and NEW resolved to work on both the supply as well as demand side of this issue by:

• Increasing transparency and accountability in the funding and expenses of elections through strategic litigation like the petition pending at the Delhi High Court on the Election Expenditure of Political Parties.

• Increasing the use of technology like the Election Watch Reporter to track election expense monitoring.

• Generating awareness at the grassroot level on the issue of black money in politics and the opaque financing of political parties to mobilize public opinion on the issue.

4. State Partners

The assembly also accepted the suggestion to arrange regular meetings between ADR and its State Partners to formulate strategies and action plan for the future and to exchange experiences.

Photo Gallery

ADR team and State Coordinators and Partners at the lawns of Ramakrishna Institute of Culture, Golpark, Kolkata, 20th March, 2015

Agenda

21st March 2015 (Vivekananda Hall)

9:00 – 10:00	Registration
10:00 – 10:30	Lamp lighting National Anthem (Chief Guest: Shri H. S. Brahma, Chief Election Commissioner) **Inauguration & Welcome Address:** Prof Trilochan Sastry (ADR/NEW), Shri Biplab Halim (WBEW), Shri Chittotosh Mukherjee, President, WBEW & Ex-Chief Justice, Kolkata & Mumbai High Court and Swami Suparnananda Maharaj, Secretary, RKM, Golpark
10:30 – 11:00	**Address by Shri H. S. Brahma, Chief Election Commissioner, Election Commission of India** Chairperson – Dr. Ajit Ranade **Book release** – Report on the Lok Sabha elections, 2014
11:00 – 12:15	**Making flow of money in politics transparent: a case for good governance** Chairperson: Prof. Trilochan Sastry Panelists: Shri Shailesh Gandhi (Former Information Commissioner), Shri P. K. Dash (Director General – Expenditure, ECI), Shri Nikhil Dey (NCPRI/MKSS), Shri Paranjoy Guha Thakurta (Journalist and political commentator), Shri Subhash Chandra Agrawal (RTI Activist)
12:15 – 13:00	Open Session
13:00 – 14:00	**Lunch**
14:00 – 15:00	**Time to build a functional democracy: Empowering local body institutions** Chairperson – Shri M.N.Roy Panelists: Shri Sukhvilas Verma (INC, IAS Retd.), Dr. Gouri P. Dutta (WBEW, former member, State Planning Board, former MLA), Shri Nikhil Dey (NCPRI/MKSS), Shri Sudhir Pal (Manthan Yuva Sansthaan, Jharkhand), Ms. Pankti Jog (MAGP), Shri Chandan Dutta (WBEW)
15:00 – 15:30	Open discussion
15:30 – 16:30	**Need to enhance transparency and accountability in political parties** Chairperson – Prof. Jagdeep Chhokar Panelists: Shri T. S. Krishnamurthy (Former CEC), Shri Manoj Bhattacharya (RSP), Shri Prabodh Chandra Panda (State Secretary, CPI), Shri Asim Dasgupta (CPI (M)), Shri Amit Choudhary (CPI(ML)(L)), Shri Ravindra Kumar (M.D. & Editor – in – Chief, The Statesman)
16:30 – 16:50	Open discussion
16:50 – 17:00	Vote of thanks : Prof. Satyabrata Chowdhury, WBEW
20:00 onwards	Dinner

22nd March 2015 (Turyananda Hall)

09:00 – 09:30	Registration
09:30 – 10:45	**2014 Lok Sabha and Assembly elections:** Lessons learnt and future course of action Chairperson: Maj. Gen. Anil Verma (Retd.) Panelists – Shri Sudhir Pal (Jharkhand Election Watch), Shri Ranjan Mohanty (Odisha Election Watch), Shri Anil Sharma (Uttar Pradesh Election Watch), Shri Ajit Ranade (Maharashtra Election Watch), Shri Rakesh Dubuddu (Andhra Pradesh Election Watch), Shri Balvinder Singh (Jammu & Kashmir Election Watch), Dr. Amiya Samanta (West Bengal Election Watch)
10:45 – 11:00	Tea
11:00 – 12:00	**Media Neutrality and its Significance in democracy** Chairperson: Dr. Vipul Mudgal Panelists: Shri Siddharth Varadarajan (Senior Journalist, Editor & Academician), Shri Sharad Gupta (Dainik Bhaskar, Editor, Political Affairs), Shri Suvojit Bagchi (The Hindu, Bureau Chief, Kolkata), Shri Snehashish Sur (Senior Journalist, Doordarshan Kendra, Kolkata)
12:00 – 12:30	Open Session
12:30 – 13:00	**Resolutions and 'Next Steps for NEW'** Chairpersons – Prof. Trilochan Sastry and Shri Biplab Halim
13:00	**Lunch & Dispersal**