

Constituencies may be frozen till 2011

By Our Special Correspondent

NEW DELHI, DEC 5. A political consensus appears to have emerged that for the moment the total number of Lok Sabha constituencies should be frozen not till 2026, as earlier proposed by the Government, but till 2011.

A decision was taken today at a meeting of the Business Advisory Committee of the Lok Sabha after a thorough discussion on the issue. It seems that the Congress, represented by Mr. Madhavrao Scindia, had some reservations. He was reported to have suggested that perhaps the total number

9-6/2011
of constituencies in all States could be increased without disturbing the present proportion, to make the constituencies more manageable.

However, Mr. Pramod Mahajan, Minister for Parliamentary Affairs, managed to clinch the issue by suggesting a compromise, that the total number of constituencies be frozen till 2011, that is till the next Census, rather than till 2026 as was proposed earlier.

The 91st Constitution Amendment Bill which will make this possible is expected to be introduced in the Lok Sabha on December 12. It is reported that Mr.

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Scindia said he would consult his party before giving the Congress' final approval to Mr. Mahajan's proposal.

Mr. Arun Jaitley, Minister for Law, was also present at the meeting chaired by the Speaker, Mr. G.M.C. Balayogi. He explained the urgency to put this legislation in place — after Parliament approves the Bill it will have to be ratified by at least 50 per cent of the States, the existing law freezing the number of seats till 2000 would have to be repealed, and finally a delimitation commission set up to redraw the boundaries of

12/12
constituencies within each State.

The question of increasing the number of Scheduled Caste/Scheduled Tribe seats in proportion to their numbers according to the new Census could also be looked at.

Others present at the meeting were the Deputy Speaker, Mr. M. Sayeed, Mr. Roopchand Pal (C.N.-M), Mr. Yerran Naidu (T.D.), Mr. Vaiko (MDMK), Mr. P.H. Pandian (AIADMK), Mr. Akhilesh Singh (SP), Mr. Sudip Bandyopadhyaya (Trinamool) and Mr. Anand Cethe (Shiv Sena).

THE HINDU

5 DEC 2000

Elections in the U.S. and India

AS ONE goes through the days of the escalating high voltage drama of the United States Presidential elections involving the candidates, their advisers, Federal and State judiciary, famous lawyers, election officers, country boards, unhappy voters and a bemused world, it is tempting to make comparisons with another country which has for 50 years stubbornly held on to its democracy, and to see how the major features and themes involved in the U.S. would be played out in India.

Some distinctions — India does not follow the presidential system; it is a parliamentary democracy, and its voters cast their ballots for political parties represented by their candidates for the 540-member House of the People. The leader of the party in the majority becomes the Prime Minister, the nation's executive head. Second, India has a national Election Commission, a body created by the Constitution which protects the Commissioners from removal. The Commission is a permanent body and manages the election process all over the country. Members of political parties do not have a role in the conduct and certification of elections. Civil servants are barred by law from political affiliation; if drafted for election duty, they are under the control of the Commission. Accustomed to this rigid separation between the election authority and politicians, Indians are bemused to find Republicans and Democrats virtually running the main levers of the system, as exemplified in Florida, and would think it a recipe for partisanship and conflict. Third, in an Indian election the process and its components are standardised; there would be no question of having a differently designed ballot paper. As for the machine v human debate, the latest in the Gore/Bush series, a near universal use in India of paper, eye and hand for the vote and count is slowly being replaced by electronic apparatus. The wisdom of this may now have to be reviewed.

Political maturity

If we take into account India's vast population exercising universal franchise, its far-flung areas, remote villages, multiple parties and candidates, one must concede that its Election Commission has done a pretty good job in handling the five-yearly general elections and a few mid-term ones. However, the major credit-takers are India's voters, most of who are poor and barely literate. Time and again, they have shown that they take their democracy seriously, vote in large numbers, and possess a remarkable degree of political maturity and discernment

If we take into account India's vast population exercising universal franchise, its far-flung areas, remote villages, multiple parties and candidates, one must concede that its Election Commission has done a pretty good job in handling the five-yearly general elections and a few mid-term ones. However, the major credit-takers are India's voters, most of who are poor and barely literate.

evidenced by frequent rejection of the corrupt, inept and breakers of election promises. By contrast, the relatively low turnout in the U.S. comes as a surprise. Another interesting aspect is that in India it is the poorer lot who display the most interest and have the highest turnouts in elections. On the negative side in India is increasing violence, booth capturing, and corruption and voter impersonation. The United States seems to be relatively free of this. One other point about an Electoral College. It would never work in India. At times of crucial legislative votes, Indian political parties in some States not known for best constitutional practices have ferreted key legislators and kept them in captivity, to be produced at the eleventh hour for voting. Absent a rigid rule that members of the Electoral College have no business to change their voting mandate, there will be blandishments and tempting offers ensuring high grade multi-generation prosperity for floor-crossing.

India's media has always played a strong role in its elections. Newspapers, especially in the local languages, extensively cover political and electoral news and stories. Till not so long ago, television existed in the lone presence of Doordarshan, a network wholly owned, controlled and supportive of the government in power. Since everyone knew that, no attention was paid to it. However, with increasing privatisation there are several networks, including some international ones, and these turn out fairly slick programmes forecasting trends and covering elections. They haven't so far taken it upon themselves to blur the difference between the results of the count and their predictions. Hopefully, they will learn a lesson from the dreadful muddle the U.S. newscasters landed themselves in on the night of November 7.

The Indian Election Commission frowns upon exit polls, taking the view that this may influence voters going to vote at a later time or day. This seems quite reasonable; a few more hours to get the actual results should not matter so much, especially in a country whose concept of time easily stretches to

take in millenniums, and occasionally borders eternity.

However, it is in the process of resolving the conflicts over ballot validity that we would see dramatic differences between the two democracies. In India, the national Election Commission would decide such disputes. It has shown little hesitation in ordering recounts, and less frequently, repeat polls, when the facts reveal distortion of the electoral process. And if it does not, anyone familiar with India's robust public interest law and litigation would bet that within hours of the problem surfacing, a petition would be filed in the country's Supreme Court. Issues involving breach of fundamental rights and constitutional protection can be brought directly to the Supreme Court. Few matters can be as important as the election of the nation's government, and it is a fair assumption that the Court would exercise its discretion to take on board the case and proceed to hear it. That would set the scenario for an interesting reversal of Finley Peter Dunne's quip that "the Constitution follows the flag; and the Supreme Court follows the election returns."

Basic structure

While it is hazardous to predict what a Court may decide, some indications arise from the consistent view taken by India's senior Justices that in matters of public importance, form and procedure must yield to substance and justice; the more important the issue, the greater force for this maxim. The Court has fashioned the doctrine of the basic structure of the Constitution, and held that it is immune even from constitutional amendment. Free and fair elections, the Court has said, is an important part of this basic structure. Given such law, the Court would have little difficulty in holding that where the facts reveal a substantial failure of the electoral process, corrective action is called for, especially when the issue in controversy would have a decisive bearing on the final outcome of the national poll. Relevant in this connection is a maxim of elections — that the ballot paper should be designed to facilitate easy and uncomplicated marking of the

candidate of the voter's choice. A defectively designed ballot paper combined with complaints of confusion from a sizable number of voters could well lead to an inference of a flawed process requiring remedial action. The test to be applied is not whether a clever voter can understand the ballot paper; rather it is whether a not so clever citizen can misunderstand it. Other significant instances of voter intent not being counted, due to pre or post ballot bungling by officialdom, would further nudge the judicial mind towards relief and remedy.

Verdict

The presence of someone like Ms. Kathleen Harris, with obvious overtones of partisanship, being in a crucial determinative position would have disturbed the Court. As an aside, while oral evidence is rare in the Supreme Court, it is not unknown; and it would have been interesting to see Ms. Harris being cross-examined by Mr. Boise, who is reputed to have given Mr. Bill Gates a harrowing time in the box. Of particular interest would be Ms. Harris' understanding of the use of discretion; one of her statements setting out her position of non-intervention and making mention of an act of God seemed to indicate that unless the Almighty personally intervened for Mr. Gore, she was not going to budge. By comparison, to the credit of Governor Bush (the Florida one), there is hardly any allegation that he would influence the result. In an Indian setting, much would have been made of the fact that the Government of Florida is the brother of the Republican candidate.

The early intervention in the controversy of the country's Supreme Court has some advantages. It ensures an early result and avoids protracted litigation, ruinous to candidates and country. It brings a verdict and solution from the one institution that commands great respect and credibility. Issues and times such as these desperately need public men and women who will be, and be seen to be, free from partisan considerations; who can rise to the task of matching fact and principle and national interest and finding a solution with these guides alone. It is a sad and sobering comment on a democracy when it cannot easily find such men or women in its political and public spheres. Perforce it must turn to a Court, for at least the framework of that institution is designed to obtain and exhibit these qualities.

• SRIRAM PANCHU

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Why polls in India are superior to the U.S. elections

By K. K. Katyal

ND-14 22/11

NEW DELHI, NOV. 21. Some call it archaic, others defend it to the hilt. Some find it complicated and baffling, according to others it is flexible, suited to the needs of a vibrant democracy. The U.S. electoral system has evoked conflicting comments not only within the country but also in distant lands. Because of the neck-and-neck fight for the presidency between the Vice-President, Mr. Al Gore, and the Texas Governor, Mr. George W. Bush, the election process and its mechanisms have attracted world-wide attention. The focus on the poll machinery would not have been that close, had one of them emerged a clear winner with a decisive lead.

It was natural for us in India, who have operated the most elaborate poll machinery covering an electorate, the largest in the world in size, diversity and spread, to indulge in a comparative analytical exercise, to point out the superiority of our process and to al-

low ourselves a measure of gloating. Even a cursory look at the two systems reveals glaring differences. One, we have a central election authority and uniformity in procedures. Under the Constitution (Article 324), the "superintendence, direction and control" of the conduct of all elections — Parliament, State Legislatures, for the offices of President and Vice-President — is vested in the Election Commission. Then there is the unified set of laws, the Representation of Peoples Act and the rules made thereunder. In the U.S., the central electoral authority is conspicuous by its absence, with each State having its own laws governing the conduct of election. There is, thus, no uniformity.

Two, the difference in practices, adopted by the States, manifests itself in curious ways in the U.S. In India, there is one returning officer and one ballot paper for the presidential election and, for the Lok Sabha contests, each constituency, howsoever large and unwieldy, too, has one ballot paper —

the same type, the same font and, of course, the same serial order of the candidates. In the U.S., the ballot papers vary from State to State — in some cases, from county to county. Three, we have uniformity about the voting machine — it is the same wherever electronic voting has been introduced. We did not have any problem in enforcing uniformity. When the voting machine was first used — in a Kerala Assembly constituency, Parur — the election was set aside by the court. Later, however, voting machine secured judicial acceptance. Election officials and technical authorities got together to evolve one, common, fool-proof machine. Not in the U.S.. There in some cases, the machines are 120 years old, elsewhere it is the state-of-the-art equipment. Some parts still use ballot papers.

Four, in India, election officials, as indeed the bureaucracy as a whole, at all levels, is barred from having political affiliations: in the U.S., election officials, at times, are seen

wearing their political labels on their sleeves, as it were. In Florida, for instance, where the conduct of poll has acquired crucial significance, the top official in charge of elections — the Secretary of State, Ms. Katherine Harris — is perceived to have known political affiliations, with the result that the Democrats described her decisions politically partisan. The case is now with the State Supreme Court and tongues have been wagging about the political loyalties of the seven judges.

In a digital video conference, the other day, journalists in Los Angeles and Washington queried a recognised expert on the working of the American Constitution, Prof. Howard Gillman, on issues arising from the current election. "Under our system," he said, (according to U.S. Information Centre release here) "the States are free to select, as they wish, the mechanism by which (the presidential) electors (constituting the electoral college) are appointed."

EC can make public candidates' background

Our Political Bureau
NEW DELHI 2 NOVEMBER

IN A major step towards checking the criminalisation of politics, the Delhi High Court, on Thursday, ordered the Election Commission (EC) to disseminate through the media, information about the criminal background of candidates in parliamentary and Assembly elections.

The judgment, delivered by a bench comprising Justice Anil Dev Singh and Justice M.K. Sharma, also called for providing the electorate with details about the assets possessed by the candidates, their spouses and dependent relations, facts giving insight into their competence, capacity and suitability, besides laying down their educational qualification.

The EC, which has been pushing for an amendment in the Representation of Peoples Act to bar candidates with criminal histo-

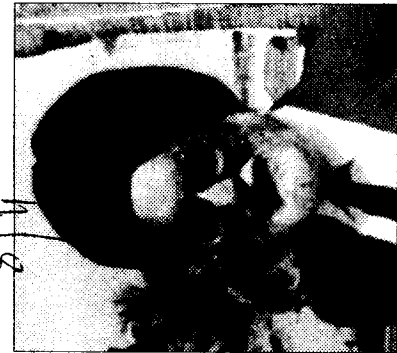
ry, was cautious in its reaction to the judgment.

At present, only those who have been convicted by a court of law, that too with a sentence exceeding two years, are barred from contesting an election.

Undertrials, although required to furnish details of the court cases pending against them at the time of filing nomination, are free to enter the electoral fray.

When asked for his reaction to the high court verdict, Chief Election Commissioner M.S. Gill told ET that the Commission will comment only after a perusal of the judgment and analysis of its implications.

"This is a legal matter. We have to read the full judgment and examine its implications... until then we have nothing to say," Mr Gill said while hinting at a possibility of the political parties appealing in the Supreme Court



Gill: Laundry man

against the order.

Even as EC reads carefully in the wake of the Left appealing against the Kerala HC order on hartals, the Delhi High Court has entrusted the Commission with the task of providing the electorate with facts about the criminal background of an MP or an MLA aspi-

rant. These facts, according to the court, will have to be furnished by the candidate along with his nomination papers.

Exercising its power as custodian of the people's fundamental rights, the court, on Thursday, ordered that the "EC shall secure to the voters information whether a candidate is accused of any offence punishable with imprisonment and if so, the details thereof."

Stating that the people had the right to information under Article 19 of the Constitution, the bench said the Commission should issue direction to the Centre, state governments and the Intelligence Bureau to gather relevant information about candidates "as the authorities were duty bound to do so." The judgment came on a petition filed by the ADR seeking direction to the Commission to put together the information on criminality of all the candidates in elec-

tions and make it available to the public.

Contesting the government's contention that the court's power to issue such a mandamus was limited under Article 226 of the Constitution, the bench said though it could not issue the direction to Parliament to amend the RPA, it was the obligation of the court to enforce the fundamental rights guaranteed to citizens.

While asking EC to initiate proceedings in the court against a candidate if he had submitted wrong information to it, the bench said this was necessary to check criminalisation of politics and ensure purity of governance.

The court said non-compliance of the Commission's edicts pursuant to the direction given by the court in its order "will entail consequences according to law against the concerned authorities and the candidates."

Ammonia gas leak at Paradeep

PARADEEP, NOV. 2. Panic spread in this port city following leakage of ammonia gas from the private sector Oswal Chemical and Fertilizer plant here on Wednesday night.

Witnesses said a large number of residents fled to safer places after the pungent smell of ammonia started spreading.

The gas leak spread towards the colonies around Paradeep Phosphates Ltd. (PPL), Atharbanki, Chanagalia and Brundaban colony carried by the wind, besides affecting the Oswal premises itself.

Police, however, said the plant authorities managed to plug the leak soon.

Senior police officials visited the spot after the incident. — PTI

ULFA militants to surrender

JORHAT, NOV. 2. About 14 hardcore ULFA militants, including some of its high ranking leaders, would surrender before Golaghat district administration here soon, official sources said here today.

The insurgents had already contacted the police and completed the paperwork and related formalities for laying down their arms, the sources here said.

The ultras belonged to different ULFA units spread across the state, they added. — PTI

EC asked to inform voters about criminal background of candidates

By Our Staff Reporter

NEW DELHI, NOV. 2. The Delhi High Court today issued directions to the Election Commission requiring it to inform voters about the criminal background of candidates contesting elections to the Parliament or State Assemblies.

A division bench comprising Mr. Justice Anil Dev Singh and Mr. Justice M. K. Sharma asked the Commission to gather data and inform voters whether a candidate was accused of offences punishable with life imprisonment.

Information on assets possessed by a candidate, his or her spouse and dependents, facts giving insight into the competence, capacity and suitability for acting as an MP or Legislator shall be collected and given to the voters, the Bench said in its 37-page judgment. The voter shall also be informed about the candidate's educational qualifications.

A candidate shall have to give the required information at the time of filing of nomination paper. The candidate can be prosecuted for giving wrong information and the Commission can file a criminal complaint against, the judgment said. The Commission was also asked to collect information which it considers necessary for judging the

capacity and capability of the political parties fielding candidates for elections to the Parliament or the State Legislators. The Bench asked the Commission to frame norms and modalities within four months of the order.

It left it to the Commission to issue directives to the Governments or departments concerned to get assistance in gathering the information. The authorities concerned shall be duty bound to provide all details, the judgment said. The Bench further directed that a pre-election debate among political parties and an interactive question-answer session with public should be organised and telecast on Doordarshan's national network. These directions came on a public interest litigation (PIL) by the Association for Democratic Reforms, an NGO.

The PIL urged the court to direct the Commission to put together information on criminal background of candidates seeking elections and make it available to public, print and electronic media for a wide dissemination.

The petitioner's second plea was issuance of a direction to the Union Government to amend certain provisions of the Representation of People Act, 1951 as recommended by the Law Commission in its 170th Report.

On the second plea, the Bench said: "Though the existing electoral law does not measure up to the realities of the situation, but we cannot not give a direction to Parliament or the rule making authority to amend the Act since we have no such power or power to legislate."

The Commission filed an affidavit in reply to the petition saying that it was very keen that certain amendments should be carried out in the electoral laws.

A proposal was sent to the Government in May, 1999 even before the Law Commission had submitted its report suggesting that persons charged with serious offences should be disqualified for contesting elections, the affidavit said. The Government said that since the amendments suggested by the Commission affected political parties, it was in favour of a thorough public debate. The Additional Solicitor-General, Mr. K. K. Sud, told the court that the Government was not in a position to give any categorical assurance regarding implementing the Law Commission's recommendations.

UNI reports

The EC today said it will wait to see the full copy of the Delhi High Court judgment, before commenting on it.

THE HINDU

3 NOV 2000

Parties accept model code date

UNITED NEWS OF INDIA

NEW DELHI, Sept. 18. — The Election Commission's model code of conduct got near unanimous support today with five more political parties agreeing that the code be implemented from the day the poll schedule is announced.

Leaders of the DMK, MDMK, PMK, Arunachal Pradesh Congress and the Mizo National Front (MNF) spoke to the chief election commissioner, Mr MS Gill, and backed the commission's stand.

The DMK leader, Mr Mura-soli Maran, the MDMK's Mr Vaiko, the PMK's Mr Ramadoss and the Mizoram chief minister, Mr Zoramthanga, were among those who con-

veyed their parties' decision to the Election Commission. They also conveyed that the gap between the date of notification and announcement should be less than a month.

The Election Commission had called an all-party meeting on Saturday to evolve a consensus

■ More reports on pages 4 & 9

on the contentious issue which has been pending in the Supreme Court since 1997.

During the meeting, the majority of the 40-odd political parties had sided with the Election Commission. Mr Mukhtar Abbas Naqvi, who represented the BJP at the meeting, had said that his party

would reconsider its stand, that the code be in force from the date of notification, if the gap between the announcement of the poll schedule and the notification was reduced from the current four weeks to two weeks. Only a handful of parties had said that they favoured the code's implementation from the date of notification.

All other parties, including the Trinamul Congress, Samata Party, Shiv Sena, NC, BJD, Akali Dal and the TDP, have favoured the code's implementation from the announcement of the poll schedule. The Congress, CPI, CPM, NCP, the BSP, the AIADMK, the Samajwadi Party, the RJD and the Janata Dals (Secular and United) have accepted the EC's formula.

THE STATESMAN

19 SEP 2000

~~JD-U name, symbol frozen~~

CPM loses national status

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SNS & AGENCIES

NEW DELHI, Sept. 30. — The Election Commission today derecognised the CPI-M as a national party and froze the name and symbol of the Janata Dal, reducing its two factions to the status of state parties.

The order could be of far-reaching political significance, more so since Assembly polls are due in Kerala, West Bengal, — both CPI-M strongholds — Tamil Nadu, Assam and Pondicherry early next year.

After reviewing the CPI-M's poll performance and hearing the party leadership, the EC ruled that the CPI-M ceases to be a national party.

The CPI-M would, however, be recognised as a state party in Kerala, Tripura and West Bengal and its symbol of hammer, sickle and star would be reserved for its exclusive use in those states, under the Election Symbols (Reservation and Allotment) Order, 1968.

The EC order is signed by the Chief Election Commissioner, Mr MS Gill, election commissioners, Mr TS Krishnamurthy and Mr JM Lyngdoh.

On the EC's decision, Mr Jyoti Basu said in Calcutta: "They have done a wrong thing...What can be done if the EC takes such a decision...it's not a good decision," he said.

Describing the verdict as "unfortunate", the CPI-M politburo

said it has sought revision of the criteria for providing recognition to a national party. It urged the EC to revise the symbols order "without delay so that the party's actual strength as reflected in parliament and at the all-India level is recognised."

The EC would consider the CPI-M's arguments "at an appropriate time", but "as of now, the commission...is unable to accede to the party's request."

The commission recognised JD-U and JD-S as state parties. Both parties have been given 30 days to register with the EC. While the JD-U has been recognised as a state party in Bihar and Karnataka, the JD-S would be given the status in Karnataka.

The Subramanian Swamy-led Janata Party, which officially existed only in Arunachal Pradesh, will lose its recognition as a state party. But the party will be allowed to function as a registered unrecognised party.

The JD-U general secretary, Mr M Raghupathy, said his party will seek legal opinion, and may challenge the EC's verdict in the Supreme Court.

The JD-U charged the EC with superseding its jurisdiction without giving prior notice to the JD-U and overlooking the arguments it presented in the party's favour.

■ More reports on pages 6 and 10

THE STATESMAN

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RAMA PILOT, DHINDSA'S SON WIN

Cong. retains 3 Assembly seats

By Our Special Correspondent

NEW DELHI, OCT. 3. The Congress(I) today bagged the Dausa Lok Sabha Constituency with its candidate, Ms. Rama Pilot, winning the seat represented by her late husband Rajesh Pilot by a margin of 65,264 votes.

As the results of the by-elections to one parliamentary and eight Assemblies, voting for which was held on September 29, were declared today, the Congress(I) had a fair share of wins and losses.

9- Election
The party retained three Assembly constituencies of Shaherkotda (Gujarat), Lakhnadon (Madhya Pradesh) and Shahuwadi (Maharashtra) but lost an equal number elsewhere. The biggest shock for the party came in Kagwad (Karnataka) where the Janata Dal (United) wrested the seat and the party met with a similar fate in Rajasthan, where like in Karnataka, it is in power. It lost the Lunkaransar Assembly by-election to the BJP.

The Congress(I) also failed to retain the Sunam Assembly seat (Punjab) where the ruling Shiromani Akali Dal candidate romped home in a multi-corner contest. The Samajwadi Party retained the Karhal (U.P.) Assembly seat while in Manipur, the Federal Party of Manipur won the Keisamthong seat.

The party won in Dausa with Ms. Pilot improving upon the



Rama Pilot... the Dausa victor

margin. During the 1999 Lok Sabha elections, Rajesh Pilot had managed to retain the seat then by a slender margin of 6,000 votes.

The party's strategy to field next of kin of its MP/MLAs in the by-polls paid off in Shaherkotda where Mr. Shailesh Parmar, son of late Manubhai Parmar, retained the seat by over 7,148 votes defeating Mr. Tulsi Dhabhi of the BJP. In Maharashtra, Ms. Sanjivani Devi Gaikwad retained the Shahuwadi Assembly seat held by her late husband Sanjay Singh Gaikwad.

However, the same factor did not appear to work in Karnataka where Ms. Vijaya Pasagouda Patil, widow of Mr. Pasagouda Patil, lost the seat held by her husband

to Mr. Bharamagouda Alagouda Patil of the Janata Dal (United) by a narrow margin of 1,019-odd votes. Mr. Patil alias Raju Kage of the Janata Dal (United) won from Kagwad (Belgaum district). The by-election was necessitated by the death of the Congress(I) MLA, Pasagouda Patil, four months ago. In Punjab's Sunam Assembly seat, Mr. Parminder Singh Dhindsa, son of the Union Sports Minister, Mr. Sukhdev Singh Dhindsa, defeated the Congress(I) candidate, Ms. Parmeshwari Devi, by 16,711 votes. The by-election was due to the death of Congress(I) MLA, Bhagwan Das Arora, husband of Ms. Devi.

The Karhal (U.P.) Assembly seat was retained by the Samajwadi Party defeated his nearest BJP rival, Mr. Sauvaran Singh Yadav by over 26,000 votes.

The JD(U) claimed the victory in Kagwad Assembly as a "trendsetter" in Karnataka politics and said the defeat of the Congress(I) and the BJP showed that the voters choice was in favour of the party who were "disillusioned with the Congress(I)".

The Samajwadi Party claimed that its victory in Karhal was a clear indicator as to which party was ahead in Uttar Pradesh. The party general secretary, Mr. Amar Singh, ridiculed the Congress(I) stating that the party's poor vote-share only reflected where it stood in the State.

THE HINDU

4 OCT 2000

Court teeth for poll panel

FROM OUR LEGAL
CORRESPONDENT

New Delhi, Aug. 31: The Supreme Court has ruled that the supremacy of the Election Commission cannot be called into question by courts once the poll process has begun.

The bench of Chief Justice A.S. Anand and Justice R.C. Lahoti and Justice K.G. Balakrishnan pointed out that Article 329 of the Constitution had put a "bar" on intervention of courts in the affairs of the Election Commission during the poll process.

"If a petition calls in question the election itself, then the bar of the article is attracted," the court said.

However, the judges explained that "blatant" actions of the commission — such as refusal to count votes or frequently deferring polls — could be challenged.

The judges said high courts could intervene if the petition challenging an order or behaviour of the poll panel was "merely to correct or smoothen the progress of election proceedings and / or to remove the obstacles therein or to preserve a vital piece if the same would be lost or destroyed by the time results are declared".

Setting general guidelines, the apex court said:

■ If a petition in a court interrupts, obstructs or protracts the

poll proceedings, the case has to be postponed until the elections are over.

■ At the same time, a petition that could help the progress of the elections will be exempt from the bar.

■ The arbitrary and mala fide use of powers by the commission and other statutory bodies can be subjected to judicial review.

■ The judiciary can intervene to remove obstacles in the poll process.

■ The courts should guard against any attempt at interrupting or stalling of the elections. High courts must be very circumspect and act with caution while entertaining any election dispute brought to it during the polls.

The judgment came on a petition filed by the Election Commission challenging a Kerala High Court order staying the notification on the manner of counting of votes during the general elections last year.

The panel had earlier ordered that counting would start after all ballot papers are mixed to ensure that political parties don't come to know the "pattern" of voting in a particular area or polling booth.

However, during the 1999 elections in Kerala, the commission ordered that there was no need to mix ballot papers as "different circumstances prevailed".

TELEGRAPH

TELEGRAPH

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...in sustaining the process.

Partial freeze

THE GOVERNMENT'S decision to enact the necessary legislation to extend the embargo on the delimitation of electoral constituencies till 2026 should satisfy those states which have achieved satisfactory results with their family planning programmes. The earlier embargo, enacted in 1975, had sought to freeze the position in terms of the 1971 census population figures till the end of the century. Thus, a delimitation commission would have normally been required to be set up to redraw the country's constituency map based on the 2001 census figures if the freeze was not imposed. A relook at the entire issue would have meant assigning a higher number of parliamentary seats to the states which have performed poorly in terms of their population control programmes. Since the higher allocation would have been at the cost of states that had done a better job of family planning, it would undoubtedly have been resented by them.

In the present case, however, the Government has decided to make one exception. It has proposed that the number of reserved constituencies would be reallocated on the basis of the 1991 census. As a result, the number of scheduled caste/scheduled tribe seats will go up by seven or eight while the overall number will remain unchanged. On the face of it, this is anomalous. The reason for making the exception was stated to be that a few more castes had been included in the scheduled list in recent years. But what will now happen is that a majority of the additional seats will go to the BIMARU states, where the numbers of those belonging to the scheduled categories have increased noticeably in keeping with the overall increases. Outside these, the only likely exception may be Maharashtra where the neo-Buddhists have recently been included in the scheduled category.

So there will, after all, be a kind of indirect reward for failing to keep the population in check, which is the national objective. To an extent, the step means partially undoing the intent of the proposed legislation. Moreover, since the 1991 figures bring in a new reference point, a delimitation commission will have to undertake a complex exercise in reworking the number of the Assembly seats in the states as well. All this could have been avoided had the Government been able to resist the pressure from the SC/ST lobby and stuck to 1971 as a uniform frame of reference.

THE HINDUSTAN TIMES

EC calls all-party meet on code

Our Political Bureau
NEW DELHI 3 SEPTEMBER

THE ELECTION Commission has convened an all-party meeting on September 15 to settle the differences over the model code of conduct.

While the EC maintains that the model code of conduct should come into force after the announcement of the poll schedule, the government feels the code must apply from the date of notification of the election. The issue has assumed importance — there is a Supreme Court on this pending for seven years — because five states will go to the polls next year.

Elections are scheduled in West Bengal, Kerala, Tamil Nadu, Assam and Pondicherry in March

or April next year.

In 1993, the Punjab and Haryana High Court had upheld the EC's position on the model code, only for the Centre going to the Supreme Court against the order. The matter is still with the

POLL TALK

apex court, though the Election Commission has recently requested the government to settle the issue through mutual discussion.

The Commission feels the all-party meeting will help it to examine the views the major national and state parties. In its letter to political parties, the Commission has referred to a part of the Punjab and Haryana High Court

judgement which says "Commission can issue directions that the model code of conduct should be observed by political parties, including the parties in power at the Centre and in the states, from the date of announcement of election."

"While the matter is pending before the SC, the minister of state for law, justice and company affairs and the Election Commission have held a meeting in the Commission, in which it was decided that the content of the code should not be touched and that an all-party meeting may be convened by the Commission to decide the question of the date from which the code should be enforced," the letter added.

The Economic Times

4 SEP 2000

Parties differ on date of enforcing E.C. code

129
129-1

By Our Special Correspondent

NEW DELHI, SEPT. 16. All major political parties today agreed on the crucial question of enforcement of the Model Code of Conduct before elections, but could not unanimously agree on the date from which the code should come into force. At a meeting convened by the Election Commission here, they failed to come to terms with the prevalent practice of the Commission to enforce the code from the date of announcement of elections.

The DMK, PMK and MDMK — constituents of the ruling NDA coalition at the Centre — and

some other regional parties wanted further consultations with their party leaders before agreeing to the Commission's position that the code should come into force from the date of announcement of polls. Almost all the parties wanted the time gap between the announcement and notification of elections to be reduced to a reasonable period.

Though senior BJP leader, Mr. Mukhtar Abbas Naqvi, initially said the code should be implemented from the date of notifying elections, he climbed down from that position saying that the BJP could consider enforcement of the code from the date of an-

nouncement of polls provided the gap between the two was reduced. While Ms. Margaret Alva of the Congress(I) agreed with the Commission's position of keeping the code in force for about 30 days, Mr. D. Raja, national secretary of the CPI, wanted the period to be reduced to a reasonable limit of 15 days. Mr. Prakash Karat of the CPI(M) also felt there was a justification in the demand by parties that the gap between the announcement and notification of elections be around two weeks.

While the Kanshi Ram-led Bahujan Samaj Party and the AIADMK said the code should

come into operation from the date of poll announcement, Ms. Mamata Banerjee's Trinamool Congress said it should be effective for 45 days prior to poll notification.

"Though there was overwhelming agreement on enforcing the code of conduct, we will try that the view of the parties becomes unanimous in endorsing the Commission's stand that it should be enforced from the date of announcement of elections. Some of the parties wanted that the period of code should be less than 30 days. We will also look into their demand," the Chief Election Commissioner, Dr. M.S.

Gill, told presspersons after the four-hour meeting.

Voicing his disapproval of the idea of enforcing the code from the date of notification of polls, he said it would render the code "meaningless". The meeting was attended by all the eight national parties and 31 regional parties.

17 SEP 2000

17 SEP 2000

✓ 9/8 ✓
Govt., EC agree to settle differences ✓
✓
✓

By Our Legal Correspondent

NEW DELHI, AUG. 8. The Government and the Election Commission had agreed to settle the dispute relating to disciplinary jurisdiction over the staff deputed for election duty and a joint application had been filed before the Supreme Court indicating the terms of settlement by which certain powers were to be given to the Commission.

In the Rajya Sabha the Law Minister, Mr. Arun Jaitley, said in a written reply that the Commission had sought disciplinary powers in respect of the staff deputed for election work under the provisions of Sec. 13 CC of the Representation of the People Act, 1951 read with Article 324 of the Constitution so that the Commission might have the necessary legal and administrative powers to take action against officials connected with revision of electoral rolls and conduct of elections.

The Commission also wanted that the Model Code of Conduct should be applicable from the date of announcement of the elections as held in Harbans Singh Jalal's case by the Punjab and Haryana High Court.

Mr. Jaitley said that while a settlement had been reached regarding disciplinary jurisdiction, so far as the implementation of the

Model Code was concerned, the matter was under discussion with the Commission.

Nidhi companies 119.15

To another question on Nidhi companies, the Minister said that from 1997, the Government had not approved any company as a Nidhi.

As most of these companies failed to comply with the directions of the Reserve Bank of India, it was decided to review the guidelines for the Nidhis in consultation with the RBI.

Comprehensive guidelines were issued on November 1, 1999.

Mr. Jaitley said the Government had appointed a committee under the chairmanship of Mr. P. S. S. Sabanayagam to evaluate the present mechanism for monitoring the activities of Nidhi companies.

As on July 31, about 93 applications were pending and they would be processed in the light of the suggested yardsticks, he added.

The Government was also considering the resolution adopted at the conference of Chief Justices in December last for increasing the age of retirement of High court Judges from 62 to 65 years.

He said it was not possible to indicate any time-frame for a decision.

THE HINDU

- 9 AUG 2000

By-elections for LS, RS seats announced

HT Correspondent
New Delhi, August 28

HT 28
29/8
THE ELECTION Commission (EC) today announced that by-poll for the Dausa Lok Sabha seat, which fell vacant after the death of sitting Congress MP Rajesh Pilot in May this year, would be held on September 29. By-elections to eight Assembly constituencies in as many states would also be held on the same date.

The by-election to fill the vacancy in the Rajya Sabha, caused by the death of sitting member K. G. Bhutia from Sikkim, would be held on September 21, the EC announced further. The MP, who represented the lone seat from Sikkim, died on August 12 after a brief illness. His term was to expire in February 2006.

The Assembly constituencies where elections are to be held are Shahar Kotda in Gujarat, Kagwad in Karnataka, Lakhanandon in Madhya Pradesh, Sahuwadi in Maharashtra, Kaishanmthang in Manipur, Sunam in Punjab, Lunkaransar in Rajasthan and Karhal in Uttar Pradesh.

29/8
The notification for the Dausa seat and the eight Assembly constituencies would be issued on September 4, according to a Press note from the EC. The last date for filing nominations would be September 11 and scrutiny would take place on the next day. The last date for withdrawal of nominations has been fixed at September 14. The entire process will be completed by October 5, it was stated.

The EC's model code of conduct comes into effect immediately from today in the districts in which the Lok Sabha and Assembly constituencies are located. Electronic Voting Machines would be used for conducting polls in all the constituencies except Kaishanmthang in Manipur.

According to the schedule announced for the Rajya Sabha election, the notification for the by-poll will be issued on September 4 and the last date for filing nominations would be September 11. Scrutiny would be held on the next day and the last date for withdrawal of nominations has been fixed on September 14.

THE HINDUSTAN TIMES

29 AUG 2006

LF seeks national debate on EVM

STATESMAN NEWS SERVICE

CALCUTTA, July 1. — The Left Front today demanded a national debate on the use of the electronic voting machines after an EVM developed a snag in Salt Lake.

Mr Biman Bose, CPI-M Politburo member, told reporters after the LF committee meeting, that the Salt Lake incident clearly showed that these machines are not foolproof. The EVM failed to record the break-up of the votes the parties got at a booth.

Mr Bose said the incident has caused much misgivings among LF constituents and even cast doubts as to whether the machine lends itself to software manipulation where votes of one party are transferred to another party. The Left Front feels there should be a national debate on the issue.

The meeting referred to voting by ballot papers in technologically advanced countries

like Japan, UK and Russia. "Of course, the USA even uses Internet for voting. But our country where 12 per cent of the population live below the poverty line cannot afford the luxury of a system that is not foolproof and adopted not even by some of the most advanced countries," Mr Bose added.

BJP allegation

The CPI-M is resorting to pressure tactics to win there-poll at booth 3A of Salt Lake's ward 16, the state BJP leadership alleged today.

The re-poll was prompted by the failure to repair an electronic voting machine that stopped working during the counting of the 25 June poll results.

Mr Tapan Sikdar, minister of state for communications and Mr Ashim Ghosh, state BJP president, said the state finance Minister, Mr Ashim Dasgupta, and several local

CPI-M leaders went on a door-to-door campaign, asking people to either vote for a particular candidate or not vote at all.

"The CPI-M leaders have resorted to undemocratic and unethical ways ... and created fear psychosis among voters," a BJP leader said.

The BJP has formed five teams of male party members and one of women members which would "meet people and assure them to cast their votes fearlessly," Mr Sikdar said.

The Trinamul Congress leaders have also been informed of the situation and some BJP leaders are keeping in touch with their Trinamul counterparts. Leaders and newly elected councillors of the BJP-Trinamul combine will be present in Salt Lake tomorrow when the re-poll is conducted.

The BJP leaders have urged the state administration and police to "remain impartial in case of any trouble".

Govt-EC deal on poll discipline

PRESS TRUST OF INDIA ⁵¹⁻⁷

NEW DELHI, July 25. — The government and the Election Commission have reached an understanding to present a common approach before the Supreme Court tomorrow.

The Chief Election Commissioner, Mr MS Gill, said today that the law ministry has suggested a "specific formulation" which the government proposed to put before the Supreme Court.

The commission proposes to go along with government formulation and support a harmo-

²⁶⁷
nious and reasonable solution to the issue pending before the Supreme Court for the last seven years, he told reporters.

The CEC said it was for the Supreme court to give its final direction and decision on the issue.

Mr Gill said that on the directions of the Prime Minister, the then law minister, Mr Ram Jethmalani, had several rounds of discussions with him trying to find a suitable formulation to meet the commission's requirements for a "good election under good control as per the law".

The law minister, Mr Arun Jaitley, also discussed with him the formulation, the CEC said, adding that that the commission had agreed that "we should go forward on what has been suggested".

On the code of conduct issue which was pending before the Supreme Court, Mr Gill said that the government wanted to look into the matter again and seek adjournment from the Supreme Court.

It was best for the government and the commission to settle such matters through reasonable dialogue, he said.

Centre, EC reach agreement on poll officers

Syed Liaquat Ali
New Delhi July 26

9.6.2000
H/T/2

THE CENTRE and the Election Commission (EC) today informed the Supreme Court that they have reached an agreement on the commission's disciplinary jurisdiction over public servants who perform poll duty.

As per the terms of settlement, the EC's disciplinary functions over officials and police personnel will be extended to suspending them either for insubordination or dereliction of duty during the polls.

In a joint application presented before

the apex court, the Centre and EC have requested the court to dispose of its writ petition in line with the understanding.

Under the terms of settlement, the EC shall have the power to substitute any official by another with an appropriate report on his conduct.

The EC can also make recommendations to the competent authority for taking disciplinary action for any act of insubordination or dereliction of poll duty.

Such recommendations shall be promptly acted upon by the disciplinary authority and action taken will be communicated to the Election Commission's

recommendations.

27/7

The Centre will advise the State Governments that they too should follow the above principles and decisions, since a large number of election officials are under their administrative control.

Nearly seven years ago, the EC had moved the Supreme Court for more powers to control and supervise the functioning of the staff deputed on poll duty.

Ten days ago, the Government refused to accept the EC's plea to confer on it powers to punish erring public servants on poll duty, saying that the Supreme Court was the right authority to settle the matter.

THE HINDUSTAN TIMES

27 JUL 2000

POLL REFORMS

IF THE INITIATIVE taken by the Election Commission to try and secure the consensus of various registered political parties on certain specific proposals for poll reforms yielded no concrete result, the reasons are not far to seek. To start with, a strong undercurrent of hostility was discernible, since many of the parties tended to see the whole exercise as an attempt to encroach upon the domain of Parliament or the executive and, in some respects, to enlarge its own area of authority. This element was particularly palpable in the case of the poll panel's alternative to the proposed Constitutionally mandated reservation of seats for women in Parliament and State Legislatures possibly because of a lurking suspicion that the move was calculated to 'sabotage' the Constitution Amendment Bill now before Parliament. Given the policy commitments of the major political parties (barring a few, such as the Samajwadi Party and the Rashtriya Janata Dal) and the seemingly uncompromising positions they have taken in public — whatever their reservations — for a 33 per cent quota, as envisaged in the pending legislation, they would certainly not like to be seen as diluting the scheme in any way.

Secondly, quite a few of the proposals the Commission has placed before the all-party meeting are open to question. Take for instance the women's quota issue again. The idea of statutorily requiring the registered political parties to put up a minimum percentage of their candidates from among women may have its own merits — like, the change does not warrant an amendment to the Constitution and gives a lot of flexibility to the political parties. But its biggest and overriding demerit is that it would not guarantee the desired percentage of representation for women, while the parties themselves may nominally fulfil the statutory obligation by fielding women in constituencies where they have no political stakes or presence at all.

No less questionable is the suggestion that the special domiciliary status stipulated for election to the Council of States (Rajya Sabha) be done away with; the law enjoins that the candidate be an elector registered in any parliamentary constituency of the State which he (or she) seeks to represent in the Upper House and this in turn means the person concerned must 'ordinarily' be a resident of that constituency. The rationale of this special provision flows from the very composition of the Rajya Sabha as a representative body of the constituent States, which is in keeping with the federal concept of the Indian Union. True, over the years, the Upper House has been robbed of its distinctive character and the federal spirit that defined its role. That, more often than not, the 'ordinarily resident' declaration proves to be blatantly untruthful is also undeniable. All these, however, can be no justification for scrapping what has been provided with a definite purpose.

While the political parties may have had their own reasons for not seeing eye to eye with the Election Commission on any of its proposals, there is no denying the gravity of the problems it has chosen to focus on at the all-party meeting. Whether it is the vexed issue of women's quota or the much-postponed delimitation of the constituencies or the question of barring criminal elements from entering legislatures, there has been precious little sincere effort to find an effective solution either because the key political players lacked the will or had a vested interest in perpetuating the aberrations and corrosive tendencies. If consensus eludes, it is in nine cases out of ten because such exercises are intended to be a mere ruse for avoiding any action. In the immediate context, the political parties who in effect took the 'let us sort out the controversy among ourselves' line at the meeting vis-a-vis women's quota will be on test.

THE HINDU

- 4 MAY 2000

PANSKURA PROSPECTS

Will Rajya Sabha fiasco be repeated?

SONIA Gandhi had little choice but to field a candidate for the Panskura parliamentary by-election if her party were not to be reduced to a signboard organisation. Not that it is much more than this now. Over an embarrassing short period, the leadership has divested the party of its adversarial role, its credibility and political relevance. Even the Marxists view it as their appendage. This image today threatens the party with extinction. There is no mistaking the manoeuvres which forced the central Congress leadership to declare a candidate for Panskura — to split the anti-Left vote. But will the strategy work this time? Grassroots Congress workers are all for a straight fight between Trinamul and the Left Front. Having been common victims of Marxist oppression in the past, they want Congress and Trinamul to jointly take on the Front. In the last parliamentary poll they helped Geeta Mukherjee to win by 46,000 votes. This time they want a joint front. Trinamul would certainly have won if it could have secured the 59,000 Congress votes in that election. The PCC leadership endorses this view, which is why they stoutly oppose fielding a candidate this time. They fear that the Congress may forfeit its security deposit. Its voting percentage has already come down to seven in 1999 from 37.2 in 1991.

The Marxists should realise that by manipulating the Congress in this way they are encouraging grassroots Congressmen to close ranks behind the Trinamul. Congress workers have seen through the game; no one from Delhi has cared to visit the families of nearly 12,000 Congressmen killed or maimed by the Marxists in the state. Their sense of alienation is heightened by the high command's neglect. Sonia bypassed West Bengal during her 1999 parliamentary poll campaign so as not to embarrass the Marxists. Forcing a candidate for Panskura, she now declines to campaign for him. Nor is the PCC president Ghani Khan Chowdhury willing to help. With the Left Front fielding Jyoti Basu himself, a sense of betrayal is forcing grassroots Congressmen to turn to Trinamul. The moot point is how close Congress workers will get to Trinamul to defeat the Left Front? Will there be a repeat of what happened in the recent Rajya Sabha elections?

THE ST. PETERSBURG

14 MAY 2000

CPI blames CPM for shrinking Left base in Panskura

HT Correspondent
Calcutta, May 18

THE STATE CPI leadership is concerned over the erosion of the Left Front's base in Panskura, where Lok Sabha by-polls are scheduled for June 5.

The Left Front nominee for the seat is the veteran CPI leader Gurudas Dasgupta.

The CPI, which is part of the ruling Left Front coalition in the State, believes that "complacency and over-confidence" on the part of the CPI(M)

are largely responsible for the rise of the Trinamool

in many Assembly segments of the Panskura parliamentary constituency.

At recent State and Central Committee meetings of the CPI, the party has taken stock of the CPI(M)'s activities in the area. "Over the years, Keshpur and Pingla, considered to be bastions of the Left, has slowly slipped out of the CPI(M)'s influence.

"Anti-CPI(M) sentiments have also been noticed in the Debra, Daspur and Nandapur segments, all of which fall under the Panskura Lok Sabha constituency," said a CPI leader.

CPI State Secretary Manju Majumdar admits that though the late Gita Mukherjee was able to win this seat in 1999 Lok Sabha polls, this time the contest with Trinamool's Bikram Sarkar would be a close one. "This election will

largely determine the nature of things to come in the Assembly polls next year," he said.

"Gita Mukherjee won this seat by margin of 46,000 votes. This time, the margin of victory for the CPI candidate might go down. But Dasgupta is sure to win. Moreover, this is a prestige fight for the Left Front.

"Chief Minister Jyoti Basu and all senior leaders of the Left Front will campaign in Panskura once the municipal polls in the State get over," Majumdar added.

Majumdar believes that the Trinamool will score in Keshpur and

Pingla, but the voters of Debra, Daspur, Nandanpur, Panskura West and Sabong will ensure the victory of Dasgupta.

"In the last Lok Sabha polls, the Left maintained its winning margin in all segments except Keshpur and Pingla. And in Keshpur and Pingla too, there is a large chunk of voters committed to the CPI," he explained.

The good work done by the late Gita Mukherjee, CPI leaders hope, will give a head start to Dasgupta.

And the voters of Panskura know him well since Dasgupta had campaigned for Left candidates in the area in the past. "People know him as a veteran leader. And Bikram Sarkar is banking on Mamata Banerjee to carry him though," said Majumdar.

By-Poll On June 5

Bihar poll turns violent, 6 dead; clashes in Assam

■ Shoot-outs and booth capturing mark Rabri's maiden bid

AGENCIES
NEW DELHI, MAY 26

SIX persons were killed today in Bihar's Raghapur Assembly constituency, from where Chief Minister Rabri Devi is making her maiden bid to enter the House, even as bye-elections to 11 other Assembly and one Lok Sabha constituencies spread over eight states passed off by and large

peacefully with an estimated turnout of 50 to 60 per cent.

Most of the violence in Bihar, where three Assembly constituencies went to polls, took place in Raghapur where polling was marred by shoot-outs between rival groups and booth-capturing attempts.

Unidentified gunmen shot dead six persons, including the driver of independent candidate Shanti Devi. One person received bullet wounds, a Patna report said.

An estimated 62 per cent voters cast ballots to decide the fate of Rabri Devi and 24 other candidates in Raghapur, Jamui and Nirsra.

Polling was dull in Aska Lok Sabha constituency in Orissa, vacated by Chief Minister Naveen Patnaik, with an estimated turnout of only 33 per cent, a Bhubaneswar report said.

The highest voter turnout of 90 per cent was reported from Haryana's Rori constituency where Abhay Chautala, son of Chief Minister Om Prakash Chautala, is locked in a multi-cornered contest.

In Assam, where elections were held for three seats, a clash between rival supporters and attempts to rig the polls marred the polling in Karimganj leaving three persons injured.

An estimated 60 per cent 3.22 lakh voters exercised their franchise in Nalbari, where Aloka Deesai Sarma (AGP), wife of slain PWD Minister Nagen Sarma, is pitted against former Assam Chief Minister Bhumidhar Barman (Cong). Bhabanipur and Karimganj are the other two constituencies which went to the polls in the state today.

In Andhra Pradesh, polling was peaceful in Bhongir and Chevella assembly constituencies with a turnout of around 65 per cent.

The election for Bongir seat was necessitated following the death of Panchayat Raj Minister A Madhav Reddy in a landmine blast

by People's War Group (PWG) naxals. Reddy's wife A Uma Devi is the candidate of ruling TDP for the seat.

Defying the poll boycott call by PWG in Kiranpur constituency in Madhya Pradesh, about 62 per cent of the 1.12 lakh electorate exercised their franchise in the election caused by the death of state Transport Minister Likhiram Kawre by the naxals. Kawre's wife Pushplata is in fray for the seat.

While 47 per cent turnout was reported from Soron constituency in Uttar Pradesh, 48 per cent of voters cast ballots for Mairang seat in Meghalaya.

INDIAN EXPRESS
INDIAN EXPRESS

INDIAN EXPRESS

27 MAY 2000

EC to suggest RS poll reform at meet

HT Correspondent
New Delhi, April 21

HT-12
22

THE ELECTION Commission will recommend that the Representation of the People Act be amended to drop the provision that requires a person to be a registered voter in the State from which he seeks election to the Rajya Sabha.

The recommendation will be made at the all-party meet on electoral reforms scheduled for next week. Chief Election Commissioner M S Gill today said it was common knowledge that the rule was being openly flouted by most political parties to induct their senior leaders into the Upper House. The Commission had noticed that during the past several years many such persons were sent to the Upper House about

whom it was generally known that they were not residents of States from where they had been elected.

Even in the recent biennial elections to the Rajya Sabha, several such instances had come to light where certain prominent political personalities living in Delhi had been elected from parts of the country with which they never had

broad political thinking in the light of 50 years' experience of the working of democracy and democratic institutions in the country, it would, in the Commission's opinion, be a more honourable way to realise the ground reality and give the practice a statutory sanction," the Election Commission stated in the agenda paper for the April 29

amendment to Section 3 of the Representation of People Act, 1951, providing that any person registered as an elector anywhere in India be permitted to contest elections to the Rajya Sabha. Among other issues to be discussed at the meet are grant of powers to the Election Commission for delimitation of Parliamentary and Assembly constituencies, enhancing women's representation, disciplinary jurisdiction of the Commission over officials on election duty and barring criminals from contesting elections.

Referring to delimitation of constituencies, Mr Gill said the Commission was faced with a situation where it had to conduct polls in constituencies that were largely incongruous in their character as far as the population, area and terrain was concerned.

Misuse of Representation of People Act

any links, Mr Gill said.

These leaders got their names registered as electors in those States by declaring that they were ordinarily residents there, he pointed out. This practice had attracted wide criticism from the public and Press and the EC had attempted action in some cases. "But if this now represents the

meeting. The paper has been circulated to all recognised national and state-level political parties.

Mr Gill said this was necessary to clear the confusing situation and relieve the Commission of unnecessary burden. It was for the political parties to carry out the task acting through Parliament. This could be achieved by a suitable

INDIAN HUMAN RIGHTS

22 APR 2000

Women's quota: CEC defends his proposal

HT Correspondent
New Delhi, April 24

CHIEF ELECTION
Commissioner M S Gill today stoutly defended his 'alternative proposal' of just 15 per cent reservation of seats for women instead of the 33 per cent quota attempted by the legislation pending in Parliament.

According to a delegation of the All India Democratic Women's Association (AIDWA), which called on Mr Gill, the CEC stated that he came up with the alternative proposal because he was "opposed to reservations per se".

An AIDWA release quoted the CEC as saying that "the reservations for Scheduled Castes have been of no benefit" and that "reservations weakened democracy".

The AIDWA delegation, led by its General Secretary Brinda Karat, sought to know from the CEC why he had used his position to oppose the Women's Reservation Bill, which is pending in Parliament.

They also said that women all over the country were dismayed at

his statement at a time when women were pressing for the consideration and passage of the Bill in the current session of Parliament.

The CEC, on his part, informed the delegation that he had made alternative proposals to the Bill while admitting that if his proposals were accepted, the increase in women's representation might be only up to 15 per cent. He reportedly held the view that this much of reservation was "quite substantial".

In a memorandum, the AIDWA emphasised that "anxiety on the part of well-wishers to end the impasse (on Women's Reservation Bill) should not lead to so-called compromise solutions which undermine the basis of the movement for reservation of seats to ensure a minimum number of women in Parliament and State Assemblies". The CEC has been urged to withdraw his proposal which the memorandum states will give a "pretext for the Government to avoid listing the Bill for discussion in this session of Parliament in the name of respecting the suggestion of the CEC."

25 APR 2008

Parties say no to EC's reform plan

STATESMAN NEWS SERVICE

NEW DELHI, April 29. — The Election Commission's proposals to debar chargesheeted politicians from contesting polls and its suggestion for compulsory allotment of seats to women were rejected by political parties today.

There was little consensus on most of the issues raised by the poll panel, which managed to secure only broad-based support on its proposal to accord disciplinary authority over officials on poll duty and on the use of EC's electoral rolls by the state election commissions.

Political parties showed a rare unanimity in rejecting the EC's proposal on checking criminalisation of politics. Though the leaders admitted the need for such a move, they said the suggested steps would lead to misuse of the provision.

On allotment of seats to women nominees, there were few takers except for the Samajwadi Party and the RJD. The BJP, Congress, CPI, CPI-M, NCP, JD-S and the BSP opposed the idea.

Parties were sharply divided on the EC's proposal for changing the law to remove the clause making domicile status a necessity for contesting Rajya Sabha polls. The BJP, Congress and the CPI supported the proposal, while the CPI-M, JD-S and the NCP opposed it.

The BSP and TDP suggested open vote to prevent cross-voting.

While there was consensus on the need for balancing constituencies, the parties couldn't agree on who should be entrusted with the task. The Congress suggested setting up of a delimitation commission.

Other issues raised at the meeting included the need for rotation of the constituencies reserved for the SC and ST.

The Congress and the BJP supported the idea of rotation. The two parties, however, were divided on proxy voting. The BJP advocated proxy voting but the Congress opposed it.

The Chief Election Commissioner, Mr MS Gill, said after the meeting that the EC had at least managed to get the political parties to meet on the issues, though opinion was divided on most of them.

On the failure to secure consensus on women's reservation, Mr Gill said political parties had, at least, greater clarity and awareness after the meeting. The debate over the need for greater representation of women was likely to continue.

On the opposition to debar chargesheeted politicians from fighting polls, Mr Gill said the parties had agreed on the need to do something and it was now up to them to find a solution.

The EC might hold another meeting on the issue.

THE STATESMAN

30 APR 2000

E.C. reforms agenda comes a cropper

By Our Special Correspondent

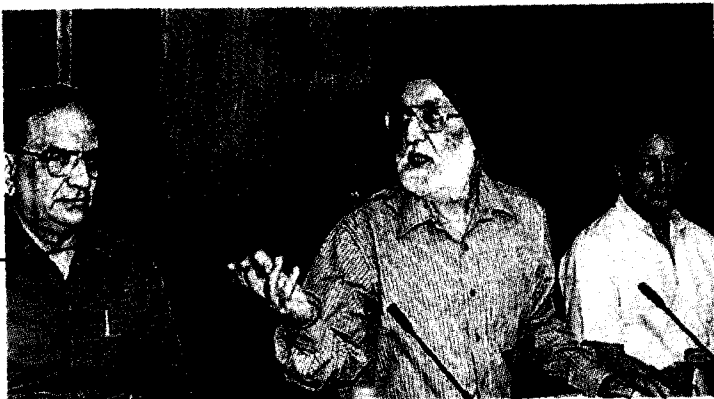
NEW DELHI, APRIL 29. Consensus eluded all the major items on the electoral agenda, including reservation for women in the Lok Sabha and State Assemblies, at the all-party meeting convened by the Election Commission here today.

The Chief Election Commissioner, Dr. M.S. Gill, who briefed correspondents on the deliberations of the meeting, admitted that the meeting was no more than an education process for the Election Commission and the political parties. "Parliament is the right forum to decide on electoral reforms. We can only make suggestions".

A majority of the parties rejected the suggestion of the Commission to make it mandatory for the parties to fix an agreed quota for women in the distribution of tickets in place of the Constitution Amendment Bill providing 33 per cent reservation.

With the exception of the Samajwadi Party, representatives of all other parties rejected the alternative proposal and told the Commission to let them sort out the controversy. While the BJP general secretary, Mr. M. Venkaiah Naidu, said that the Government had already introduced a Bill and would try to evolve a broad consensus on the issue, senior Congress(I) leader, Mr. Pranab Mukherjee, said another effort should be made to reach unanimity on the Bill pending in the Lok Sabha.

There was no unanimity on other key issues such as the delimitation of constituencies, qualification for election to the Rajya



The Chief Election Commissioner, Dr. M.S. Gill, along with the Election Commissioners, Mr. T.S. Krishnamurthy (left) and Mr. J.M. Lyngdoh, at the all-party meeting organised by the Election Commission in New Delhi on Saturday. — Photo: Anu Pushkarna

Sabha, disciplinary jurisdiction of the Commission over the officials employed in conducting polls and criminalisation of politics.

Dr. Gill said having initiated a debate, the Commission would keenly watch if the parties agree to carry forward the agenda of electoral reforms in the ongoing budget session of Parliament. "I would keenly wait for May 17. Now it is for the press to ascertain from parties what they intend to do in Parliament."

On the delimitation of constituencies, while the BJP said there should be a consensus among parties whether to entrust the task with the Election Commission or the Delimitation Commission, the Congress(I) opposed "overburdening" the Election Commission with the work and instead wanted it to be given to the Delimitation Commission.

Both the BJP and Congress(I) agreed to the Election Commis-

sion's suggestion that the confusion on domicile status to be eligible to contest the election to the Rajya Sabha be cleared and said there should be a broad consensus among parties on this. While the law says that a person who is ordinarily a resident of a State alone can contest from the State, several parties have been fielding outsiders. To subvert the law, these candidates file false affidavits about their domicile status.

There was a brief debate on the growing menace of money power in Rajya Sabha elections and a suggestion was made by the BSP chief, Mr. Kasnshi Ram, to introduce the system of open ballot to curb the menace.

The general view at the meeting was that the suggestion to debar a person chargesheeted from contesting an election could be misused for political purposes and hence should not be pursued.

THE HINDU

6 APR 2000

Basu, VP kick off Left campaign

Subhamoy Chatterjee
Debra (Panskura), May 31

CHIEF MINISTER Jyoti Basu and former Prime Minister V P Singh once again reiterated the need to forge a Third Front "to save the country from the disastrous anti-people policies of the communal BJP". They were speaking at an election rally in support of the Left Front nominee for the Panskura constituency, Gurudas Dasgupta, here today.

While the Chief Minister gave some details of the formation of the proposed Third Front, Singh said that all the secular forces would have to unite under the leadership of the "respected and veteran Basu".

The Trinamool Congress — its leader Mamata Banerjee in particular — was criticised by both these leaders as well as by the CPI general secretary, AB Bardhan, for aligning with the BJP and creating communal divide and threatening the unity of the country.

Basu said that the BJP could not offer any solution to any of the problems facing the country and was looking up to the World Bank and the IMF to bail it out. He also criticised the Centre for increasingly reducing the States' share of resources. Basu said several Chief

Panskura By-poll



Chief Minister Jyoti Basu (left) and V P Singh Ministers, including Telegu Desam's Chandrababu Naidu and some from the BJP-rules states as well, are planning to meet the Prime Minister to sort out the issue of resources sharing.

On the proposed Third Front, Basu said efforts were on to forge such an alliance and preliminary discussions had been held among the intending parties. "But it is a tough task because our friends have become weaker," he admitted. Basu also criticised Congress president Sonia Gandhi for not changing her party's economic policies "that helped only 15 per cent of the population".

VP Singh said that the "globalisation of the rich" phenomenon had affected this country as well. This is something over which President KR Narayanan himself is concerned, he revealed. Singh also came down heavily on Mamata Banerjee for not intervening when the Railway Ministry sent bulldozers to demolish "the houses of poor people" in Delhi recently.

Referring to the just-concluded municipal polls in the State, the Chief Minister lambasted a section of the media for projecting the Trinamool-BJP combine as the principal opposition to the Left Front. He said that it was a mistake to write off the Congress. "The Congress, after all, is a secular party, although it has some people who have communal leanings," he said.

Referring to the recent violence in some parts of the Panskura constituency, Basu criticised the police for having remained a spectator at times. He asked the police to ensure peaceful polls in Panskura. "Any attempt to disrupt elections will be dealt with firmly," he said. AB Bardhan described the municipal polls as a dress rehearsal before the Panskura polls. "In the next Assembly elections also, the people of West Bengal would not allow the Trinamool and the BJP any further room," he added.

CPM names three for Rajya Sabha

PRESS TRUST OF INDIA

NEW DELHI, March 10. — The CPI-M today declared the names of its three Rajya Sabha nominees, ignoring the CPI's plea for a seat, even as Mr Jyoti Basu conceded that the Left image would take a beating because of the stand-off between the two parties.

"Yes, it will get spoilt," Mr Basu said when asked if the crisis would affect the Left's image.

The CPI-M West Bengal unit secretary, Mr Anil Biswas, is here to attend the party's central committee meeting. He said Dr Biplab Dasgupta, Dr Dipankar Mukherjee and Mr Nilotpal Basu were being re-nominated for the Upper House.

The CPI had one member, Mr Gurudas Dasgupta, in the Rajya Sabha from the state. The party withdrew its ministers from the front government on Tuesday after he was denied re-nomination.

Mr Biswas said the Left Front had yesterday asked the CPI to reconsider its decision. "We (CPI-M) will give a seat ... to the CPI in the next biennial elections (in 2002) and that is final."

Senior CPI leader, Mr D Raja, however, said the CPI would continue to be part of the Left Front. Despite the stand-off the two parties hoped the matter would be sorted out. Mr Raja hoped "the matter will be sorted out at our national executive meeting scheduled from Monday".

A reply to the CPI general secretary, Mr AB Bardhan's letter to his CPI-M counterpart, Mr Harkishan Singh Surjeet, will soon be sent and the issue discussed at the on-going CPI-M central committee meeting, politburo member, Mr Sitaram Yechury, said.

The CPI's state executive committee today unanimously endorsed its secretariat's decision to pull out two party ministers from the front government, adds SNS from Calcutta. At an emergency meeting, the executive decided to meet again to discuss the issue. Mr Manju Majumdar, CPI state secretary, told journalists he hoped that the party's central leaders would be able to end the impasse with the help of CPI-M and other Left parties' leaders.

Mr Nandagopal Bhattacharya and Mr Srikumar Mukherjee, the two CPI ministers, didn't attend office for the third day today.

■ Another report on page 2

THE STATESMAN
11 MAR 2000

Trinamool down but not out after Mithun walkout

HT Correspondent
Calcutta, March 10

THE TRINAMOOL Congress is in search of a new Rajya Sabha candidate after actor Mithun Chakraborty declined the offer to be a party nominee for the Upper House from the State.

Party sources admitted that Chakraborty's refusal had put them in an awkward situation. A final decision will be taken after party chief Mamata Banerjee arrives in the city tomorrow.

Sources said the choice had narrowed down to three political per-

sonalities, but refused to divulge the names on procedural ground.

The party had put off the idea of choosing a non-political nominee after Mithun rejected the Trinamool offer. "We do not think any other non-political figure

Rajya Sabha Polls

would agree after the Mithun fiasco." He was obviously under a great deal of pressure and can't be blamed," sources said.

The only consolation is that it has given the party an issue with which it can embarrass its rivals.

"The actor is known for his social work. The State will be biggest loser and we will bring it before the people," party leaders pointed out.

Even though the numerical advantages lie with the Left and the Congress in the State Assembly, the Trinamool is not going to give in without a fight. Their decision to put up its own candidate is aimed at cashing in on Congress factionalism and growing dissidence in the Left Front.

"The political situation is fluid and anything can happen," say party leaders.

THE HINDUSTAN TIMES
11 MAR 2000

Fresh dissidence in Cong over RS seats

'LS discard norm' may hit Manmohan

Vinod Sharma
New Delhi, March 12

HFI 1393

FRESH DISSIDENCE is surfacing in the Congress over Mrs Sonia Gandhi's reported reluctance to oblige Lok Sabha discards with Rajya Sabha nominations. All kinds of scenarios are being painted, the foremost among them being that even Dr Manmohan Singh, Leader of Opposition in the Upper House, might fall a victim to the rule upon completion of his RS tenure in June 2001.

With senior leader Arjun Singh all set to enter the Council of States from Madhya Pradesh, the implications of the two-year cooling-off period (between LS defeat and RS nomination) being applied in Dr Singh's case are too obvious to be missed. Indicative of a change of guard, the thesis is only buttressed by the former Finance Minister's less than marginal role in scouting talent for the House where he's the party skipper. Those whose advice Mrs Gandhi has sought include CMs, PCC chiefs and CLP leaders.

In fact, the steam for future discord might come from the smoking cauldrons in Madhya Pradesh, Rajasthan and Maharashtra. The primacy Mrs Gandhi accorded to Mr Arjun Singh, by asking him to file nomination without formal announcement of his candidature, hasn't gone down well with a large section of partymen. And the Congress' evergreen dissident-brigade hopes to capitalise sooner than later on the growing disquiet.

"Can Mrs Gandhi build a 21st century Congress," asked a Young Turk, "by acting as a museum curator?"

His advice: The party must make exceptions, at least in a few deserving cases, to emulate its BJP-NCP rivals, whose preference for merit is etched in Arun Jaitely, Sushma Swaraj and Praful Patel's candidatures.

What has really upset detached in-house Congress observers is the leadership's inclination to exercise the easier option of eliminating competition. The net result of its approach is that a vast reservoir of political talent in Andhra and Maharashtra, not to speak of Rajasthan, where the party didn't do exceedingly well in the LS polls, stands excluded from the RS race. Consequently, the field has been left open to 10, Janpath major-domos, money-bags and matinee idols.

Regardless of the mood, there is a flipside to the story, justifying somewhat Mrs Gandhi's fetish for the old rule. Three of the main contenders in Andhra — Shiv Shankar, Vijayabhaskara Reddy and G. Venkataswamy — are defeated LS candidates. If any of them is accommodated, others are bound to feel slighted.

Jethmalani may find the going tough

Anil Anand
New Delhi, March 12

IT COULD be tough going for Union Law Minister Ram Jethmalani who is making a concerted bid to secure another Rajya Sabha term from Maharashtra in the upcoming biennial polls to the Upper House.

Mr Jethmalani, who was elected with the Shiv Sena's backing last time, has once again filed his nomination papers as an Independent candidate. Elections are being held for six seats from Maharashtra, of which the Shiv Sena-BJP alliance is hopeful of bagging only two seats.

The alliance will be left with some surplus votes after the Sena and the BJP win one seat apiece. It is these surplus votes that are being offered to Mr Jethmalani.

While an agency report from Mumbai said the Sena-BJP alliance has assured support to Mr Jethmalani, BJP sources here indicated that the Law Minister's fate would depend on his ability to add to the tally of surplus votes by winning over some Independents and smaller groups.

For its own assured seat, the Sena has renominated Mr Sanjay Nirupam, editor of Hindi evening paper and party mouthpiece, *Dopahar Ka Samna*.

The BJP's Central Election Committee, meeting here tomorrow after the Prime Minister's return from Mauritius, will finalise the party's nominees.

According to sources, Information and Broadcasting Minister Arun Jaitely will be entering the Rajya Sabha from Gujarat, along with Mr Prafull Goradia, editor of party journal, *BJP Today*.

The Uttar Pradesh state unit had suggested the names of Lajja Rani, a scheduled caste leader, and ex-Minister Mukhtar Abbas Naqvi. However, it is likely that Ms Swaraj and ex-journalist Balbir Punj will be nominated. Surface Transport Minister Rajnath Singh and two other members are to be renominated, according to these reports.

The CEC, at its last meeting, is also learnt to have cleared the names of Mr S.S. Ahluwalia, a former Rajiv Gandhi loyalist and member of the Congress's "shouting brigade" who had switched over to the BJP some time ago. Mr Ravi Shankar, a young party lawyer, is also likely to be fielded from Bihar.

The BJP is hopeful of winning at least 16 of the 58 seats in this round. Mr Kailash Joshi may be fielded from Madhya Pradesh and Manmohan Samal from Orissa. Mr Rajashekhar Murthy, a former Congressman who had joined the BJP some time ago, is being fielded by the party from Karnataka.

Front-runners

CONGRESS: Rajesh Khanna (from Madhya Pradesh), Dilip Kumar and R.D. Pradhan (Maharashtra), K. Natwar Singh, R.P. Goenka and R.N. Mirdha (Rajasthan), K. Vijay Bhaskar Reddy (AP), Jairam Ramesh (Karnataka), D.P. Roy (WB).

BJP: Arun Jaitely and Prafull Goradia (Gujarat), Sushma Swaraj, Rajnath Singh and Balbir Punj (UP), Kailash Joshi (MP), S.S. Ahluwalia and Ravi Shankar (Bihar).

Rajya Sabha nominations

Bihar: Faguni Ram (Cong), Vijay Singh Yadav, Kumkum Rai and Mahendra Prasad Singh (RJD), S.S. Ahluvalia, Ravi Shankar Prasad (both BJP), Rajiv Ranjan Singh alias Lallan (Samata), Kamla Sinha (JD-U), and R.K. Anand (JMM-S).

Andhra Pradesh: Dasari Narayana Rao and Khan Mohammed Khan (Cong); Alladi P. Rajkumar, S. Ramamuni Reddy, Vanga Geeta, K. Ramamohan Rao and Chokapu Suryaranayana (TDP).

Karnataka: Vijay Malya (Independent with JD-U support); M. Rajasekharamurthy (BJP), K. Rehman Khan, K.B. Krishnamurthy and Bimba Raikar (Cong).

Rajasthan: R.P. Goenka, Moolchand Meena, Jamuna Barupal, (all Cong)

Madhya Pradesh: Arjun Singh, Prafulla Maheshwari, Manhar Bhagat, H.R. Bhardwaj and Shiv Kumar Dheria (all Cong); Kailash Joshi, Vikram Verma, (both BJP).

Gujarat: Rajoobhai Parmar (Cong), Arun Jaitley, Dr A.K. Patel and Lekhraj Bachani (all from the BJP).

Maharashtra: Dilip Kumar (Cong); R.S. Gavai (RPI supported by Cong), Jawaharlal Goyal (Independent); Bal Apte (BJP), Praful Patel (NCP), Ram Jethmalani (Independent supported by Sena-BJP) and Sanjay Nirupam (Shiv Sena).

Uttar Pradesh: Inder Khosla (Cong), Rajnath Singh, Sushma Swaraj (BJP), Janeshwar Mishra, Sachidanand Sakshi Maharaj (SP), Ghansyam Babu Singh (BSP), Rajeev Shukla

(Loktantrik Cong). Jayant Malhoutra (Lok Dal), Prakash Chandra and B.A. Ramesh (both Independents) and M.M. Agarwal (all of them supported by the JSBP).

Orissa: Manmohan Samal (BJP), Birabhadra Singh and Baijayant Panda (BJD). Radhakant Nayak (An Independent supported by the Congress).

West Bengal: Biplab Dasgupta, Nilotpal Basu and Dipankar Mukherjee (all CPM), Manoj Bhattacharya (RSP), D.P. Roy (Cong) and Jayanta Bhattacharya (An Independent supported by the Trinamool).

Haryana: Faqir Chand (INLD)

Himachal Pradesh: Kripal Parmar (BJP-HVC) Thakur Singh Bharmouri (Cong).

THE HINDUSTAN TIMES

15 MAR 2000

CPI-CPM row ends, tension continues

HT Correspondent
New Delhi, March 14

THE FRACAS over a Rajya Sabha seat may have ended today but the intra-Left tensions continued to simmer, as the CPI bowed to the CPI-M pressure and directed its representatives in the Left Front ministry to resume their functions "in the larger interest of left unity".

The party's decision not to quit the West Bengal ministry came after an emergency meeting of the National Executive, a late night meeting between Chief Minister Jyoti Basu and the CPI minister Nandgopal Bhattacharya and a public appeal from the Chief Minister to the CPI ministers to remain in the ministry.

Pointing out that participation in the LF ministry has been the LF's practice and tradition, CPI general secretary A.B. Bardhan maintained that the CPI's decision was taken while keeping in mind "the interests of Left unity and the problems and challenges facing the Left Front in West Bengal and in the country as a whole".

The situation, he said, calls for strengthening of left unity and further cohesion of the LF. "No opportunity should be given to the enemies and rival of the Left Front to reap advantage out of differences and sharp conflicts which arise among the constituent parties," he said, in what could be interpreted as an indication that

the controversy over the Rajya Sabha seat was only a manifestation of the tensions that ran deep among partners.

While emphasising that the major share of responsibility for strengthening the LF rested with the major partner in the Front, Mr Bardhan also asserted that the CPI was "fully aware of its share of responsibility".

The CPI-CPI-M controversy centred around the CPI's claim for a Rajya Sabha seat in the upcoming biennial elections on the basis of the "political understanding" that it should have representation and continuity in representation.

But this stood affected with Mr Gurudas Dasgupta's forthcoming retirement and the LF's decision that the CPI-M would get three of the four seats coming to the LF share while the RSP would get one.

The decision led to "strong resentment" within the CPI, with the state unit threatening to withdraw its ministers while remaining in the Left Front.

Asserting that it "understands" the state unit's feeling in this respect, the CPI national executive stressed that relations among the LF constituents should be guided by the "fraternal spirit of mutual accommodation and consideration" for each party's views and claims.

Asked about the CPI-M's offer of a Rajya Sabha ticket in the 2002 biennial elections, Mr Bardhan said "We will see that in 2002."

RS Seat Issue

THE HINDUSTAN TIMES

15 MAR 2002

SUSHMA, R.P. GOENKA AMONG WINNERS

Setback to Cong.(I) in RS elections

By Harish Khare

PD-1
20/3

NEW DELHI, MARCH 29. The former Union Minister, Ms. Sushma Swaraj, the Union Minister, Mr. Rajnath Singh, the former Central Minister, Mr. Janeshwar Mishra, the renegade BJP leader, Sakshi Maharaj, the industrialist, Mr. R.P. Goenka, the BJP neo-convert, Mr. M. Rajasekhar Murthy, and media personalities Mr. Rajiv Shukla and Mr. Balbir Punj, are among the winners in today's biennial elections to the Rajya Sabha in Uttar Pradesh, Rajasthan, Karnataka, Himachal Pradesh, West Bengal, Jammu and Kashmir, and Orissa

The biennial elections to the Rajya Sabha in various States have indicated a significant erosion of central authority over State Legislative parties, especially in the case of the Congress(I). Though the official candidates of the party won easily in Rajasthan and Karnataka, the defeat of its nominee in West Bengal is a clear case of the Pradesh leaders finding ways of embarrassing the central leadership, just as had happened in Maharashtra two years ago when Mr. R.D. Pradhan, the personal nominee of the party president, Ms. Sonia Gandhi, got defeated.

The rebuff to the Congress(I) in West Bengal is a reversal of its well-known capacity to garner support for its nominees. In 1993, the party candidate, Mr. Pranab Mukherjee, won easily and, in fact, got eight more votes than was the party's strength; in 1994, though the Congress(I) candidate, Mr. Santosh Bargarodia, did not make the grade he still got more votes than the party's strength.

The initial judgment is that at least eight or 10 Congress(I) MLAs must have deserted the party nominee, Mr. D.P. Ray; these MLAs could be those from South Bengal and have probably reached an understanding with the Trinamul Congress chief, Ms. Mamata Banerjee, about accommodating them in next year's Assembly elections. Even in Karnataka, where all the three official Congress(I) nominees

won, Mr. Vijay Mallya, industrialist, secured 10 votes more than he could get on the strength of the political parties supporting him. The initial judgment is that, of these 10 surplus votes some came from the Jaffer Sharief- Bangarappa camp, which has lighted up a small dissident fire.

No less embarrassing for Ms. Sonia Gandhi is the failure of Mr. Inder Khosla to make it to the Upper House. To the extent Mr. Khosla's only claim to fame in the Congress(I) is his life-long service as a functionary of various trusts of the Nehru-Gandhi family, his defeat would be widely seen as a rebuff to the party president.

A high-level central cheering team, consisting of the AICC(I) general secretaries — Mr. Motilal Vora, Mr. Sushil Kumar Shinde, Mr. Narain Dutt Tiwari and Mr. Salman Khursheed — had been camping in Lucknow for the last two days; these senior leaders were unable to work out any understanding with other political parties in favour of the Congress(I) candidate. If nothing else, the Uttar Pradesh result points to the Congress(I)'s political isolation in the State.

Initial results also suggest that in Orissa, Rajasthan and Himachal Pradesh party discipline broke down, and there was considerable cross-voting at the expense of Congress(I)'s official candidates. The only consolation for the party's central leadership is that its Bihar unit has remained united, and all the 22 MLAs (who are also Ministers) voted for the RJD-Congress(I) nominee. In the process, the rebel Congress(I) candidate, Mr. Rajni Ranjan Sahu (who was backed by the NDA), got booted out of the party for six years for anti-party activities.

In comparison, the BJP and its allies have managed their troops reasonably well, with the central authority holding ground.

Cross-voting in U.P.: Page 9
Trinamul scores over Cong.: Page 15

THE HINDU
30 MAR 2000

RS BIENNIAL ELECTIONS TODAY

HD-1
29/3

Keep a watch on moneybags, says EC

By Our Special Correspondent

NEW DELHI, MARCH 28. Taking cognisance of media reports on the possible role of moneybags in influencing the Rajya Sabha biennial elections tomorrow, the Election Commission has urged the Union Finance Ministry to keep vigil and prevent the misuse of money power.

Addressing a news conference here, the Chief Election Commissioner, Dr. M.S. Gill, said the Rajya Sabha was the House of the elders and it would be unfortunate if the representatives were to be elected on the strength of money power. Though he did not elaborate on the request to the Finance Ministry, it is said the Ministry has been asked to direct its agencies to keep a watch on any possible "monetary transactions" which could be linked to the elections.

Dr. Gill said the Chief Electoral Officers of the States, where the biennial elections were taking place, had been designated as special observers to ensure a smooth conduct of the election. The Commission was in constant touch with them.

The CEC said the Commission had convened an all-party meeting on April 29 to discuss electoral reforms. He recently wrote to the Prime Minister, Mr. Atal Behari Vajpayee, reminding him of the Commission's set of proposals on electoral reforms and urged him to take the initiative to get the necessary legislation in place to carry forward the agenda in the current budget session of Parliament.

The proposals mooted by the Commission include delimitation of constituencies within the existing limit of the number of seats and other measures to eliminate the scope for malpractices and ensuring a free and fair election.

Dr. Gill said he had written to the Chief Ministers of Tamil Nadu, West Bengal, Kerala and other States, where Assembly elections are due early next year, to gear up the election machinery. The Commission was keen on ensuring that as many constituencies as possible in these States were covered with electronic voting machines. The Commission had also written to the Punjab Chief Minister, Mr. Parkash Singh Badal, asking him to complete the process of issue of photo identity cards to the voters.

UNI reports: The States where Rajya Sabha elections are taking place are Himachal Pradesh (one seat-two

candidates), Karnataka (four seats-five candidates), Orissa (three seats-four candidates), Rajasthan (three seats-four candidates), Uttar Pradesh (11 seats-16 candidates), West Bengal (five seats-six candidates), Bihar (one seat-two candidates) and Jammu and Kashmir (one seat-two candidates).

Fears of cross-voting in Uttar Pradesh

By J. P. Shukla

LUCKNOW, MARCH 28. The political atmosphere here is extremely vitiated on the eve of the Rajya Sabha biennial elections as reports speak of largescale attempts to encourage cross-voting in rival camps. A two-way exercise of influencing voters in the rival camps and simultaneously trying to keep their own flock together is under way, the latter part proving more daunting. Observers suggest the possibility of cross-voting in almost every political camp.

Money power seems to be in full operation and though "purchasing MLAs" is considered common during Rajya Sabha elections, this time everything has taken the form of an "open deal". While the smaller parties are said to be the greatest victim, parties such as the Bharatiya Janata Party and the Congress(I) are no exception. In fact, candidates banking solely on money power appear more confident. Doubts are being expressed about the "victory" of all the candidates fielded by the BJP as also the sole candidate of the Congress(I) in Uttar Pradesh as the efforts made by the two parties do not match that of the candidates fielded by the Loktantrik Congress Party, the Rashtriya Lok Dal and the Jantantrik Bahujan Samaj Party, though the latter do not command enough open support to ensure the victory of their nominees.

An independent candidate, Mr. P. C. Srivastava, said he had no money power to win the match and hence was withdrawing from the contest. He alleged that MLAs had been offered up to Rs. 20 lakhs each for their vote. Another report suggested that some "enterprising" MLAs had promised support to more than one candidate.

No cakewalk in Rajasthan: Page 9

THE HINDU
29 MAR 2000

Cross-voting defeats Sonia's RS nominee

HT Correspondent
Calcutta, March 29

A LARGE number of Congress MLAs today defied the AICC fiat and voted for the Trinamool Congress-backed Independent nominee, ensuring him a Rajya Sabha berth. Jayanta Bhattacharya, the Trinamool-backed Independent, polled 43 votes. His rival, Deba Prasad Roy, got 36.

For the CPI(M)'s Nilotpal Basu, Dipankar Mukherjee and Biplab Dasgupta, it was smooth-sailing. It was the same for the RSP's Manoj Bhattacharya. All the Left candidates garnered more than 50 votes. In a House of 294 members, 289 votes were cast.

"It's high time the central leadership realised that they can't take us for granted. The AICC insulted the CLP and the WBPCP when it rejected Somen Mitra's candidature, even though he was the unanimous choice of the CLP and foisted Roy on us. This is our reply to Sonia Gandhi," a Congress leader said.

A dejected Roy strode out of the Assembly after he got to know of his defeat. "This is a betrayal, but it also brings out the erosion of values in the Congress. I leave the issue to the party high command," he told reporters before driving out of the Assembly premises.

Moments after he left, some agitated Congressmen marched to the Assembly precincts, shouting slogans against their party leadership and the CLP. "The stooges of the CPI(M) scripted the defeat of our candidate and we will never forgive them for such betrayal," they shouted, thumping tables and abusing their leaders. The security

staff pushed them out.

Mamata Banerjee, the Trinamool chief, was happy, but not surprised. "I knew that the Congress has no chance. My stand has been vindicated."

Mitra, a former PCC chief, however, described the day's developments as unfortunate. Talking to *The Hindustan Times*, he said that as a loyal party worker, he would never approve of such cross-voting. He brushed aside the charge that MLAs loyal to him had won the battle for the Trinamool and parried questions on whether he would tie up with Mamata in the coming days.

Gloom descended over the Congress camp after the results were declared. CLP leader Atis Sinha said that he had expected his MLAs to abide by the high command's order. There was no fear of a split in the State unit, though, he said. Bhattacharya's victory has caused an irreparable damage to the party in the State, said Sinha's deputy, Saugata Roy.

It was Trinamool's day in the Assembly today. Mobbed by jubilant partymen after the results were announced, Bhattacharya said his win showed that even Congress MLAs had tremendous faith in Mamata's leadership. "All we need now is to forge a new front that can take on the Left Front. The victory was dramatic and so will be its consequences."

Trinamool leaders claimed today's win would bring about a political realignment in the State. "It shows that most Congress MLAs are sitting on the fence. Very soon they will join the Trinamool," said party leader Pankaj Banerjee.

Mamata seals Congress fate

Arindam Sarker
Calcutta, March 29

IF DISGRUNTLED partymen are to be believed, it was a telephone conversation between Somen Mitra and Mamata Banerjee that sealed the Congress' fate in the Rajya Sabha polls. "Though Trinamool leaders have denied any such contact, it is this conversation that upset all Congress calculations," said a Mitra supporter.

Not that the Congress didn't make attempts to keep its flock intact. Since last night, Priya Ranjan Das Munshi personally met party MLAs at the hostel where they were lodged, waving the Sonia whip.

Not to be outdone, Mamata Banerjee hosted a dinner for her loyalists last night. As plates of fried rice and chicken curry went around, the men and women who would decide the fate of the Trinamool-backed Independent candidate were treated to some gentle persuasion by Mamata herself.

Many party leaders feel Congress MLAs would have cross-voted if only to protect their own interests. With the Assembly elections drawing close, the MLAs, unsure of their future with the Congress, have decided to join forces with Mamata Banerjee.

THE HINDUSTAN TIMES

30 MAR 2000

Cross-voting: Post-mortem on

BJP demands explanation from Uttar Pradesh unit

HT Correspondent
New Delhi, March 30

FOLLOWING THE embarrassment faced by it over cross-voting by party legislators in the Rajya Sabha election in Uttar Pradesh yesterday, the BJP leadership has asked its state unit president for an explanation on the matter.

Barring two of its five candidates — Union Minister Rajnath Singh and former Delhi Chief Minister Sushma Swaraj — who were declared elected in the first preference, others could only pull through in the second and third rounds of the elections.

BJP general secretary M. Venkaiah Naidu stated today that a "little bit" of cross-voting seemed to have occurred in favour of a "friendly party" and due to the influence of a media personality. The obvious reference was to Loktantrik Congress Party (LCP) candidate Rajiv Shukla, who won the highest number of 50 votes in the poll. Mr Naidu said he had asked the UP BJP chief for a detailed report on yesterday's voting by party legislators.

Only after studying that would the situation become clear, Mr Naidu added.

Commenting on the election yesterday, an irate Sushma Swaraj had

stressed that the party must conduct an enquiry into how the cross-voting had occurred.

Mr Naidu today expressed satisfaction over the fact that all candidates of his party had won in the biennial Rajya Sabha election and that the BJP strength in the Upper House had been enhanced "quantitatively and qualitatively". As against 11 of its outgoing Rajya Sabha members, 16 new ones would be joining it, he said.

He also expressed happiness that Law Minister Ram Jethmalani, who contested as an Independent candidate, had been re-elected from Maharashtra with support from the BJP and Shiv Sena.

He, however, deplored the play of money power in the election to the Upper House and said: "Some people are trying to make the Rajya Sabha a market place." This is a disturbing trend, Mr Naidu observed, adding that all political parties must give it a serious thought and join hands to find a solution to check this "menace".

The BJP would cooperate with other parties in finding a solution to it, he said. Mr Naidu also expressed the view that the issue should also be discussed at the all-party meeting being convened by the Election Commission next month.

Vinod Sharma
New Delhi, March 30

THE RAJYA Sabha results in West Bengal, UP and Orissa have come to be interpreted as evidence of Mrs Sonia Gandhi's increasingly weakening hold on the party organisation, especially its legislative wings in States where the Congress has been ousted from power and seems far removed from a quick recovery.

In fact, the most serious challenge to the Congress president's writ has emerged from West Bengal, where the denial of candidature to Mr Somen Mitra, the CLP's near-unanimous choice for the RS, saw over 30 party MLAs voting against the whip.

As the Congress' RS line-up was her own exclusive creation, Mrs Gandhi cannot legitimately grudge the opprobrium she has now come to face. For instance, there were no compelling reasons for her to heighten the stakes in UP by fielding Mr Inder Khosla. The latter's sole qualification for the RS ticket was his engagement with trusts meant to promote the Gandhinahru legacy. And his failure to attract even the 17 sure votes the Congress had in UP, was an affront to Mrs Gandhi's leadership.

The shock and the disbelief gen-

erated in Congress circles was only exacerbated by the realisation that the legislators cross-voted under the watchful eyes of party heavyweights N D Tiwari, Sushil Kumar Shinde and Motilal Vora.

"It's a strategic failure," conceded a CWC member. The seething discontent in the party was manifest in his not-so-veiled references to the gray train the Congress' crisis managers had allegedly set into motion as a substitute for smart political footwork.

Equally dismal was the prognosis for Orissa. For the feuding factions there, even the humiliation of the recent Assembly defeat wasn't a good enough reason to bury the hatchet. The result: The Congress candidate could manage only 21 of the 26 votes the party had there.

In most party quarters, the denouement in West Bengal was attributed to Mrs Gandhi's cut-and-dried approach in ignoring Mr Mitra's forceful claim. As a sitting member of the Assembly, the latter stood disqualified under the Congress chief's embargo on LS discards and legislators.

But here too, the inputs Mrs Gandhi required for taking a more pragmatic view were perhaps held back from her. In selecting D P Ray—she apparently got misled by an anti-Mitra lobby.

Cong. (I), BJP rattled by cross-voting

By Our Special Correspondent

NEW DELHI, MARCH 30. Even after the just-concluded biennial elections to the Rajya Sabha, the ruling BJP and its National Democratic Alliance partners are still short of a majority in the Upper House. The bottomline is that the Vajpayee Government remains dependent on cooperation from the Opposition in carrying out any radical programme.

However, the Prime Minister, Mr. Atal Behari Vajpayee, the BJP and the Congress(I) today took turns to express concern over the phenomenon of cross-voting in the Rajya Sabha elections. Mr. Vajpayee noted that "cross-voting" was "a serious matter" and that all political parties, big and small, were victim of this malady.

Mr. Vajpayee was interacting with mediapersons at the investiture ceremony at Rashtrapati Bhavan this morning. (The Prime Minister also refused to say categorically as to when he was likely to expand his Cabinet; all he said was that the expansion would take place at the "appropriate time" but refused to spell it out.)

Both the BJP and the Congress (I) also expressed disapproval over indications of considerable cross-voting. If the BJP had reason to feel embarrassed about its MLAs' undisciplined voting in Uttar Pradesh, the Congress(I) suffered a loss of face in West Bengal and Uttar Pradesh, besides the pinpricks of minor cross-voting in

Rajasthan, Karnataka and Orissa.

On its own, the BJP has a presence smaller than that of the Congress(I) in the Upper House, even though it has marginally improved its tally from 43 to 47 seats and the Congress(I) has come down from 62 seats to 58 seats. On the current reckoning of who its allies are, the BJP-led alliance, along with its supporters, has 99 members in a house of 245; the remaining numbers are deemed to be with the Opposition.

In the NDA column are: BJP (47), DMK (9), Shiv Sena (5), Akali Dal (5), Biju Janata Dal (3), National Conference (3), Himachal Vikas Congress (1), Samata Party (1), Loktantrik Congress (1), Indian National Lok Dal (2), Independents (6, including the new one from West Bengal, supported by the Trinamul Congress). There are also supporting parties such as the Telugu Desam Party (13), the Haryana Vikas Party (1) and the JMM (2).

On the Opposition side, the Rashtriya Janata Dal and the Samajwadi Party gained impressively: the RJD going up from seven to 10 and the SP from seven to nine.

A number of parties such as the Nationalist Congress Party, the Samata Party, the Republican Party of India, the Loktantrik Congress and the Sikkim Democratic Front are making their debut in the Upper House.

A body blow to Cong.: Page 9; Coming 'closer' to Trinamul: Page 13

THE HINDU
31 MAR 2000

Parties courting candidates with 'criminal background'

By K. Balchand

PATNA, FEB. 6. It may sound ironical but the fact remains that the NDA has just made mockery of its crusade against the alleged 'jungle rule' of the RJD Government in Bihar and empowerment of women in general if its strategy for the Assembly election is any indication.

The NDA has given a cold shrift to women and its constituents seem to have competed with each other in courting hardened criminals to achieve their objective of wresting power.

The joke doing round the NDA circles was that the combine was aiming at replacing the 'Jungle Raj' with a 'Maha-Jungle Raj'. It was not a surprise that the RJD chief, Mr. Laloo Prasad Yadav, had made a political issue of the distribution of tickets by the NDA constituents to dreaded criminals heading inter-State gangs.

The Bihar elections are witnessing something that has not happened before. Almost five dozen candidates with criminal background were said to have filed their nomination papers for the 324-member Assembly. Not that criminals had not dared to enter the political arena earlier but not on such a large-scale as this time and that too hardened criminals wanted in dozens of cases not only in Bihar but outside it as well.

The criminal-politics nexus was not as brazen in the past as in the current elections. The difference today is that those with little political connection have sprung on the political spectrum and the baffling part was the manner in which the political parties, particularly the constituents of the NDA, had come forward rewarding them directly with tickets or tacitly helping them by fielding dummy candidates.

Leaders such as Mr. Pappu Yadav and Mr. Anand Mohan Singh, facing several charges, have made it big on the political front. They have built their own political clout as well. The BJP courted Mr. Singh in its vain bid to save the Vajpayee-led Government last year.

The BJP rewarded him and his wife with tickets in the Lok Sabha elections, but both of them lost. And later they were inducted into the NDA to put up a coalition of four parties to put up a fight against the ruling RJD. The way these four parties have rewarded

those gang leaders with tickets in the Assembly elections underscores the help they had sought from them for their victory in the Lok Sabha elections.

The Samata Party has shown greater propensity for such elements. However, the worst part of it all is that two alleged underworld dons are contesting from Assembly constituencies that are segments of the Lok Sabha constituencies being represented by Mr. Ram Vilas Paswan and Mr. Nitish Kumar.

The RJD has accused these two leaders of favouring the alleged criminals, Rama Singh and Surja Bhan Singh, for the reported support in ensuring their victory from Hajipur and Barh constituencies respectively. Both are contesting the elections from behind the bars.

Rama Singh is the JD(U) candidate from Mahanar Assembly segment of Hajipur, while Suraj Bhan Singh is contesting as an Independent from Mokamah segment of Barh. Some leaders in the Samata Party were upset that the party had fielded a dummy against Suraj Bhan Singh, facing several murder cases including that of the former Minister, Mr. Brij Bihari Prasad, to ensure the latter's victory.

The RJD charged that Surja Bhan had allowed Mr. Kumar to open his campaign office in Mokama, where the upper caste Bhumihars have a good presence, only after the latter agreed to help him in the Assembly elections.

The Samata Party has also fielded the other accused in the Brij Bihari murder case, Bhupendra Dubey, brother of deceased gang leader and alleged arms peddler, Devendra Dubey, from Govindganj in East Champaran district. The Samata Party nominee is a constable-turned inter-State gang leader; Satish Pandey, from Darauli in Siwan district, which is ruled by the RJD tough man, Mr. Shahabuddin, MP.

The Samata Party's list of 'criminals' does not end here. It has given the ticket to Sunil Pandey, former Ranbir Sena member, and the alleged culprit behind the kidnapping of two traders in Patna, from Piero in Bhojpur district and Rajesh Kumar Roshan, alias Babloo Deo, from Madhuban in Sitamarhi district.

The Samata has fielded Mrs. Kiran Shukla, the sister-in-law of

the notorious crime world leader, Munna Shukla, who is contesting as an Independent from Lalganj in Vaishali with the alleged objective of indirectly helping the latter.

The BJP, on its part, gave a rousing reception to the dreaded criminal Ram Lakhan Singh on his release from jail by bestowing him with a ticket from Barauni. It has also fielded Mr. Uday Shankar Singh, an alleged terror in Deogarh, from Sarath. The RJD has also pointed an accusing finger at the BJP nominee from Sonapur, Binay Singh.

Another suspect in the Brij Bihari murder case, Rajan Tiwari, is contesting as an Independent from the jail. Among the other Independents include the wife of dacoit leader, Sattan Yadav, from Nautan and Dhuma Singh.

The RJD's list comprises Dileep Singh, a Minister, from Mokamah, Ram Bichar Rai and Basawan Eaghat, also a Minister. The Congress (I) too has a couple of such anti-social elements in the fray.

While the list of criminals is a long one, the parties have not cared to prove by their action what they profess with respect to the uplift of women, particularly the BJP and the Congress (I), which have been advocating legislation for reserving 33 per cent of seats in the Lok Sabha and the State Assemblies for them.

If anything, they have damaged their credibility as the BJP has given ticket to just 9 women out of the 150 candidates it has put up while in the case of the Congress (I) it is just 24 out of the 324 nominees it has put up. Thus, the BJP has given tickets to women to the extent of the just 6 per cent of its candidates with the Congress (I) being marginally better with a representation of 7.5 per cent.

The NDA as a combine has fielded just 20 women which is four less than what the Congress (I) has fielded. If winnability is a criteria, then the NDA considers criminals a safer bet than women.

On the other hand, the RJD, which has been opposing reservation for women without specific quotas for backward and dalits, has given ticket to 16 women out of the 295 candidates it has fielded to make it a 5.5 per cent representation.

Campaign ends for first phase of polls

11/2 HD-1
NEW DELHI, FEB. 10. Electioneering for the February 12 Assembly election in Bihar and Manipur, which was by and large peaceful, ended this evening. Twenty eight Assembly constituencies in Manipur and 108 in south Bihar, mostly in extremist-dominated areas, would be covered in the first phase of elections.

The star campaigners in Bihar included Mr. Atal Behari Vajpayee, Mr. L. K. Advani and Dr. Murli Manohar Joshi (BJP), Mr. Sharad Yadav and Mr. Ram Vilas Paswan (JD-U), the Congress(I) president, Mrs. Sonia Gandhi, the Nationalist Congress Party chief, Mr. Sharad Pawar, the Samajwadi Party leader, Mr. Mulayam Singh Yadav, the Bahujan Samaj Party chief, Mr. Kanshi Ram, and the Rashtriya Janata Dal chief, Mr. Laloo Prasad Yadav. *9- B. C. Chelvi*

Prominent among those whose fate would be decided in the first phase in Bihar are Mr. Laloo Prasad Yadav (Danapur), the Leader of the Opposition in the State Assembly and BJP candidate, Mr. Sushil Kumar Modi (Patna-central), the BJP State president, Mr. Nand Kishore Yadav (Patna-east), the CLP leader, Mr. Ramashray Prasad Singh (Konch) and the former PCC president, Mr. Sarfraz Ahmed (Gandey).

In Manipur, 7,34,208 voters would decide the fate of 206 candidates in the 28 constituencies. Three main fronts, although loosely knit, are striving for power in the 60-member Assembly. — UNI

PM promises all help to Orissa

By Prafulla Das

ROURKELA (Orissa), FEB. 10. The Prime Minister, Mr. Atal Behari Vajpayee, today said the National Democratic Alliance Government at the Centre was working towards making the country strong and sought the people's support for the BJP-BJD alliance to build a new Orissa.

At a huge rally here this afternoon, Mr. Vajpayee said his Government was busy meeting various challenges to ensure that no one went hungry in the country and no one was without employment.

Pointing out that the State had remained backward in various fields despite immense natural resources and adequate manpower, he said things would improve with a new Government. If voted to power, the BJP-BJD alliance would create jobs and extend all help for agriculture and industry to ensure that the people did not have to go elsewhere for employment.

Naveen Patnaik projected CM

Mr. Vajpayee also hinted that the Union Mines Minister and Biju Janata Dal president, Mr. Naveen Patnaik, could become Chief Minister if the alliance was voted to power. "Mr. Naveen Patnaik's father, the late Biju Patnaik, tried his best to make Orissa one of the most developed in the country, and the responsibility is now on him (Mr. Naveen Patnaik)," Mr. Vajpayee said.

The remark assumes significance as the BJP's State unit had not accepted Mr. Patnaik as the Chief Ministerial nominee so far though the BJD has projected him as the candidate for the top post.

Mr. Vajpayee claimed that due to the Centre's timely help, food material reached the cyclone victims and there was no starvation deaths. The spread of epidemics was also prevented with the help of non-governmental agencies and public sector undertakings.

Later in the day, the Prime Minister addressed another election meeting Sambalpur.

Speaking on the occasion, Mr. Naveen Patnaik said he had entered politics to fulfil the dream of his late father and urged the people to vote for the alliance and strengthen his hands. The Union Minister of State for Steel, Mr. Dilip Ray, said, "everyone now knows that Mr. Patnaik will become the Chief Minister," to the applause of the crowd.

119-1
1372

60 p.c. turnout in Bihar ✓

By Our Special Correspondent

NEW DELHI, FEB. 12. An estimated 60 per cent of the electorate exercised its franchise in the first of the three-phase election to the 324-member Bihar Assembly. In three separate incidents of violence in the State, 17 people were killed.

According to tentative estimates, 70 per cent of the electorate cast their votes in Manipur in the first phase of polling to the 60-member Assembly. There were no reports of any casualties.

Briefing reporters at the Election Commission headquarters here, the Chief Election Commissioner, Dr. M. S. Gill, said that despite the incidents of violence in some parts of Bihar, polling was by and large peaceful. However, there were no reports of irregularities from any of the State's high-profile constituencies, he said.

A total of 108 Assembly segments, consisting of most of the constituencies in the south and some in the central part of Bihar,

went to the polls involving 2.10 crore voters and 28,880 polling stations.

In Manipur, 7.20 lakh voters exercised their franchise at 1,064 polling stations spread over 27 Assembly segments, mostly in the hilly districts.

Heaping praise on the paramilitary and security personnel in Bihar and Manipur, the CEC said, "we want to place on record our appreciation of all the good and hard work by the Central and State police personnel in these States".

The Election Commission expects the states of Tamil Nadu, West Bengal, Kerala and Pondicherry to be fully prepared to enable as many voters as possible to exercise their franchise with the help of photo-identity cards in the assembly elections in these states due in March/April next year.

Dr. Gill said the Commission is putting these four States 'on notice' to complete the preparations

to enable maximum number of voters to vote with the help of photo identity cards.

Dr. Gill said Haryana where elections will be held on February 22, has shown the way to the rest of the country by issuing photo-identity cards to all the voters in the State. "We expect others to follow suit."

Clarifying on the recent order of the Commission making it obligatory for the voters to produce their identity cards to be eligible to vote, Dr. Gill said the Commission has added several other documents which could be produced by the electors as proof of their identity.

These include arms licence, physically handicapped certificate, student identity card, railway/bus pass, conduct licence, freedom fighter ID card, ex-serviceman pension book, school leaving certificate, pension payment order and ex-servicemen's widow/dependent certificate.

THE HINDU
13 FEB 2000

Convicted can't contest elections: Gill

STATESMAN NEWS SERVICE

CHENNAI, June 16. — A person convicted by a court of law cannot contest elections even if an appeal against the verdict is pending in a higher court, Mr MS Gill said today.

The Chief Election Commissioner was here to discuss the matter with representatives of various political parties.

According to Section 8(A) of the Representation of People's Act, the candidacy of any person convicted of criminal charges will be rejected even if he or she has appealed against the lower court's verdict, Mr Gill said.

The clarification assumes significance with regard to at least four graft cases being tried in Special Courts against the AIADMK supremo, Miss Jayalalitha.

Miss Jayalalitha was recently sentenced to one year's rigorous imprisonment in the Pleasant Stay Hotel case. An appeal against the verdict is pending in the Madras High Court. Section 8(A) of the Representation of People's Act says any person convicted and sentenced for 25 months or more will be automatically disqualified from contesting elections.

THE HINDU

17 JUN 2000

Assembly by-polls peaceful

STATESMAN NEWS SERVICE

CALCUTTA, Feb. 17. — Assembly by-elections in West Bengal's three seats went off peacefully today. Approximately 65 per cent votes were cast in 637 booths in Binpur, Suri and Nabagram.

At Binpur, voters turned out in great numbers despite boycott calls by the MCC. Polling was peaceful, save a few incidents. No votes were cast at the Pukuria primary school booth in Belpahari till 1 p.m. as the MCC-affiliated Nari Mukti Bahini prevented voters from casting their votes.

Two Jharkhand Party supporters were stoned by members of rivals factions on their way home from the Barsul primary school booth. A JP supporter was arrested while fleeing on his bike near the Ergoda primary school booth. About

100 JP supporters stalled polling, demanding his release. Polling started again after police intervened.

At Suri, a minor incident of violence was reported at the Sonator Primary School. One person was arrested, the Chief Electoral Officer Mr Sabyasachi Sen, said.

Referring to reports that the EC might make production of voters' identity cards compulsory during the 2001 Assembly elections, Mr Sen said: "No order has so far come from the EC. The department is still distributing the cards. However many of them had errors. The voters have to contact the electoral registration officers of their respective areas to collect the rectified cards".

Mr Sen said about 1.1 crore people have attained voting rights since 1996 when the programme was taken up.

THE STATESMAN
18 FEB 2001

'Peaceful polling' in Bihar, Orissa, E.C. satisfied

By Our Special Correspondent

NEW DELHI, FEB. 17. An estimated 60 to 65 per cent of the electorate exercised their franchise for the second phase of election to the Bihar Assembly in a 'by and large peaceful' polling. In Orissa, where the first phase of election was held to the Assembly, the voter turnout was 60 per cent and it was incident-free.

The Chief Election Commissioner, Dr. M. S. Gill, told presspersons at the Election Commission headquarters that though death of five civilians were reported from different parts of Bihar, the voting in the second phase was devoid of any major violence. (According to a report, two persons were killed in police firing and 10 others killed in group clashes).

"Given the past track record of the constituencies which went to polls today, we have every reason to be happy over the outcome of the second phase. I am fully conscious of the fact that another phase of polling is due in Bihar but the E.C. is confident that things will work out to our expectations," Dr. Gill said.

The CEC was quick to point out that all the five deaths in Bihar were the result of clashes between the rival groups outside the polling booths and the incidents had no impact on the conduct of the election.

A total of 500 'anti-social elements' were rounded up on the eve of the second phase of election in the State. "It is heartening to note that the trend of violence in election in Bihar is going down".

A total of 108 assembly segments in Bihar and 70 of the 147 segments in Orissa were involved in today's polling. Of the 324 assembly segments in Bihar, 108 were covered in the first phase on February 12 and the remaining 108 would be covered in the third and last phase on February 22. The remaining 77 segments in Orissa would be covered in the polling scheduled on February 22.

The voter turnout for the by-election to the two Lok Sabha constituencies—Bajlary in Kar-



Polling officers showing ballot papers torn by miscreants at a booth in Mirampur in Bihar's Ragnipur Assembly constituency. — PTI

nataka and Kannauj in Uttar Pradesh—and 30 other assembly segments in 11 States varied from 50 to 70 per cent.

The Commission has received complaints of irregularities in the Tiruchi-II Assembly segment in Tamil Nadu and the CEC said that the Commission would take a view on the complaints in a day or two.

The CEC said the Commission has ordered immediate replacement of the Nawada District Magistrate in Bihar for his failure to control law and order situation and inability to supervise the poll process effectively.

Irregularities in the conduct of poll has been reported from a number of polling booths in the district. Dr. Gill said the Commission has taken serious view of the behaviour of its observer for Muzaffarpur. He is slated to have

locked himself up in his room for two days and did not attend to his duties. "He was in no position to discharge his responsibilities. Not only has he been sacked but he has been asked to explain his conduct," Dr. Gill said.

The CEC was at pains to emphasise that the country should appreciate the great constraints under which the police and civil authorities in Bihar were functioning and the results they have achieved in the two phases of election in the State.

Repoll in Manipur

ANI reports:

Thirty-five polling stations in Assembly constituencies of Manipur will have a repoll on Saturday (February 19), the Chief Electoral Officer, Mr. D. S. Pooni, said in Imphal today.

Key phase in Bihar today

STATESMAN NEWS SERVICE

PATNA, Feb. 21. — Shoot orders were issued and high alert sounded in Bihar on the eve of the final, crucial phase of Assembly polls. The 108 segments set to vote backed Mr Laloo Yadav in the Assembly polls of 1995 and shifted loyalty to his opponents in last year's Parliamentary elections — tomorrow they may well decide the next government of Bihar.

Mr Yadav had won at 80 of these 108 seats spread over 15 districts of north Bihar in 1995. In 1999, the BJP and allies picked up 12 of the 17 Lok Sabha seats they make up.

For the NDA, the "jungle" they allege in Bihar is the thickest here. Not only is Mr Yadav's RJD

stronger, contests, unlike in the Lok Sabha elections, are mostly multi-

cornered. But the road to removing "jungle raj" lies through here.

The Congress has fielded candidates on all 108 seats.

Its nominees in Mithilanchal are mostly Brahmins, threatening to cut into the BJP's upper caste vote. And in the East Champaran, Kishanganj, Katihar and Purnea districts, it has given a number of tickets to Muslims. Target: to nix Mr Laloo Yadav's MY formula.

The RJD's problem are its rebels. A large number of them will take on Mr Yadav's official nominees at several constituencies in Darbhanga, Madhubani, Katihar, Saharsa, Madhepura, Purnea and Gopalganj.

Besides, there are 539 Independents in the fray.

Prominent among those

whose fate will be decided in the third phase are the Assembly Speaker, Mr Deonarayan Yadav, former Speaker, Mr Ghulam Sarwar, Mrs Rabri Devi's brother, Mr Sadhu Yadav, and BPP chief, Mr Anand Mohan Singh's wife, Mrs Lovely Anand.

Like in the two earlier phases, the 20 million-strong electorate tomorrow will also have to choose from a fair number of criminal candidates.

The Samata-backed Mr Munna Shukla and Mr Rajen Tiwary are contesting for the Lalganj and Govindganj seats from behind bars. The self-styled chief of a kidnapers' gang of West Champaran, Mr Sattan Yadav, is seeking re-election from Nautan as an Independent.

The Bihar DGP, Mr KA Jacob, however, assured every step had been

taken to see "no violence takes place during the third phase." All 450 companies of paramilitary forces with the state had been shifted to North Bihar, and all sensitive and supersensitive booths would be manned by the armed forces.

Manipur: Nearly 700,000 electors in 32 valley constituencies will vote in the second phase tomorrow. The DGP, Mr L Jugeswor Singh, expected group clashes at some places. But the eleventh-hour suspension of Amsu's 18-hour "public curfew" today came as a relief for the government.

Orissa: Seventy-seven constituencies of Orissa will go to polls tomorrow. Some 400 temporary booths have been set up in areas still not recovered from the supercyclone.

■ Editorial: Jungle jingles, page 8

■ More reports on pages 2 & 6

THE STATESMAN

22 FEB 2000

Attack on Lovely ■ Arrest order against Sadhu Yadav

14 die in Bihar, 3 in Manipur

55-1 28/2

STATESMAN NEWS SERVICE

PATNA, Feb. 22. — A JD-U block president stoned to death by a rival party's workers. A total of 14 dead in poll clashes. Arrest order against the chief minister's brother. Attack on NDA's Saharsa candidate Mrs Lovely Anand. Shootouts between security forces and booth grabbers. A turnout of 55-60 per cent.

This was the story of Bihar's third-phase polls at 108 constituencies, described by the DGP as "incidents of stray violence". *9. fiction ✓*

With three more killed in Manipur — security guards shot dead in a Kuki ambush of outgoing MLA Mr Lala — the poll violence toll was 17.

The day's death count was 18, though, with a voter run over by the Bishnupur DC's car. The second phase turnout, at 32 Assembly seats in the hill state, was over 70 per cent despite widespread violence that injured at least 15 people. Officials said repolls are likely in 18 of the 911 booths.

The cyclone-ravaged Orissa coast, voting in the state's second phase covering 77 Assembly constituencies, recorded a 60 per cent turnout to better the hinterland's first-phase score of 57 per cent.

Haryana, with 68-70 per cent, romped into the record books as the first state where every voter was obliged to prove his identity. The off-putting requirement was more than balanced out by the electronic voting machines which proved a

EXIT POLLS

NEW DELHI, Feb. 22. — BJP and allies will sweep to power in Bihar, Orissa and Haryana, a DD exit poll said tonight. It gave 195 of Bihar's 324 seats to NDA, 108 of Orissa's 147 to BJP-BJD and 52 of Haryana's 90 to BJP-INLD.

Jain TV predicted a hung Assembly in Bihar, with NDA (161 seats) falling short of majority by two. It gave BJP-BJD 129 seats in Orissa, BJP-INLD 69 in Haryana and the Congress alliance 36 of Manipur's 60 seats.

The DD poll said 25 per cent of Bihar voters wanted Mr Ram Vilas Paswan as chief minister. Other candidates: Mr SK Modi (20 per cent), Mr Laloo Yadav (19), Mr Shatrughan Sinha (10), Mr Nitish Kumar (8), Mrs Rabri Devi (7).

DD tallies for non-NDA parties: Bihar — RJD & allies (64), Cong (20); Orissa — Cong (30); Haryana — Cong (28). — PTI

■ More reports, photograph on pages 2 & 8

huge draw.

The word 'draw' had an entirely different connotation in Bihar, where armed gangs blocked booths, tore up ballots and took on police. Apart from the 14 deaths, at least two dozen were wounded.

Seven booth looters, including gang leader and West Champaran don Md Zakir Hussain, were killed in a shootout with Bihar Military Police at Majhulia polling station in Bettiah constituency. Hussain was the brother of an Independent candidate for the seat, Mohammad Shamim.

At Barauli in north Bihar's Darbhanga, JD-U's Singhwara block chief, Mr Ghulam Rasool, died a horrible death under a hail of stones.

(Bihar People's Party charged RJD with the attack on its leader Mrs Anand, its complaints to police and the EC saying her security guards only just managed to save her from harm, adds PTI).

Gopalganj RJD candidate and Mr Laloo Yadav's brother-in-law, Mr Sadhu Yadav, had an arrest order issued against him for "trying to intimidate police" and force them to release some of his 'men'. An Independent rival, Mr Sanjay Singh, is in custody for allegedly disturbing the poll process.

Clashes killed two at a Sirni Bazaar booth in Govindganj, turf of candidate Rajan Tiwary, accused in more than 30 murders, robberies and kidnappings.

Reports from Katihar, Gopalganj, East Champaran, West Champaran and Purnea told similar stories: of torn-up ballots, ink poured down ballot boxes, booth-looting and clashes.

The state election office said the paramilitary would guard the centres where counting begins on 25 February.

11 KILLED IN BIHAR, MANIPUR

Over 60 p.c. polling in final phase

By Our Special Correspondent

NEW DELHI, FEB. 22. The third and last phase of polling for the four State Assemblies concluded on a "satisfactory note" barring Bihar where eight persons, including seven gangsters attempting to capture booths, were killed. In Manipur, three police personnel of the Manipur Rifles were killed and three injured in an ambush on the convoy of a candidate. (A PTI report from Patna said 12 people were killed in poll-related violence in Bihar)

Briefing reporters here, the Chief Election Commissioner, Dr. M. S. Gill, was at pains to emphasise that the virtually "incident-free" third phase had to be seen against the backdrop of the past record of the regions concerned.

According to provisional figures, 65 per cent of the voters exercised their franchise in Bihar, 70 per cent in Haryana, 60 per cent in Orissa and 72 to 75 per cent in Manipur.

The third phase covered over 300 Assembly segments in four States. Counting of votes will begin on February 25 and the results will be out by the next day.

The CEC said clashes between activists of rival parties were reported from Bihar. However, these occurred outside polling booths and did not involve the official machinery.

Among the incidents was a alleged raid by Mr. Sadhu Yadav, brother-in-law of Mr. Laloo Prasad Yadav, on the Gopalganj police station. Taking advantage of a lone policeman posted, Mr. Yadav took away ten criminals lodged there but police arrested seven of them later.

Police killed seven supporters of an independent candidate in Betaiah segment when they tried to loot

a polling booth. They were led by Zakir Mia, brother of an Independent candidate. Zakir carried a reward of Rs. one lakh on his head.

Dr. Gill praised the exemplary work done by the Bihar police and civil officials during the polls saying it only proved that the civil servants could deliver the goods if they were "allowed" to do so. The Bihar election had been conducted with half of the force available in 1995.

The CEC said the first election in Haryana where electronic machines were used in half the constituencies was a grand success.

Only one incident involving a polling booth in Meham was reported from the State and the Commission decided to take stern action against the staff concerned.

Taking a serious note of the February 14 attack on Mrs. Kalpana Mittal Barua, the poll observer in Bihar's Koderma district, the Commission ordered immediate suspension of the officer in charge of Koderma Sadar police station.

Mrs. Lovely Anand attacked

UNI, PTI report:

In the Saharsa Assembly segment of Bihar, Mrs. Lovely Anand, high-profile Bihar People's Party leader, was allegedly attacked by members of the Rashtriya Janata Dal and timely intervention by her security guards saved the situation.

Stoned to death

The JD(U) president of the Singhwara block of Darbhanga's district, Mr. Gulam Rasool, was stoned to death by unidentified assailants near Baraulia village on Monday when he was returning home after electioneering, police said today.

THE HINDU
23 FEB 2000

Laloo sizzles in Bihar, Cong fizzles in Orissa

STATESMAN NEWS SERVICE

NEW DELHI, Feb. 25. — The National Democratic Alliance juggernaut appeared to have been halted in Bihar after it steamrolled through Haryana and Orissa as Assembly election results poured in this evening.

In the Bengal by-elections, the CPI-M wrested the Suri and Nabagram Assembly seats from the Congress, while the Jharkhand Party (N) managed to retain the Binpur seat.

The Congress has won the Bellary Lok Sabha seat, vacated by Mrs Sonia Gandhi. Mr K Basavana Gouda defeated the BJP-JD(U) nominee by 96,000 votes.

In Bihar, trends for 318 seats available till late tonight showed that the NDA and the RJD-led alliance virtually running neck-and-neck in central and north Bihar. The NDA was ahead in 115 seats and the RJD in 114. The Congress was leading in 25 seats, the JMM in 15.

With a hung Assembly likely, Mr Yadav did not rule out the possibility of seeking Congress support.

The Congress, too, may be willing given its eagerness to "prevent communal forces from coming to power". The party general secretary, Mr Ghulam Nabi Azad, told Star News: "He (Laloo Yadav) is a secular person and his party is also secular. We'll try our best to keep the NDA out of power." But he

added that it was too early to commit anything.

Congress spokesman Mr Ajit Jogi, too, asserted that the party would "disclose its stand only after the results are declared."

Mr Yadav had established an unassailable lead of over 15,000 and 20,000 votes in Danapur and Raghapur respectively. He predicted his alliance would have 130 seats in the final tally. "People have rejected the communal NDA. ... I hope the Governor will invite the RJD which is all set to emerge single largest party."

Meanwhile, Mr Ram Vilas Paswan today denied being in the race for the Bihar chief ministership. "Main nahin banoonga (I will not become chief minister)," the JD-U leader said this has been his "categorical stand" from the very beginning, reports PTL.)

In Orissa, the BJP-BJD cyclone swept away the Congress, winning 62 of the 85 seats declared so far. It has a comfortable lead in another 43 seats.

The Congress lost most of its traditional bastions managing only 14 seats so far in the 147-member House.

The state PCC chief, Mr JB Patnaik, himself lost to his BJD rival in Athgarh.

"One has to accept the mandate," Mr Patnaik said, and added that people had voted for a change.

■ More reports on pages 3 & 5

■ See POLLS: page 5

POLLS: Manipur ruling party lags behind

(Continued from page 1)

But the former chief minister was confident that the defeat would not mean the end of the road for the Congress in the state. "We were reduced to only 10 seats in 1990 and yet we returned to power in 1995," he pointed out.

Latest reports showed the BJD chief and Union minister, Mr Navin Patnaik, leading against his nearest Congress rival in Hinjili. His taking over from Mr Hemananda Biswal as chief minister now remains a mere formality.

This is the first time the BJP will be a part of a government in any eastern Indian state.

In Haryana, the ruling INLD-BJP alliance won a comfortable

TRENDS UPSET BJP

NEW DELHI, Feb. 25. — The BJP is worried over its performance in Orissa, Haryana and Bihar. In Haryana and Orissa the party's allies, the INLD and the BJD, are inching towards a majority on their own. In Bihar, Mr Laloo Prasad's RJD is leading at several seats which were considered its stronghold.

The BJP general secretary, Mr Venkaiah Naidu, who met the party president today to assess the poll results, admitted: "performance of the party was not upto the expectations."

A BJP leader feared if the INLD and the BJP emerge strong enough to form government on their own, it would not "augur well for the party at the Centre." The BJP's gameplan to benefit at the cost of the allies has once again boomeranged, another leader said.

The BJP would "have to be on its toes" in Bihar as well. Besides, if Mr Nitish Kumar becomes the chief minister he might join hands with the RJD. — SNS

majority in the 90-member Assembly taking 52 of the 88 seats declared.

The combine needed only 46 for a simple majority.

The INLD has won in 47 con-

stituencies and the BJP in six. The Congress bagged 21 seats, improving its last time's tally of 12. It benefited mainly from the poor show put up by the Haryana Vikas Party.

Mr Bansi Lal's Haryana Vikas Party managed to win only two seats, down 31 from last time.

In Manipur, the ruling Manipur State Congress Party was lagging behind, winning only eight of the 21 seats declared so far.

Of the remaining 13, seven went to the Secular Democratic Front of the Congress and the Manipur People's Party, three to the NCP, and one each to the BJP, RJD and the SP.

By-poll results a lesson for Trinamul: PCC

UDAY BASU

STATESMAN NEWS SERVICE

CALCUTTA, Feb. 26. — The Trinamul Congress should take a lesson from the by-election results in three Assembly seats announced yesterday, feels Pradesh Congress.

The Trinamul's defeat was the highlight, as its candidates not only became a poor third in two seats, but was unseated in the Suri constituency.

The Congress failed to retain the Nabagram seat, but its ally, Jharkhand Party, won the Binpur seat in Midnapore.

The Trinamul policy-making committee chairman, Mr Pankaj Banerjee, reacted to the Congress's observation today by asking it first to stop liaising with the CPI-M at the state and the national levels and then seek Trinamul's support for a joint fight against the CPI-M.

The CPI-M, on the other

hand, is pleased with the results. The victory of the Trinamul and the BJP in the by-polls to the Shyampur and Ashokenagar-Habra seats respectively last year caused panic in the ruling Left Front, especially in view of the Assembly polls slated in 2001.

Mr Anil Biswas, CPI-M state secretary, hailed the party's success at Nabagram and Suri. He said though the CPI-M lost Binpur, the Trinamul's failure even to get votes it had secured from this segment in the last elections was "significant".

Midnapore has become a hotbed of political vendetta between the Trinamul and the CPI-M. The Trinamul has been complaining that the CPI-M, aided and abetted by a party minister, has unleashed a reign of terror in the district.

Mr Saugata Roy, PCC vice-president, said today the results once again vindicated

the PCC stand that no single party can dislodge the Left Front. "The Trinamul leadership should not harbour any illusion that it alone can end the CPI-M's misrule, however mass appeal Miss Mamata Banerjee may have," he said.

The PCC is happy that its ally, Jharkhand Party, could retain the Binpur seat. Mr Roy explained that its support base at Nabagram, where it was unseated, had been eroding. Though its sitting candidate won the Lok Sabha elections necessitating the by-elections, he trailed behind the CPI-M candidate in this segment.

"Even then, the party's performance at Nabagram has somewhat improved. The margin of defeat has been reduced from over 10,000 votes in the last Lok Sabha elections to about 8,300. The Trinamul candidate got about 8,700 votes. If the Trinamul left the seat to the

Congress and sought Congress's help for the Suri seat, the CPI-M could have been defeated in both the seats," Mr Roy said.

The Trinamul's defeat in Suri was stunning. It had been held by the Congress strong man, Mr Sumiti Chatteraj, who joined Trinamul and contested the Lok Sabha seat on Trinamul ticket. He was defeated in the Lok Sabha poll and now had the humiliation of losing the Assembly seat as well.

Mr Pankaj Banerjee, however, maintained the Trinamul was not surprised by the results. "Even in general elections, CPI-M goons with the help of a partisan administration resort to large-scale electoral malpractices and in by-elections the mobilisation of party cadres is the maximum. In such a situation the victory of the ruling party candidates is almost a foregone conclusion," he said.

PARTY POSITIONS

Haryana Assembly:		Bihar Pradesh:		Madhya Pradesh:		Haryana Assembly:	
RJD-alliance		BSP		Samajwadi party	0	Indian National Lok Dal	47
RJD	121	Trinamul Congress	0	Ind and others	8	Congress	21
CPI-M	2	NCP	0	Seats declared	147	BJP	6
Total	123	Samata Party	0	Outstanding	nil	Haryana Vikas Party	2
National Democratic Alliance		Bihar Pradesh:		Madhya Pradesh:		Bahujan Samaj Party	
BJP	67	BJP	3	Congress	2	RPI	1
Samata Party	33	Samata Party	1	BJP	1	NCP	1
JD-U	26	Bahujan Samaj Party	1	Independents	1	Independents	11
Total	126	Seats declared	5	Results declared	4	Seats declared	90
Congress		Outstanding		Outstanding		Outstanding	
JMM-S	25	nil	nil	nil	nil	nil	nil
CPI	15	Maharashtra:		Maharashtra:		Manipur Assembly:	
CPI-M	10	Shiv Sena		Shiv Sena		United Front	
UGDP	10	Result declared		Result declared		MSCP	
BSP	10	Outstanding		Outstanding		Federal Party of Manipur	
KSP	10	Punjab:		Punjab:		Total	
MCC	0	Shiromani Akali Dal		Shiromani Akali Dal		27	
Independents	20	Results declared		Results declared		Secular Democratic Front	
Seats declared	318	Outstanding		Outstanding		Congress	
Outstanding	58	Andhra Pradesh:		Andhra Pradesh:		Manipur People's Party	
Orissa Assembly:		Telugu Desam Party		Telugu Desam Party		JD-S	
BJD	5	Result declared		Result declared		Total	
BJP	1	Outstanding		Outstanding		15	
Congress	1	West Bengal:		West Bengal:		Manipur Democratic Alliance	
CPI	1	CPI-M		CPI-M		BJP	
CPI-M	1	Jharkhand Party		Jharkhand Party		6	
JMM	1	Results declared		Results declared		Samata Party	
JD-S	1	Outstanding		Outstanding		1	
JD-O	0	Others		Others		Total	
		NCP		NCP		7	
		RJD		RJD		Others	
		Independents		Independents		NCP	
		Seats declared		Seats declared		4	
		Outstanding		Outstanding		RJD	
						1	
						Independents	
						1	
						Seats declared	
						55	
						Outstanding	
						5	

Chautala extends olive branch to BJP

STATESMAN NEWS SERVICE

CHANDIGARH, Feb. 26. — After obtaining merely one seat more than the magic figure of 46, ensuring a majority for the INLD on its own in the 90-member Haryana Assembly, the party chief, Mr OP Chautala, today extended an olive branch to the Haryana BJP, which has won six seats in the recently concluded polls.

Till the support of at least a section of the 11 Independents is obtained by the INLD, Mr Chautala's majority in the House will be tenuous, requiring dependence on BJP. And, therefore, he today not only softened his stand regarding BJP, but was also emphasized that INLD-BJP contested the election jointly. "The BJP will participate in the government to be formed in the state," he said.

After being formally elected leader of the INLD legislative party in a meeting of all party MLAs today, he said he will not only invite the BJP to join the government but also talk to Mr Atal Behari Vajpayee in this regard day after tomorrow.

Stage set for Navin; BJP awaits maiden experience

STATESMAN NEWS SERVICE

BHUBANESWAR, Feb. 26. — The BJD-BJP has swept to within a breath of a three-fourths majority in Orissa, setting Mr Navin Patnaik up for his first stint as chief minister, and the BJP for its maiden shot at governance in a major eastern state.

The alliance has won 106 out of 147 seats in the Assembly, leaving behind a stunned Congress with an emaciated tally of 26.

The JMM has won three seats; the CPI, CPI-M, Trinamul Congress and Janata Dal-Secular one each. Eight Independents have made it to the Assembly.

The BJD has had a remarkable "strike rate" of 80 plus, winning 68 of the 84 seats it contested. The BJP, by contrast, won only 38 of the 63 seats allotted to it. Still, it is an achievement for the party which had only two seats in the Assembly in 1990 and 10 in 1995.

The Congress' fall, on the other hand, has been spectacular. From 82 last time, the ruling party has crashed to 26 seats. Prominent losers include the former chief minister and Orissa Congress chief, Mr JB Patnaik, and several ministers in the Hemananda Biswal government: Mr Basant Kumar Biswal, Mr Niranjan Patnaik, Mr Bhagabat Prasad Mohanty, Mr Jagannath Patnaik, Mr Bhupinder Singh, Mr Ulaka Ram Chandra, Mr Kishore Chandra Patel, Mr Matlub Ali, Mr Jaydev Jena, Mr Amar Pradhan and Mrs Bijoylaxmi Sahoo.

Heavyweight losers in the BJP are its state

unit president, Mr Manmohan Samal — trounced by the BJD rebel, Mr Manas Ranjan Mallick at Dhamnagar — and party spokesperson, Mr Shyamananda Mohapatra.

Leader of the Opposition, Mr Sachidananda Dalal, and state JD-U president, Mr Narsingh Mishra, also lost.

Among the winners are the chief minister, Mr Hemananda Biswal who won the Laikera seat, and 10 of his ministers: Mr Habibulla Khan, Mr Suresh Routray, Mr Gajadhar Majhi, Mr Prakash Chandra Debata, Mr Ramakant Mishra, Mr Prasad Harichandan, Mr Haldhar Karjee, Mr SS Bhoi, Mrs Parama Pujari and Mrs Usharani Panda.

Youth Congress president, Mr Lalatendu Bidyadhar Mohapatra, not only stood firm against the BJP-BJD wave, but notched up the largest victory margin among his partymen: over 24,000 votes.

BJD president, Mr Navin Patnaik got elected from Hinjili by a margin of 26,417 votes. The BJP's Mr Biswabhusan Harichandan won the prestigious Bhubaneswar seat with thumping margin of 94,538. Filmstar-turned-BJP-leader, Mr Prasant Nanda, scraped through at Begunia by 2,000 votes.

NDA allies, the Trinamul Congress, Samata Party and JD-U had fielded candidates for 36, 14 and 8 seats. Only the Trinamul's Mr Trilochan Behera won — at Patkura by over 36,000 votes, but the victory came mainly because he had the blessings of the expelled BJD stalwart, Mr Bijoy Mohapatra.

THE STATESMAN
27 FEB 2000

NDA, RJD to stake claims

Nitish Kumar and Rabri Devi in race for Chief Ministership

HT Correspondent

New Delhi, February 27

THE NATIONAL Democratic Alliance today decided to take a shot at government formation in Bihar and chose Mr Nitish Kumar as its leader even as the Rashtriya Janata Dal re-elected Mrs Rabri Devi as its nominee and decided to stake its claim tomorrow.

The race for power got into high gear with the RJD overtaking the NDA to emerge as the single largest party in the hung Assembly earlier in the day. The former secured 123 seats and the latter 122.

The NDA's decision to project Agriculture Minister and Samata Party leader Nitish Kumar as its leader was taken at a meeting held at the Prime Minister's residence tonight. Although 41 seats short of the magic figure of 163, the meeting decided that the NDA should stake its claim. Mr Nitish Kumar is proceeding to Patna

tomorrow.

Emerging from the three-hour meeting, Defence Minister George Fernandes claimed the NDA had the necessary numbers, apart from the legitimate claim for the "consistency" of its alliance.

"We have received, both in writing and verbal, support from independents, political parties and rebels who have returned to the fold and this adds up to more than the required minimum," he commented.

However, none of the leaders who emerged from the meeting at Mr Atal Bihari Vajpayee's residence, were forthcoming with names and other such proof. The combine's largest constituent, the BJP, finished with 67 seats, the Samata Party, 34 and Janata Dal (United) 21. Sources said the en bloc support of the 12 Jharkhand Mukti Morcha (SS) candidates is more or less assured as the NDA is committed to speedily fulfil its demand for a Vananchal state.

The NDA's gameplan appears to be to pip the RJD, the single biggest party with 123 elected members to the post. With the Congress (23) and the CPI-CPI(ML) bloc (12) being vague about their support for the RJD, the NDA hopes to present Governor Vinod Pande with the first bunch of letters of support from the JMM and a section of Independents.

Reports from Patna indicate the possibilities of an NDA move to put up a Samata-JD(U) government with outside support from the BJP. Mr Nitish Kumar's choice of chief ministerial candidate followed the decision of the JD(U)'s Ram Vilas Paswan not to bid for the post. The BJP had yesterday opted out of the race. This was reiterated this morning at a meeting held in home minister L. K. Advani's residence. However, the NDA plan crystallised at the evening meeting at the Prime Minister's residence that was attended by Mr L.K. Advani, Mr Fernandes, Mr Sharad Yadav, Mr Ram Vilas Paswan and Mr Nitish Kumar.

Assembly polls in 4 states next month

PRESS TRUST OF INDIA
NEW DELHI, JAN 8

ASSEMBLY polls in Bihar, Orissa, Manipur and Haryana will be held on February 12, 17 and 22 along with by-elections to vacant Lok Sabha seats of Bellary and Kannauj and 30 assembly constituencies in 11 states, the Election Commission announced today.

While the 324-member Bihar Assembly will have polling on all the three days, elections to the Orissa Assembly with 147 members will be held on Feb 17 and 22 and to Manipur assembly with 60 members on Feb 12 and 22.

The 90-member Assembly in Haryana, which was dissolved following a recommendation by Chief Minister Om Prakash Chautala, will have a one-day poll on February 22, Chief Election Commissioner M S Gill told reporters here.

By-elections to the Bellary Lok

Sabha seat in Karnataka, vacated by Congress president Sonia Gandhi and Kannauj in Uttar Pradesh quit by Samajwadi Party leader Mulayam Singh Yadav and 30 assembly constituencies in 11 states would be conducted on February 17. Counting of votes will take place on February 25 while the entire election process would be completed by March eight, Gill said. He announced that the model code of conduct for political parties and candidates would come into force with immediate effect in the four states and in the districts in which Lok Sabha and assembly bye-elections are scheduled to be held.

Announcing the schedule, Gill said a poll notification will be issued on January 17 and the last date for filing nominations would be on January 24 and the scrutiny the following day. The withdrawal of candidates would take place on January 27. Around ten crore electors would be exercising their fran-

chise in the four states and bye-elections to two Lok Sabha and 10 assembly seats in the country, the CEC said.

While the tenure of the Manipur and Orissa assemblies was to expire on March 21 and March 22 respectively, Bihar assembly term was to end on April nine. The term of Haryana assembly was upto May 21, 2001 but was dissolved recently.

Gill said the poll schedule had been fixed following a series of meetings with Home ministry and other senior officers and also with the Chief electoral officers. On the basis of various inputs, broad arrangements and plans for deployment of security forces including central para-military forces had also been worked out, he said.

Stating that the commission had made extensive use of electronic voting machines during the Lok Sabha polls, Gill said the panel would decide shortly on the use of EVMs in the polls.

INDIAN EXPRESS

- 9 JAN 2000

EC curbs Bihar Govt on Budget

HT Correspondent
New Delhi, January 10

THE ELECTION Commission has restrained the Bihar Government from presenting a full-fledged budget for the next financial year.

The commission pointed out that the as State was already in election mode such a move would be violative of the Model Code of Conduct.

The action came following objections raised by some of the Opposition parties in Bihar, particularly the BJP, to the reported move of the RJD Government to present the budget during the winter session of the Assembly which began today.

They had also sought the commission's intervention to recast the Governor's address in view of the elections.

The commission sources today confirmed that the State Government has assured that it

would not present the budget. Instead a second supplementary demand for grants would be passed in the Bihar House.

The Bihar Government was learnt to have told the commission that in view of the fact that new Assembly would have enough time before March 31 this year, it did not propose to even seek a vote-on-account for the first quarter of the new financial year.

The Commission took stock of the situation in its meeting held yesterday and today. Directives were then issued to the State Government to refrain from presenting the budget and for a suitable recast of the Governor's address.

Appreciating the State Government's "prompt response", the commission expressed the hope that the polls next month in Bihar, Orissa, Haryana and Manipur would be "free and fair".

"The commission is confident that, in fact, not only in Bihar, but

all States going to the polls shortly, all concerned will be conscious that this is the first election in the country in the new year and the new millennium," Chief Election Commissioner M S Gill told *The Hindustan Times*.

"We are confident that all involved will ensure that this exercise does credit to the country, the parties and the candidates," he added.

Meanwhile, in a related development, the commission has also directed the UP Government not to transfer any official connected with the conduct of Lok Sabha and Assembly by-elections covering eight districts of the State.

In a letter written to State Chief Secretary Yogendra Narayan, Deputy Election Commissioner Sayan Chatterjee said that positions of officers manning election-related posts shall remain the same as held by them on January 8 when the election schedule was announced.

THE HINDUSTAN TIMES

11 JAN 2000

BEWARE OF GIFTS

The Election Commission has decided to enforce the code of conduct for the elections in Bihar. This has thrown off the rails some of the plans the ruling Rashtriya Janata Dal had to offer sops to the electorate before the hustings. The government led by Ms Rabri Devi had the intention to present the state budget for the financial year 2000-01 before the elections. This plan has been nipped in the bud by the EC. The idea that the RJD government would announce new proposals that would bring material benefits to the people has been scotched. The EC deserves congratulations for acting swiftly and decisively. Political parties in power almost invariably use the ploy of winning over voters through the offer of largesse. In a poor country like India this amounts to bribing voters to stay in power. It is a major abuse of democracy. Yet no political party can claim to be free from it. In the case of the RJD and Ms Rabri Devi this abuse is even more glaring since the RJD government's track record in all spheres of governance is abysmal. Under RJD rule, Bihar has sunk into a quagmire of corruption and lawlessness. There are reasons to suspect that the stark deterioration in the state of affairs has more than the tacit complicity of the government.

The plan to bring forward the budget in order to win popularity is not only cynical but also an attempt to camouflage the government's non-performance. The promise of gifts thus stands in the way of a fair verdict on the government's performance. Populism as vote getter not only mocks at the democratic system but is also a huge drain on the exchequer. It is an evil which has gone unchecked for too long. The EC's model code of conduct seeks to curtail this evil. What is significant is that the EC is eager to implement the code of conduct. This is bound to put the RJD on the back foot. But that should not bother the EC. Its sole concern should be the holding of free and fair elections. The plan to buy votes through promises does not fall within the definition of fair polls. The EC seems to be the only institution eager to uphold some codes of behaviour in India's most lawless state.

INDIAN EXPRESS
12 JAN 2000

Krishna Murthy appointed EC

HT Correspondent

New Delhi, January 12

MR T. S. Krishna Murthy, Secretary in the Department of Company Affairs, has been appointed the Election Commissioner (EC). He succeeds Mr G.V.G. Krishnamurthy, who retired in September last year.

According to a Law Ministry spokesman, his appointment was cleared by President K.R. Narayanan after a proposal to this effect was sent to him by the government. His appointment would come into effect from the day he assumed charge in the EC.

An Indian Revenue Service

(Income Tax) officer of the 1963 batch, Mr Murthy was due to retire from his present post on May 31, 2000. He will enjoy a term of more than five years in the Commission as the EC has a term of six years or till he or she attained the age of 65 years whichever came first.

After completing the Bachelor's degree of law from the University of Madras, Mr Krishna Murthy had obtained a degree in Fiscal Study from the United Kingdom.

He has held several important positions before he was appointed Secretary to the Department of Company Affairs. He was Additional Secretary to the

Department of Expenditure in the Ministry of Finance, Chief Commissioner of Income-Tax, Mumbai, and DG of Income-Tax and held other offices. Talking to *The Hindustan Times*, Mr Murthy confirmed he had received orders regarding his new appointment today and he would be joining only towards end of this month.

Speculations were rife over the likely candidate to fill this slot eversince Mr Krishnamurthy retired. Apart from Mr Murthy, other names in circulation were of Mr Raghubir Singh, Secretary, Legislative Department and member Law Commission M.N. Chhatate.

THE HINDUSTAN TIMES

13 JAN 2000

EC: George, 9 other MPs no longer Samata office-bearers

HT Correspondent
New Delhi, January 20

IN A major setback to the Samata Party in the run-up to the Bihar Assembly polls, the Election Commission today derecognised Mr George Fernandes and nine other MPs of the party as its office-bearers. According to it, all these MPs are members of the Janata Dal (U) as per the Commission's records.

The upshot of the decision is that none of the 10 Samata office-bearers can sign the authorisation forms 'A' and 'B' for allotting party tickets to nominees for next month's Assembly polls in Bihar and three other states.

The EC ruling came in the wake of "contradictory" letters and affidavits submitted by the Samata Party lately regarding its exact status. The party had submitted its list of office-bearers to the Commission two days back.

In its six-page order, the EC, however, affirmed that the Samata Party was a recognised party, enjoying the privileges under the Symbol Order. The Commission said it only wanted to ensure that Forms A and B were signed by an authorised office-bearer of the party, other than the 10 derecognised by it today.

This would imply that the party could nominate an office-bearer (outside the 10) to issue the crucial forms for party symbol. Normally, the power on this count is vested in the party president - Mr Fernandes, in this case. But he stands derecognised by the EC order.

There was no immediate word from the Samata Party as to how it proposed to deal with the situation thrown up by today's developments.

In its order, the EC cited clause V of the Samata Party constitution, stating "unambiguously" that none of its primary members could be a member of another political party and only those fulfilling conditions under this clause will be eligible to be its office-bearers.

It pointed out that Mr Fernandes and the other nine office-bearers were all MPs, belonging to JD(U) as per the EC records. As such, they cannot hold any office in Samata Party, leave alone becoming either its president or a member of the national executive.

The Commission rejected the Samata Party's argument that three affidavits filed by M/s George Fernandes, Manjay Lal and Capt Jainarain Prasad Nishad, affirming that they were only the JD(U) members, were "unauthorisedly" notarised by some persons.

The EC ruled that it has no option but to take these affidavits on their "legal face value". It was for the party and the persons concerned to take appropriate action

under law for this alleged breach of trust and faith more so when none of the persons concerned have repudiated their claims before it.

The EC while agreeing to the Samata Party's contention that it has not merged with the JD(U) and is still a separate entity, said that it is eligible to contest elections as a separate political party under the Symbols Order.

However, the EC was in total disagreement with the their contention that the affiliation of its Lok Sabha members elected on JD(U) ticket has no bearing on their position in the Samata Party and that it should not be construed adversely in relation to the persons contesting Assembly elections on the party's ticket.



Cong.(I) releases first list

By our Special Correspondent

NEW DELHI, JAN. 22. The Congress(I) today announced its candidates for the 108 constituencies of South Bihar, which go to the polls in the first phase on February 12. In keeping with Mrs. Sonia Gandhi's wish to give a new profile to the party, by fielding fresh faces and younger candidates, little over 23 per cent of the nominees are under 40 years of age.

Of the 108 seats in the Jharkhand area, 40 are reserved for the SC/STs. Fifty per cent of the tickets have, therefore, been given to candidates belonging to the OBC,

SC and ST. The party's Central Election Committee cleared the first list this afternoon after several meetings over the past three days.

Prominent among the nominees are the Congress(I) Legislature Party leader, Mr. Ramashray Prasad Singh, former PCC(I) president Dr. Sarfaraz Ahmed, two of the recently appointed BPCC(I) working presidents, Mr. Furkan Ansari and Prof. Ram Jatan Sinha, and the former president of the Jharkhand Regional Congress(I) Committee, Mrs. Sushila Kerketta. Despite Mrs. Gandhi's report-

ed interest in fielding a greater number of women candidates, only six women figure in the list - a mere 5.6 per cent of the total. One candidate for the Masaurhi seat, is yet to be finalised.

Sources said that the PCC(I) chief, Mr. Sadanand Singh, had been asked to clarify some points, adding that the seat had been "earmarked" for a woman candidate.

Mr. Devipada Upadhyay (formerly of the CPI) and Mr. Hari Ram Sardar (formerly of the JMM-S), who joined the Congress(I) five days ago, have been given tickets.

BJD, INLD CONCEDE FEWER SEATS

BJP reaches deal on Orissa, Haryana

By Our Special Correspondent *410-1*

NEW DELHI, JAN. 29. The BJP which has been engaged in a tug of war with its allies in the last few weeks over seat-sharing for the Assembly elections has finally something to cheer about.

After a great deal of haggling the party has succeeded in managing an agreement with the Biju Janata Dal in Orissa and the Indian National Lok Dal in Haryana. Thanks to tough bargaining by the regional allies, the BJP had to settle for fewer seats than it had hoped to contest.

As per the agreement late on Friday night between the Biju Janata Dal and the BJP, the BJD would contest 84 seats and the BJP the remaining 63. The formula is a repeat of the agreement between the two parties at the time of the Lok Sabha elections in October. While the BJD contested 12 Lok Sabha seats, the BJP had contested seven seats.

In Orissa the BJP had pitched its demand for 50 per cent of the share and brought it down to 70 seats but the BJD took a tough stand and insisted on being the dominant partner. State leaders of the BJP in Orissa are not happy with the agreement but the central leaders are confident that everything will be sorted out in the next few days.

The INLD president and the Haryana Chief Minister, Mr. Om Prakash Chauthala and the Union Parliamentary Affairs Minister, Mr. Pramod Mahajan, were engaged in hectic parleys till the wee hours of Friday and they appear to have clinched the deal though the state unit leaders of BJP are fuming over what they term as 'sell-out' by the high command.

The BJP was insisting on contesting 35 of the 90 seats in Haryana but the INLD is not willing to concede more than 28 seats. There is a possibility of the INLD conceding a couple of more seats and the central leadership of the BJP appears inclined to accept the offer. The scene with regard to Bihar where the nomination for the second phase of election in the state is to end on Monday continues to be hazy though the BJP leaders claimed here today that the differences among the allies of the NDA have narrowed down 'substantially'.

The BJP general secretary, Mr. M. Venkaiah Naidu, told reporters here today that there was a meeting

among the leaders of the NDA at the residence of the Union Finance Minister, Mr. Yashwant Sinha, on Friday night and the talks were continuing at the residence of the Defence Minister, Mr. George Fernandes, as the Finance Minister had to leave for Davos to attend the meeting of the World Economic Forum.

A senior leader of the BJP claimed here that of the 324 seats in Bihar, there was complete agreement among the NDA allies on 205 seats. Of the remaining seats 22 are considered to be strongholds of the opposition combine and none of the constituents of the NDA are keen on staking their claim for these.

That leaves 97 seats for which talks were on to resolve differences. In 56 of these, there are rival claims by two parties and after marathon negotiations differences have been narrowed down on 51 seats. In 41 seats most of the NDA partners are staking their claim as they are considered 'sure seats'.

Cong. releases Bihar second list

By Our Special Correspondent

NEW DELHI, JAN. 29. The Congress(I) today released its candidates list for the second phase of polling in Bihar. Among the 108 nominees are the State PCC chief, Mr. Sadanand Singh (from Kahalgaon), and several former Ministers of State such as Mr. Krishnanand Jha, Mr. Surendra Prasad Tarun, Mr. Vijay Shankar Dubey and Ms. Uma Pandey.

The last date for filing nominations for the second phase is January 31. Only nine women figure in the list announced today. In the first phase list (of 107 candidates, released last week), only six women found a place.

Of the 324 constituencies in Bihar, the party has so far finalised 215 candidates for the first and second phases on February 12 and 17. The remaining 109 nominees, mainly for the third and last phase on February 22, are likely to be announced next week as the last date for filing nominations is February 3.

The first phase is mainly in south Bihar, while the second is largely in central Bihar. The last phase will cover north Bihar.

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