

REPORT
ON THE
FOURTH GENERAL ELECTIONS
IN INDIA
1967

VOLUME I
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ELECTION COMMISSION OF INDIA

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CHAPTER I

THE CONSTITUENCIES

Between 1962 and 1967, the number of constituencies, parliamentary as well as assembly, underwent a considerable increase. The total number of parliamentary constituencies in existence at the time of the third general election to the House of the People was 494; at the fourth general election, 520 constituencies were called upon to elect their representatives to the House. While in 1962 the total number of assembly constituencies was 3196, it increased to 3563 in 1967.

The third general elections were held in constituencies delimited on the basis of population figures ascertained at the decennial census of 1951. Articles 82 and 170(3) of the Constitution provide that, upon the completion of each decennial census, the allocation of seats in the House of the People to the several States, the total number of seats in the Legislative Assembly of each State and the parliamentary and assembly constituencies into which each State is divided shall be readjusted by such authority and in such manner as may be determined by an Act of Parliament. Although the decennial census had been taken on March, 1, 1961, detailed population figures were only published in September, 1962 by the Registrar General. Immediately thereafter, the Delimitation Commission Act of 1962 was enacted by Parliament.

This Act was on the same lines as the Act of 1952 but with a few important differences. First, it was laid down in the Act itself that all constituencies, including those in which seats had to be reserved for the scheduled castes or for the scheduled tribes in accordance with the Constitution, should be single-member constituencies. This principle had already been accepted by Parliament in passing the Two-Member Constituencies (Abolition) Act, 1960 and, even for the third general elections, all constituencies were single-member constituencies. Secondly, it was expressly provided that every assembly constituency should be so delimited as to fall wholly within one parliamentary constituency or, in other words, each parliamentary constituency should comprise an integral number of assembly constituencies. The third main difference was in regard to the principles for locating the constituencies in which seats were to be reserved for the scheduled castes and for the scheduled tribes. The direction was given in the Act that constituencies in which seats were to be reserved for the scheduled castes should be distributed in different parts of the State and located, as far as practicable, in those areas where the proportion of their population to the total was comparatively large. But, as regards the constituencies in which seats were to be reserved for scheduled tribes.

the direction was that they should, as far as practicable, be located in areas where the proportion of their population to the total was the largest.

The composition of the Delimitation Commission as provided in the Act was the same as in 1952. It was to consist of three members, the Chief Election Commissioner *ex-officio* being one and each of the other two members being a sitting or retired Judge of the Supreme Court or of a High Court appointed by the Central Government. The Act provided for the appointment of nine associate members in respect of each State, four being members of the House of the People representing that State and five being members of the Legislative Assembly of that State. They were nominated, respectively, by the Speaker of the House of the People and by the Speaker of the Legislative Assembly, having regard to the composition of the House or, as the case may be, of the Assembly. The jurisdiction of the Delimitation Commission initially did not extend to the States of Jammu and Kashmir and Nagaland.

The Central Government on January 29, 1963, notified the constitution of the Delimitation Commission. It consisted of—

Shri J. L. Kapur, formerly a Judge of the Supreme Court—Chairman;

Shri C. P. Sinha, formerly Chief Justice of the Assam High Court—Member; and

Shri K. V. K. Sundaram, Chief Election Commissioner—Member.

The Delimitation Commission did not have a separate secretariat for itself. Shri P. S. Subramanian, Deputy Election Commissioner, was appointed Secretary of the Delimitation Commission. The immense amount of staff work involved in the delimitation of over 4,000 constituencies spread over the length and breadth of the country was done in the office of the Election Commission without any addition to its staff.

The first task of the Delimitation Commission was to decide the total number of seats in the House of the People to be assigned to the States other than Jammu & Kashmir and Nagaland. At that time, this number was 481. In addition, Jammu and Kashmir was allotted 6 seats under the Constitution (Application to Jammu and Kashmir) Order and Nagaland had one seat to itself under the State of Nagaland Act, 1962, making a total of 488 seats for the 16 States. The Delimitation Commission by its Order No. 1 made on March 20, 1963, decided that this total should be increased by 9 seats only. Its reasons are stated in the Order as follows :—

“Clause (1) of article 81 of the Constitution fixes the maximum limit of 500 for the number of members to be chosen by direct election from territorial constituencies in all the States, includ-

ing Jammu and Kashmir and also Nagaland when that State is formed. Accordingly, the maximum number of elective seats available for allocation among the 14 States is 493. After taking various circumstances into consideration, we have come to the conclusion that it would be desirable and proper to increase the total number of seats from the present number of 481 to 490. The total population of these States has increased very considerably during the last ten years, with the result that the average population per parliamentary constituency has increased from 732,654 in 1951 to 889,257 in 1961. Further, the increase is far from being uniform for all the States. Consequently, if the present total of 481 seats were retained and distributed among the fourteen States according to their population as ascertained at the last decennial census, three of the larger States, namely Uttar Pradesh, Andhra Pradesh and Madras lose as many as three seats each in the House of the People and Bihar also loses one seat. While this result cannot be completely avoided, it is to a certain extent mitigated by increasing the total number to 490. Uttar Pradesh then loses only one seat, Bihar does not lose any and Andhra Pradesh and Madras lose only two seats each. We notice that even if the total number were increased right upto the maximum permissible, namely 493, the position so far as Uttar Pradesh, Andhra Pradesh and Madras are concerned would remain the same and the three additional seats would go to States which had not lost any seat. We therefore determine that the total number of seats in the House of the People to be allocated among these fourteen States should be increased from 481 to 490 only."

The Delimitation Commission then proceeded to distribute these 490 seats among the 14 States having regard to the principle laid down in article 81(2)(a) of the Constitution which is that the ratio between the number of seats allotted to a State and its population shall, so far as practicable, be the same for all the States. The total population of the 14 States according to 1961 census was 427,732,685, which, divided by 490, gave an average of 872,924 per seat. The population of each State was divided by this number to arrive at the number of seats to be allotted to that State. Having distributed the seats in this manner to the several States, the Delimitation Commission then determined, in accordance with the provisions of article 330 of the Constitution the number of seats to be reserved in each State for the scheduled castes and for scheduled tribes, if any. This determination also was made strictly in accordance with the figures of the scheduled caste and scheduled tribe population as published by the Registrar-General. The seats in the House of the People allotted

to each State, the number of reserved seats and the relevant population figures are set out in the Table below :—

TABLE I

Name of State	Population (1961 census)			Seats allotted		
	Total	S.C.	S.T.	Total	S.C.	S.T.
1. Uttar Pradesh .	73,746,401	15,399,881	Nil	85	18	0
2. Bihar . . .	46,455,610	6,504,966	4,204,784	53	7	5
3. Maharashtra .	39,553,718	2,226,914	2,397,159	45	3	3
4. Andhra Pradesh	35,983,447	4,973,616	1,324,368	41	6	2
5. West Bengal	34,926,279	6,890,314	2,054,081	40	8	2
6. Madras . . .	33,686,953	6,067,327	251,991	39	7	0
7. Madhya Pradesh	32,372,408	4,253,024	6,678,410	37	5	8
8. Mysore	23,586,772	3,117,232	192,096	27	4	0
9. Gujarat	20,633,350	1,367,255	2,754,446	24	2	3
10. Punjab	20,306,812	4,139,106	14,132	23	5	0
11. Rajasthan .	20,155,602	3,359,640	2,351,470	23	4	3
12. Orissa .	17,548,846	2,763,858	4,223,757	20	3	5
13. Kerala	16,903,715	1,434,817	212,762	19	2	0
14. Assam	11,872,772	732,756	1,108,681	14	1	1
			(a)			(a)
			956,135			1
			(b)			(b)

NOTE.— (a) For the autonomous districts of Assam.

(b) For Assam excluding tribal areas.

The next step was to determine the total number of elective seats in the Legislative Assembly of each State. Section 8 of the Delimitation Commission Act requires that the total number of seats assigned to the Legislative Assembly of a State should be an integral multiple of the number of seats in the House of the People allotted to that State. Considering the then existing strength of the several legislative assemblies, it was noticed that while, broadly speaking, the multiple increased as the population of the State decreased, this was not uniformly the case. The desirability of changing the multiple in the case of some of the States was considered in consultation with the associate members but it was eventually decided to retain the pre-existing multiple in all States except Madras. The Legislative Assembly of Madras then had 206 elective seats. Since its quota in the House of the People would for the future be reduced by two, the Delimitation Commission considered it proper to raise its multiple from five to six and to assign 234 seats to its Legislative Assembly.

The Delimitation Commission then determined, in accordance with article 332 of the Constitution, the number to be reserved for the scheduled

castes and for the scheduled tribes, except the scheduled tribes in the tribal areas of Assam, in the Legislative Assembly of every State and the number of seats to be reserved for the autonomous districts in the Legislative Assembly of Assam. The special provision in clause (4) of this article gives a small weightage to the people of the autonomous districts, as it requires that the number of seats to be reserved for an autonomous district shall bear to the total number of seats in the Assembly a proportion *not less than* the population of the district bears to the total population of the State. This meant that in each of these cases, the number obtained by calculation had to be rounded off to the next higher integer. Thus, the five autonomous districts were assigned seats as follows, although, on the basis of population, they were only entitled to the number shown in brackets against each :—

United Khasi-Jaintia Hills District	.	.	.	5	(4·65)
Garo Hill District	.	.	.	4	(3·26)
Mizo District	.	.	.	3	(2·82)
Mikir Hills District	.	.	.	3	(2·39)
North Cachar Hills District	.	.	.	1	(0·58)
TOTAL	.	.	.	16	(13·70)

In all other cases, the usual principle of rounding off the fraction to the nearest integer was invariably followed.

The Delimitation Commission notified on August 24, 1963, its Order No. 2 determining the number of seats to be assigned to the Legislative Assembly of each State and the number of seats to be reserved for the scheduled castes and for the scheduled tribes of the State. These numbers, together with the "multiple" adopted for each State, are set out in the Table below :—

TABLE 2

Name of State	No. of seats in the House of the People	Multiple	No. of seats in the Legislative Assembly		
			Total	S.C.	S.T.
1. Uttar Pradesh	85	5	425	89	..
2. Bihar	53	6	318	45	29
3. Maharashtra	45	6	270	15	16
4. Andhra Pradesh	41	7	287	40	11
5. West Bengal	40	7	280	55	16
6. Madras	39	6	234	43	2
7. Madhya Pradesh	37	8	296	39	61
8. Mysore	27	8	216	29	2
9. Gujarat	24	7	168	11	22
10. Punjab	23	7	161	33	..
11. Rajasthan	23	8	184	31	21
12. Orissa	20	7	140	22	34
13. Kerala	19	7	133	11	2
14. Assam	14	9	126	8	10

The decision of the Government of India to make Nagaland a full-fledged State, which had been taken early in 1962, was implemented by Parliament passing the State of Nagaland Act in September 1962. It was provided in this Act that, as from a date to be notified, the tribal areas which were previously known as the Naga Hills district and the Naga Tribal area would be separated from the State of Assam and would form the State of Nagaland. The whole of the State was to form one parliamentary constituency electing one member to the House of the People. The State was eventually to have a Legislative Assembly of 60 elected members, but for a period of ten years from the date of formation of the State (for which period, certain special provisions for the administration of Tuensang district were made in the Constitution itself by an amendment), the number of elective seats in the Assembly was to be 46. Six of these were allotted to the Tuensang district to be filled by a process of indirect election and the remaining 40 seats were to be filled by persons chosen by direct elections from territorial constituencies in the remaining two districts of the State, viz., Kohima and Mokokchung.

The task of delimiting the assembly constituencies in these two districts of Nagaland was assigned to the Election Commission. The principles for delimiting the constituencies as laid down in the State of Nagaland Act were slightly different from those laid down in the Delimitation Commission Act. The Election Commission was directed to have due regard to the linguistic affinities of the people besides various other matters like physical features, facilities of communications, public convenience etc. Another special provision was that the population of each constituency should not, as far as practicable, exceed 6,000. Considering that the total number of constituencies for the area was fixed and near-equality of population was the accepted principle for delimitation, this provision seemed to be superfluous. The Election Commission made its Order delimiting the assembly constituencies of Nagaland on November 7, 1963.

At the general elections of 1962, the total number of seats in the House of the People allotted to the Union Territories was 18 of which only those allotted to Delhi, Himachal Pradesh, Manipur and Tripura, 13 in all, were filled by election. The representatives of the Andaman and Nicobar Islands, the Laccadive, Minicoy and Amindivi Islands, Dadra and Nagar Haveli and Goa, Daman and Diu were nominated by the President. A maximum of 20 members to represent the Union Territories was then laid down in article 81(1) (b) of the Constitution. This upper limit, however, was increased to 25 by the Constitution (Fourteenth Amendment) Act, 1962.

In 1962, none of the Union Territories had a Legislative Assembly. Next year it was decided that five of them, viz., Himachal Pradesh, Manipur, Tripura, Goa, Daman and Diu and Pondicherry should be provided with Legislative Assemblies and Councils of Ministers. Under the Government of Union Territories Act which was enacted in May, 1963, the strength of the Himachal Pradesh Legislative Assembly was fixed at 40 and that of the other four Legislative Assemblies at 30. The Delimitation Commission was required to delimit the assembly constituencies in each of these Union Territories on the basis of the latest census figures. It was also required to readjust the parliamentary constituencies in the Union Territories of Delhi, Himachal Pradesh, Manipur and Tripura, the number in each remaining the same as before, and to delimit the two parliamentary constituencies provided for Goa, Daman and Diu. Pondicherry was formed into a single parliamentary constituency electing one member to the House of the People. Provision for associate members was made in the Act on lines similar to the provisions in the Delimitation Commission Act and the procedural sections of that Act were also made applicable.

Three further changes in the representation of the Union Territories in the House of the People may be noticed here. It was felt that the number of seats that had previously been allotted to Delhi was inadequate in view of the steady and rapid increase of its population. The number was accordingly raised from 5 to 7 by the Delhi Administration Act, 1966. Then, the Union Territories (Direct Elections to the House of the People) Act, 1965, provided for direct elections in the three Union Territories of Andaman and Nicobar Islands, Laccadive, Minicoy and Amindivi Islands and Dadra and Nagar Haveli. Each of these Territories was made into a parliamentary constituency which, beginning with the fourth general elections, would elect its representative in the House of the People.

The reorganisation of Punjab and Himachal Pradesh, which was effected by the Punjab Reorganisation Act, 1966, resulted in the constitution of Chandigarh, as a separate Union Territory and in a large accretion of territory and population to Himachal Pradesh. Consequently, Chandigarh was made into a separate parliamentary constituency, returning one member to the House of the People, and the number of seats allotted to Himachal Pradesh was increased from 4 to 6. The total number of seats of the Legislative Assembly of this Union Territory was increased to 60.

The Table below sets out for purposes of comparison the representation of the Union Territories in the House of the People immediately after the third general elections and immediately after the fourth general elections.

TABLE 3

Union Territory	Population (1961 census)	Seats in the House of the People					
		1962			1967		
		Total	S.C.	S.T.	Total	S. C.	S.T.
Delhi	2,658,612	5	1		7	1	
Himachal Pradesh	2,812,463@	4	1		6	1	
Tripura	1,142,005	2		1	2		1
Manipur	780,037	2		1	2		1
Goa, Daman & Diu	626,978	2*			2		
Pondicherry	369,079				1		
Andaman & Nicobar Islands	63,548	1*			1		
Dadra & Nagar Haveli	57,963	1*			1		1
Laccadive, Minicoy & Amindivi Islands	24,108	1*			1		1
North East Frontier Tract†	336,558	1*			1*		..
TOTAL	8,871,351	19	2	2	24	2	4

*Seats filled by nominated members.

@Including the population of the territories added to Himachal Pradesh by section 5 of the Punjab Reorganisation Act, 1966.

†Treated on a par with Union Territories by virtue of the Constitution (Removal of Difficulties) Order No. VIII.

The main principles of delimitation as laid down in the Constitution and the law are that constituencies should be more or less equal in population, that all constituencies should be geographically compact areas and that, in forming them, administrative units should not be unnecessarily broken. Physical features, facilities of communication and public convenience have to be kept in mind. Accordingly, for a scientific delimitation of constituencies in each State, it is necessary to have maps on an appropriate scale of the State as a whole and of its districts and cities and detailed tables showing the total population scheduled caste population and scheduled tribe population for the smaller administrative units within each district and city.

Instructions for the preparation of such maps and the compilation of such tables were issued by the Election Commission in 1962, a few months before the passing of the Delimitation Commission Act, but even so, the task proved to be difficult in a number of States. A much longer time was taken to complete the work than was initially expected. The Commission was surprised to find that proper printed maps of districts showing the boundaries of administrative units, main physical features like hills, rivers and canals and lines of rail and road communications were not available in many cases. The maps that were eventually produced by the State authorities were of poor quality and were not invariably accurate and up-to-date. The ban imposed for security reasons on the production of maps even on the scale of one inch to four miles added to the difficulties of the Commission. It is to be hoped that by the next delimitation properly printed large scale maps of districts will be available in all the States.

The traditional unit of administration is the district. Its boundaries undergo little change over the years. From the point of view of co-ordinating democratic representation with the administrative set-up, it would be ideal if each district were more or less of the size of a parliamentary constituency and each principal division of the district were more or less of the size of an assembly constituency. But districts vary greatly both in extent and population, not only from one State to another, but also within the same State. For instance we have 24-Parganas district in West Bengal with a population of 6,280,915 at one extreme and Datia district in Madhya Pradesh with a population of 200,467 at the other extreme. The former district comprises 7 entire parliamentary constituencies with one assembly constituency to spare, while the latter is only one-fourth of the parliamentary constituency in which it is included.

Because of the disparity in the size of districts, it was often not possible to keep parliamentary constituencies within the boundaries of a single district. Parts of two districts, and sometimes of three districts, had to be combined to form one parliamentary constituency.

As already mentioned, the statutory requirements are that each parliamentary constituency should comprise an integral number of assembly constituencies and also that the total number of assembly constituencies in a State should be an integral multiple of the number of parliamentary constituencies assigned to that State. It follows that the number of assembly constituencies in each parliamentary constituency should be the same as the integral multiple fixed by the Commission for the State. Geographical and practical considerations, however, made the Commission depart from this rule in three instances. In Assam, where the multiple is 9, it was decided to keep within Karimganj parliamentary constituency only 8 assembly constituencies and to put 10 assembly constituencies within Dhubri parliamentary constituency. In Gujarat, where the multiple is 7, Kutch district was made into one parliamentary constituency, though it had only 6 assembly constituencies, and this was compensated by keeping 8 assembly constituencies in Rajkot parliamentary constituency. In Manipur, having regard to the distribution of tribal population and the extensiveness of the tribal areas, it was decided to keep 16 assembly constituencies in Inner Manipur parliamentary constituency and 14 assembly constituencies in Outer Manipur parliamentary constituency.

The Commission decided that every district should, as far as possible, be allotted an integral number of assembly constituencies. The total number of assembly constituencies assigned to the State was divided among the several districts approximately in the ratio of their population. There were, however, a few cases in which the number of constituencies to be assigned to a district on this calculation was not only small but also included a fraction around half which could neither be ignored nor rounded off to the next higher integer without making the population of each constituency in the district either abnormally high or abnormally low. In such cases, the Delimitation Commission decided to take the surplus area from the small district and combine it with an appropriate part of the adjoining large district to form one assembly constituency.

Although the constitutional requirement is that constituencies should "so far as practicable" have the same population, the Commission considered a variation of not more than 10 per cent either way from the mean as permissible. In exceptional cases, as in hilly areas and sparsely populated desert regions, constituencies were formed with populations less than 90 per cent of the average for the State, and no objection was taken to the formation of such constituencies from any quarter.

With the introduction of *panchayati raj* and the three-tier system in most of the States, the old units of administration like the tahsil, the revenue inspector's circle and the patwar circle were being ousted in

importance by development blocks within the jurisdiction of panchayat samitis and village groups within the jurisdiction of gram panchayats. These new units often cut across the boundaries of the revenue administrative units. There was some difference of opinion among associate members and State authorities as to whether regard should be had to the boundaries of the newly formed units of *panchayati raj* in preference to the older and better recognised units of revenue administration. As the weight of opinion appeared to be in favour of the former, the Commission found it necessary to have the population tables compiled for these units.

This created a problem in some States. In most places the census tables had been drawn up with the revenue village as the basic unit in rural areas, and the villages grouped together under the recognised administrative units such as patwar circles, revenue inspector's circles, police thanas and so on. The regrouping of this information with reference to gram panchayat areas and panchayat samiti areas necessarily took much time and labour. Similarly in urban areas, the census authorities had devised their own units for enumeration, calling them census wards, which were not always coterminous with the municipal wards. Re-delimitation of the latter for purposes of municipal elections during this period added to the confusion in a few cities. A notable example of this was Calcutta which in 1961 had 80 wards but this number was later increased to 100, necessitating a re-calculation of the population of each of the new wards with the help of the basic census data.

Proposals for the delimitation of constituencies in each State were first prepared in the office of the Delimitation Commission and then discussed in detail, and revised by the Commission, with the assistance of the associate members of the State. The process of carving out in each district the allotted number of assembly constituencies, having due regard to physical features, communication facilities and public convenience, and thereafter grouping together the requisite number of assembly constituencies to form one parliamentary constituency, was comparatively easy and gave rise to controversy in very few cases. But when it came to specifying the constituencies to be reserved for the scheduled castes and for the scheduled tribes, the divergence of views among the associate members was noticeable and it was often difficult to decide how exactly the reserved constituencies should be formed and where they should be located.

As regards the constituencies reserved for the scheduled castes, the law laid down distribution in different parts of the State as the main guiding principle. Accordingly, the Delimitation Commission first distributed the total number of reserved constituencies among the several districts in proportion to the strength of the scheduled caste population in each district. Treating the district as a unit "part of the State" for this purpose was

convenient from the practical point of view. After deciding how many assembly constituencies in a district should be reserved for the scheduled castes, their actual location was done in accordance with the second principle laid down in the law, namely, location in areas where the proportion of scheduled caste population to the total was comparatively large. In districts where the scheduled caste population was more or less evenly distributed, it was not easy to determine which particular parts of the district should be chosen for locating the reserved constituencies. Generally speaking, the vocal sections of the public objected to their own local areas becoming part of a reserved constituency and put forward ingenious suggestions for reshaping two or more constituencies so that some particular area would be in a general constituency. In States like Maharashtra, Gujarat and Kerala, where the scheduled caste population was not large, reserving a constituency in which the scheduled caste population was as low as 15 per cent of the total or even less, produced a good deal of dissatisfaction, if not resentment, among the non-scheduled caste population of the district. This, however, could not be avoided.

Reservation for the scheduled tribes was made on an altogether different principle. The Act laid down that these constituencies should, as far as practicable, be located in areas where the proportion of the scheduled tribe population to the total was the largest. This practically meant that in each State the requisite number of constituencies which had the greatest concentration of scheduled tribe population had to be declared reserved for them. In a few districts like Koraput and Mayurbhanj in Orissa, the application of this principle made it difficult to find even one general constituency although the non-scheduled tribe population of the district as a whole fully justified more than one general constituency. At the other extreme, two seats had to be reserved for the scheduled tribes in each of the States of Madras, Mysore and Kerala, but because of the sparseness of the scheduled tribe population it was difficult to find an area where the second seat could be properly located. Where the percentage of the scheduled tribe population to the total in a constituency reserved for the scheduled tribes fall as low as 15 or 20, the reservation was naturally disliked by the general public. Such cases, however, were few.

The Commission's proposals for the delimitation of constituencies in each State were published in the Gazette of India and in the official gazette of the State with a notice inviting objections and suggestions from the public by a specified date. Public sittings were then held by the Commission at three or four places within the State at which all such suggestions were considered. The associate members were invited to be present at these sittings and to assist the Commission with their local knowledge. Thereafter the Commission reconsidered all the proposals at meetings with the

associate members in the light of the discussions at the public sittings and determined the boundaries of all the constituencies and specified those to be reserved for the scheduled castes and for the scheduled tribes. The final order was then prepared in the office of the Commission and sent to the local officers to check carefully the description and the extent of each constituency and to see that no small areas was inadvertently left out or included in two constituencies and that the names were correctly spelt.

The procedure was certainly long-drawn and it took three years and a half to complete the work. Delimitation of the Union Territory of Goa, Daman and Diu was finished first in August 1963 and general elections were held in December 1963 to constitute the Legislative Assembly of the Territory. The constituencies of Kerala, Madhya Pradesh and Pondicherry were finalised in 1964; those of Andhra Pradesh, Madras, Orissa, Punjab, Mysore and Himachal Pradesh in 1965; and those of Maharashtra, West Bengal, Gujarat, Assam, Uttar Pradesh and Bihar, Tripura, Manipur and Delhi in 1966. The last order made by the Delimitation Commission as constituted in January 1963 was the order delimiting the parliamentary constituencies of Delhi and this was signed on July 22nd, 1966.

Meanwhile, the Government of India, in consultation with the Government of Jammu and Kashmir, had decided that the six seats allotted to this State and hitherto filled by nomination of the President on the recommendation of the State Legislature, should henceforth be filled by direct election from territorial constituencies. To this end, the Constitution (Application to Jammu and Kashmir) Order was amended in June, 1966. The special provisions made for this purpose were that six seats would continue to be allotted to the State (though strictly on the basis of population it was only entitled to four), that the State would be divided into single-member constituencies by the Delimitation Commission in accordance with such procedure as it might deem fit and that, while the general principles for delimitation laid down in the Act would be applicable, the Constitutional provision that constituencies should, so far as practicable, be equal in population would not apply.

At the same time, the Jammu and Kashmir Representation of the People Act, 1957, which provided for the delimitation of assembly constituencies in the State for the first two general elections, was amended in order that the re-adjustment of the extent and boundaries of these constituencies on the basis of the 1961 census figures could be done by the same body that was to delimit the parliamentary constituencies of the State. Under this amendment, the Governor was authorised to constitute a Delimitation Commission, the composition of which was to be exactly the same as provided in the Delimitation Commission Act of 1962. Since the time available for the work was short, the appointment of associate members

was dispensed with, but provision was made for publication of the Commission's proposals in draft, reception of objections and suggestions from the public and public hearings for considering them.

The passing of the Punjab Reorganisation Act as late as September 1966 added further to the work which the Commission had to finish in a short period. The delimitation of constituencies in Punjab and Himachal Pradesh, which had been completed in 1965, had to be scrapped in its entirety, since out of the territories of the old Punjab State, large areas were removed and added to the Union Territory of Himachal Pradesh and the new State of Haryana and the new Union Territory of Chandigarh were carved out. The allocation of seats in the House of the People to this region underwent a radical change. In place of 22 seats allotted to Punjab and 4 to Himachal Pradesh, the two States of Punjab and Haryana were allotted 13 seats and 9 seats respectively, the enlarged Himachal Pradesh got 6 seats and Chandigarh was made a single parliamentary constituency electing one member. The total number of seats in the Legislative Assemblies of Punjab, Haryana and Himachal Pradesh was fixed by the Act itself at 104, 81 and 60 respectively. The number of seats to be reserved for the scheduled castes and for the scheduled tribes in each of these three assemblies was also fixed in the Act. As all these basic numbers were changed because of the political reorganisation of the area, delimitation of constituencies in all the three units had to be done *de novo*.

Immediately after the task originally assigned to the Delimitation Commission was finished in July, 1966, Shri Justice C. P. Sinha resigned his membership of the Commission and the Government of India appointed in his place Shri Justice R. C. Soni, retired Judge of the Punjab High Court. The Commission, as so reconstituted, completed the delimitation of constituencies in Jammu and Kashmir, Punjab, Haryana and Himachal Pradesh within four months.

An amendment of the Representation of the People Act, 1950, made towards the end of 1966 provided that, as soon as may be after all the delimitation orders had been made by the Delimitation Commission or, as the case may be, by the Election Commission, the Election Commission should, after making such amendments as appear to be necessary for bringing up to date the description of the extent of the constituencies as given in those orders, consolidate them into one single order to be known as the Delimitation of Parliamentary and Assembly Constituencies Order, 1966. This consolidated Order was made by the Election Commission on September 30, 1967, and as required by section 8 of the aforementioned Act, authentic copies of the Order were sent forthwith to the Central Government and to all the State Governments.

The tables below set out for purposes of comparison the number of parliamentary and assembly constituencies in each State and Union Territory at the time of the general elections in 1962 and in 1967.

TABLE 4
Parliamentary Constituencies

State/Union Territory	No. of Parliamentary Constituencies					
	1962			1967		
	Total	Reserved for		Total	Reserved for	
		S.C.	S.T.		S.C.	S.T.
I. States :						
1. Andhra Pradesh	43	6	2	41	6	2
2. Assam . . .	12	1	2	14	1	2
3. Bihar . . .	53	7	5	53	7	5
4. Gujarat . .	22	1	3	24	2	3
5. Haryana . .	..	..	..	9	2	..
6. Jammu and Kashmir . .	..	..	..	6	..	..
7. Kerala . . .	18	2	..	19	2	..
8. Madhya Pradesh	36	5	7	37	5	8
9. Madras . . .	41	7	..	39	7	..
10. Maharashtra .	44	6	2	45	3	3
11. Mysore . . .	26	3	..	27	4	..
12. Nagaland . .	..	..	..	1	..	..
13. Orissa . . .	20	4	4	20	3	5
14. Punjab . . .	22	5	..	13	3	..
15. Rajasthan . .	22	3	2	23	4	3
16. Uttar Pradesh .	86	18	..	85	18	..
17. West Bengal .	36	6	2	40	8	2
TOTAL . . .	481	74	29	496	75	33
II. Union Territories :						
1. Delhi	5	1		7	1	
2. Goa, Damian and Diu . . . .	..	..	..	2	..	..
3. Himachal Pradesh	4	1	..	6	1	..
4. Manipur . . .	2	..	1	2	..	1
5. Pondicherry . .	..	..	..	1	..	..
6. Tripura . . .	2	..	1	2	..	1
7. Andaman and Nicobar Islands				1		..
8. Chandigarh . .				1		..
9. Dadra and Nagar Haveli . .				1	..	1
10. Laccadive, Minicoy and Amindivi Islands . .	..	..	..	1	..	1
TOTAL . . .	13	2	2	24	2	4
GRAND TOTAL	494	76	31	520	77	37

TABLE 5
Assembly Constituencies

State/Union Territory	No. of assembly constituencies					
	1962			1967		
	Total	Reserved for		Total	Reserved for	
		S.C.	S.T.		S.C.	S.T.
<i>I. States :</i>						
1. Andhra Pradesh	300	43	11	287	40	11
2. Assam	105	5	23	126	8	25
3. Bihar	318	40	32	318	45	29
4. Gujarat	154	11	21	168	11	22
5. Haryana	..	..	..	81	15	..
6. Jammu and Kashmir	75	4	..	75	6	..
7. Kerala	126	11	1	133	11	2
8. Madhya Pradesh	288	43	54	296	39	61
9. Madras	206	37	1	234	42	2
10. Maharashtra	264	33	14	270	15	16
11. Mysore	208	28	1	216	29	2
12. Nagaland	..	..	..	46	..	..
13. Orissa	140	25	29	140	22	34
14. Punjab	154	33	..	104	23	..
15. Rajasthan	176	28	20	184	31	21
16. Uttar Pradesh	430	89	..	425	89	..
17. West Bengal	252	45	15	280	55	16
<i>II. Union Territories :</i>						
18. Goa, Daman & Diu	..	..	..	30	..	..
19. Himachal Pradesh	..	..	..	60	14	3
20. Manipur	..	..	..	30	..	9
21. Pondicherry	..	..	..	30	5	..
22. Tripura	..	..	..	30	3	9
TOTAL	3,196	475	222	3,563	503	262

CHAPTER II

ELECTORAL MACHINERY

The administrative machinery responsible for the preparation of electoral rolls and for the conduct of elections in each State remained practically the same as before. The coordination and supervision of the work is done by the chief electoral officer who is appointed by the Election Commission in consultation with the State Government. He is usually a senior officer of the Government of the rank and status of a secretary or joint secretary to the State Government. During the period between two general elections the duties of a chief electoral officer are light and can be performed by him in addition to other duties. It is however necessary that for a period of at least four months before a general election, he should not be burdened with other work. During and immediately before the last general elections, there were wholetime chief electoral officers in nine States.

As recommended by the Commission, every chief electoral officer in a State is now assisted by a permanent and wholetime deputy who is in charge of the office and maintains continuity of supervision and control.

For each assembly constituency, there is an electoral registration officer whose duty is to prepare and revise the electoral roll for the constituency as required by law. He is usually of the rank of a sub-divisional officer and is assisted by one or more assistant electoral registration officers of the rank of tehsildar. In some of the larger municipal corporations, however, the executive officer is appointed as electoral registration officer. There were in all 951 electoral registration officers and 2,410 assistant electoral registration officers in 1967 as against 1017 electoral registration officers and 1958 assistant electoral registration officers in 1962.

The scheme for the appointment of returning officers and assistant returning officers for the various constituencies is similar. The returning officers for assembly constituencies are generally drawn from the cadre of sub-divisional officers while those for parliamentary constituencies are usually district officers. When elections are held simultaneously to the State Legislative Assemblies and to the House of the People, the returning officers and assistant returning officers of all the assembly constituencies comprised within one parliamentary constituency are appointed as assistant returning officers for the parliamentary constituency. This is done in order to facilitate the coordination of statutory and supervisory functions vesting in them at different stages of the elections and more particularly at the stage

of counting of votes. There were 1,931 returning officers and 5,526 assistant returning officers as against 1,602 returning officers and 4,499 assistant returning officers in 1962.

From the purely electoral point of view, a parliamentary constituency would be the ideal territorial unit for making efficient arrangements at a simultaneous general election. Since, however, the district is the unit for various administrative purposes, electoral arrangements also have to be based on the district and its revenue sub-divisions. Under the election law as it stood before 1967, the district officer as such had no statutory responsibility for supervising the elections but in fact he performed this function and was in over-all charge of the multifarious election arrangements within his district. On the recommendation of the Commission, the Representation of the People Act, 1951 was amended towards the end of 1966 providing for the appointment of a district election officer for each district in a State. This officer, subject to the control of the chief electoral officer of the State, was empowered to coordinate and supervise the work in connection with the preparation and revision of electoral rolls and with the conduct of elections in his district. To provide for cases where these functions could not be performed satisfactorily by one person, the law authorised the Commission to nominate more than one such officer and to specify their respective areas of jurisdiction.

Besides the general duty of supervision mentioned above, certain specific functions were also conferred on the district election officer under the amending Act. The duty of providing an adequate number of polling stations, which previously was thrown on the returning officer for each constituency, was transferred to the district election officer. The power to appoint presiding and polling officers for various polling stations in the whole district was similarly centralised in him so that at a general election he was able to utilise the available man power in the best possible way. The accounts of election expenses, which formerly had to be lodged with the returning officer of the constituency, were now required to be lodged with the district election officer. Similarly, by an amendment of the Conduct of Elections Rules, 1961, the district election officer was made the custodian of the papers relating to all elections held within the district after the completion of the elections. This meant, from the practical point of view, the establishment of a separate election office in each district and its continuance on an organised permanent footing.

In almost all the States the Commission, in consultation with the State Government, designated the district collector or deputy commissioner as district election officer for the district. The exceptions were that in Bihar and in Orissa the additional district magistrate was so appointed, and in Uttar Pradesh a particular additional district magistrate, city magistrate or senior deputy collector in the district was nominated as the district election

officer. In the cities of Hyderabad, Madras and Bangalore, the commissioners for the city corporations were so appointed. The power to appoint more than one district election officer for a district was utilised only in respect of Calcutta district and the districts of Assam.

There was little addition to the staff of the Election Commission specially for supervising the general elections. Besides the permanent Deputy Election Commissioner, the Commission was assisted by another officer who was appointed temporarily as a Deputy Election Commissioner for less than two months. He and the Secretary to the Commission were specially deputed to supervise polling arrangements and the counting of votes in Jammu and Kashmir. An additional Secretary was also appointed from December 1966 for about six months to cope with the extra work in the office of the Commission.

There was no provision in the election law enabling the Chief Election Commissioner who constituted the Election Commission to delegate any of the statutory functions of the Commission to a Deputy Election Commissioner or other officer. In the absence of such provision, orders in numerous routine matters had to be passed by the Chief Election Commissioner personally before they could be notified by the Secretary or an Under Secretary to the Commission. Furthermore, the general powers of superintendence, direction and control vested in the Commission could not be effectively exercised by a Deputy Election Commissioner without prior reference to the Chief Election Commissioner. On the recommendation of the Commission this lacuna in the law was filled by an amendment made in 1966 in the Representation of the People Act, 1951. A new section 19A was added in this Act providing that the functions of the Commission under the Constitution or the election law may, subject to any general or special directions of the Commission, be performed by a Deputy Election Commissioner or by the Secretary to the Commission.

CHAPTER III

ELECTORAL ROLLS

The law regarding the preparation of electoral rolls for assembly and parliamentary constituencies, as contained in the Representation of the People Act, 1950, and the Registration of Electors Rules, 1960, remained practically the same until December, 1966, when a few minor amendments were made. After the general elections of 1962, the Commission directed that a summary revision of the electoral rolls would ordinarily be sufficient in the years 1963 and 1964. Intensive revision of the rolls on the basis of house to house canvassing by official enumerators was limited to a few constituencies or parts of constituencies when some special reasons existed. Thus, in Kerala where the re-delimitation of constituencies was completed in May 1964, and a general election to the Legislative Assembly was due to be held in 1965, it was decided that the electoral rolls of all the assembly constituencies in the State should be prepared afresh in 1964 after a house to house enumeration.

The Commission was convinced that it was a waste of effort to revise every year the electoral rolls of all the constituencies in the country. The device of summary revision made the task somewhat easier for the electoral registration officer since he had only to prepare a list of amendments to the various parts of the electoral roll on the basis of such information as might be readily available, publish the roll together with this list in draft and finalise it after going through the usual claims and objections procedure, but such a nominal revision was purposeless from the practical point of view. Between February 1962 when the third general elections were held and July 1966, there were bye-elections only in 30 parliamentary constituencies and 127 assembly constituencies, giving an average of about 36 bye-elections in a year for the whole country. The Commission felt that it would not be difficult to revise the electoral rolls of even a parliamentary constituency as and when a bye-election was to be held. (Incidentally, it may be mentioned that under the Canadian election law, electoral rolls are revised only when a general election or bye-election is announced and not at any other time). With reasonable printing facilities and by employing a sufficient number of enumerators on the job, it should be quite practicable to revise intensively the electoral rolls for any constituency in about three months.

The Commission accordingly recommended that sub-section (2) of section 21 of the Representation of the People Act, 1950, should be amended

giving discretion to the Commission to order revision of a particular electoral roll only when occasion demanded and not as a routine matter every year. This recommendation was accepted by Parliament and the subsection was amended by the Representation of the People (Amendment) Act, 1966, to read:—

“(2). The said roll—

- (a) shall, unless otherwise directed by the Election Commission for reasons to be recorded in writing, be revised in the prescribed manner by reference to the qualifying date—
 - (i) before each general election to the House of the People or to the Legislative Assembly of a State; and
 - (ii) before each bye-election to fill a casual vacancy in a seat allotted to the constituency; and
- (b) shall be revised in any year in the prescribed manner by reference to the qualifying date if such revision has been directed by the Election Commission:

Provided that if the electoral roll is not revised as aforesaid, the validity or continued operation of the said electoral roll shall not thereby be affected.”

The work of delimiting constituencies which was going on in several States even during the pre-election year created a technical problem. Most of the States were not confident of getting the electoral rolls for all constituencies prepared after house to house enumeration in one year. The practice was to get the rolls printed in private presses as cheaply as possible and in a leisurely manner. The reluctance of good private presses to tender for the job on terms acceptable to Government, combined with the woefully inadequate printing facilities in many districts, made the task of the electoral registration officers difficult and led to considerable delays at the printing stage. The electoral rolls of a parliamentary constituency would be of the order of 5000 pages, folio size. If the work of printing them is to be got through expeditiously, the State Government must either have standing arrangements with selected private presses or direct their own presses to do the work on a high priority.

The electoral rolls to be used at the general elections had to be prepared afresh in 1966 for the new assembly constituencies which, in the majority of cases, differed in extent from the corresponding old constituencies. The Commission issued a general direction that about 40 per cent of the electoral rolls should be intensively revised in 1965 and the rest in 1966 and that the latter should include all urban areas, areas with a floating population, areas where displaced persons were temporarily congregated and areas to or from which large scale migration was known to have taken place. The rolls intensively revised and printed in 1965 as for the then

existing constituencies were re-arranged in 1966 as for the newly delimited constituencies and published as draft rolls inviting claims and objections according to law. In Punjab, Haryana and Himachal Pradesh where the electoral rolls had been finally prepared in 1966 as for the old constituencies and the new constituencies were finalised by the Delimitation Commission towards the end of the year, the rolls for the new constituencies were prepared in the manner specially provided in rule 24 of the Registration of Electors Rules, by putting together the relevant parts of the finalised rolls and making appropriate alterations in the arrangements, serial numbering and headings of the parts.

Every citizen who is not less than 21 years of age on the 1st day of January of the year in which the electoral roll for a constituency is prepared or revised and is ordinarily resident in the constituency at the time of such preparation or revision is entitled to be registered in the roll. Certain categories of service personnel, however, have the privilege of declaring the places where they would be residing if they were not in service, and getting themselves registered as electors in the constituencies in which those places are located. The service qualification which confers this privilege is defined in the law as—

- (a) being a member of the armed forces of the Union; or
- (b) being a member of a force to which the provisions of the Army Act, 1950, have been made applicable, whether with or without modifications; or
- (c) being a member of an armed police force of a State who is serving outside that State; or
- (d) being a person who is employed under the Government of India in a post outside India. The law further provides that the wife of any of these persons who ordinarily resides with the husband will also be entitled to the same privilege as the husband.

The implementation of this special provision was not an easy task. It involved the active co-operation and assistance of a large number of record offices so far as defence service personnel were concerned and of our foreign establishments so far as external service personnel were concerned. In 1961, registration of these electors in a separate part of the electoral roll for each constituency had been centralised in the office of the chief electoral officer of each State. But in 1966, it was decided to decentralise the work and get it done by the electoral registration officer in the district election office. Although during the interval of five years, the service parts of the electoral rolls had naturally become out of date to an appreciable extent, it was felt that calling for fresh declarations from all the service per-

sonnel concerned and preparing the parts *de novo* on the basis of those declarations would involve a great deal of work, which the record offices, in particular, were not willing to undertake. It was accordingly decided to call for revised or fresh declarations only from those concerned and to make the necessary amendments in the relevant parts of the electoral rolls. This procedure was not very satisfactory. It will certainly be necessary to prepare the service parts of all the electoral rolls afresh in a comprehensive manner as was done in 1961.

The decision to hold direct elections in the State of Jammu and Kashmir to fill the six seats allotted to that State in the House of the People involved the preparation of electoral rolls for each of the six parliamentary constituencies into which the State was divided. While under the Constitution of Jammu and Kashmir only permanent residents of the State were entitled to be registered in the electoral rolls for the assembly constituencies, other citizens of India ordinarily residing in the State were also entitled to be registered as electors for voting in parliamentary constituencies. With a view to having a common roll at the simultaneous general elections, the Commission issued instructions to the electoral registration officers of the State to enroll all citizens of India ordinarily resident in the State and to mark those who were not permanent residents of the State as defined in the Jammu and Kashmir Constitution. The total number of such persons who were eligible to vote at the parliamentary elections but not at the assembly elections was only 21,411. The Commission finds it difficult to see any justification for making this invidious distinction against a comparatively small number of Indian citizens, especially when a great majority of them have been settled in the State since 1947. It is to be hoped that the Jammu and Kashmir law will be amended soon, abolishing this distinction at least for electoral purposes.

The language or languages in which the electoral rolls of constituencies are to be prepared is decided by the Commission. The general direction given by the Commission was that the electoral roll for a constituency in a State should be prepared in the official language of the State, but, in any particular constituency where a substantial section of the population spoke another language, the roll for the constituency should be prepared in that language and in the official language of the State. The former practice of preparing in both the languages only those parts of an electoral roll which pertained to bi-lingual areas was given up. From the point of view of the candidate who spoke the minority language, it was clearly desirable that the candidate and his workers should have the complete electoral roll for the constituency in that language.

The constituencies in which the rolls were prepared in two or three languages are listed in the table below:—

TABLE 6

State/Union Territory	Assembly Constituencies	Languages of the Rolls
1. Andhra Pradesh . . .	Jukkal, Mudhole and Boath.	Telugu and Marathi.
2. Kerala	(a) Manjeshwar and Kasargod	Malayalam and Kannada.
	(b) Devicolam and Peermade .	Malayalam and Tamil.
3. Madhya Pradesh . . .	Bhopal, Govindapura and Barhanpur	Hindi and Urdu.
4. Maharashtra	All constituencies in Greater Bom- bay district.	Marathi and English.
5. Madras	(a) All constituencies in Madras City.	Tamil and English.
	(b) Kadambathur and Tiruttani	Tamil and Telugu.
	(c) Hosur and Uddampalle	Tamil, Telugu and Kannada.
	(d) Gudalur, Tiruvattur, Vilavan- code and Killiyoor.	Tamil and Malayalam.
6. Mysore	Aurad, Bhalki, Hulsur, Karwar, Haliyal, Khanapur, Belgaum, Uchagaon, Begawadi, Nipani and Sadalga.	Kannada and Marathi.
7. Orissa	Chatrapur, Berhampur, Parlakhe- mundi, Gunupur and Rayagada.	Oriya and Telugu.
8. Punjab	Amritsar East Amritsar West Amritsar Central Amritsar South Ludhiana South Ludhiana North Jullundur Cantonment Jullundur South Jullundur North Fazilka, Ferozepur, Patiala, Gurdaspur, Pathankot, Batala, Hoshiarpur and Mukerian.	Punjabi and Hindi.
9. Uttar Pradesh . . .	All constituencies in Rampur, Bij- nora, Bareilly, Moradabad, Mazaffarnagar, Meerut, Pilibhit and Lucknow districts and in Sahranpur district (excluding Hardwar Municipal area).	Hindi and Urdu.
10. West Bengal	(a) Kalimpong, Darjeeling Jore Bungalow and Siliguri.	Bengali and Nepali.
	(b) Kharagpur	Bengali and English.
	(c) Goalgokher	Bengali and Hindi.
11. Goa, Daman and Diu .	All assembly constituencies in Goa area.	Konkani (in Roman and Devanagari scripts), Marathi and English.
12. Manipur	Jiri	Manipuri and English.
13. Delhi	All parliamentary constituencies .	Hindi, Urdu and English.
14. Andaman and Nicobar Islands.	Whole parliamentary constituency	Hindi and English.
15. Dadra and Nagar Haveli	Do.	Gujarati and Marathi.
16. Chandigarh	Do.	Hindi and Punjabi.

The electoral rolls for a few assembly constituencies were prepared in English only. These were (i) all constituencies in Hyderabad City, (ii) all constituencies in the Autonomous Districts of Assam except Bokajan, Howraghat and Baithalongso, (iii) Kolar Gold Fields constituency in Mysore, (iv) all constituencies in Nagaland, (v) all constituencies in Calcutta District and (vi) Tengnoupal constituency in Manipur.

The total number of electors on the rolls at the time of the general elections was 250,312,239 as against 218,216,585 on the rolls in 1962, representing a 14.71 per cent increase. The table below gives for each State and Union Territory the total population according to the 1961 census and the number of electors in 1962 and in 1967:—

TABLE 7

Name of State/Union Territory	Population 1961	No. of electors 1962	No. of electors 1967
1. Uttar Pradesh	73,746,401	36,661,848	42,171,592
2. Bihar	46,455,610	22,115,041	27,702,503
3. Maharashtra	39,553,718	19,395,795	22,138,628
4. Andhra Pradesh	35,983,447	19,007,856	21,081,308
5. West Bengal	34,926,279	18,005,635	20,12,009
6. Madras	33,686,953	18,675,436	20,871,963
7. Madhya Pradesh	32,372,408	15,874,238	18,384,559
8. Mysore	23,586,772	11,353,892	12,755,264
9. Gujarat	20,633,350	9,534,974	10,687,202
10. Rajasthan	20,155,602	10,327,596	12,214,393
11. Orissa	17,548,846	8,785,519	9,852,824
12. Kerala	16,903,715	8,003,142	8,612,534
13. Assam	11,872,772	4,942,816	5,719,425
14. Punjab	11,135,069	10,745,652	6,284,672
15. Haryana	7,590,543	Nil	4,367,140
16. Jammu & Kashmir	3,560,976	1,844,370	2,000,086
17. Himachal Pradesh	2,812,463	711,596	1,581,444
18. Delhi	2,658,612	1,345,360	1,686,065
19. Tripura	1,142,005	480,609	599,350

1	2	3	4
20. Manipur	780,037	405,210	470,896
21. Goa, Daman & Diu	626,978	Nil	388,113
22. Nagaland	369,200	Nil	209,942
23. Pondicherry	369,079	Nil	216,669
24. Chandigarh	119,881	Nil	73,337
25. Andaman & Nicobar Islands	63,548	Nil	46,253
26. Dadra & Nagar Haveli	57,963	Nil	29,564
27. Laccadive, Minicoy & Amindivi Islands	24,108	Nil	14,504
TOTAL	438,736,335	218,216,585	250,312,239

CHAPTER IV

POLITICAL PARTIES AND SYMBOLS

There is at present no law regulating the formation and functioning of political parties in India. The fundamental right to form associations, which is guaranteed by article 19 of the Constitution, remains unfettered although under clause (4) of the article it is open to Parliament to make a law imposing reasonable restrictions on the exercise of the right in the interests of the sovereignty and integrity of India or public order or morality. The Representation of the People Acts do not refer to political parties even from the electoral point of view. So far as these Acts are concerned, it is the individual candidate whose conduct in election matters is regulated without any reference whatever to their party affiliation.

The Conduct of Elections Rules bring parties into the picture in an indirect way in connection with the allotment of symbols to candidates. The Commission is authorised and required to specify the symbols that may be chosen by candidates at elections in parliamentary or assembly constituencies and the restrictions to which their choice shall be subject. Acting in pursuance of this statutory rule, the Commission has been specifying certain symbols as "reserved" and certain others as "free", the former being reserved for candidates duly sponsored by recognised political parties and the latter being equally available for all other candidates. The criterion adopted by the Commission for recognising a political party in any State or Union Territory is that its candidates should have secured not less than 4 per cent of the total valid votes cast in that State or Union Territory *either* at the general election to the House of the People *or* at the general election to the Legislative Assembly. For the purpose of assessing the electoral support of a party in this manner, the votes gained by its candidates who had forfeited their security deposits at the election are not taken into account.

After the general elections of 1962, the Commission found on an analysis of the votes polled by the party candidates that 14 parties had qualified for recognition and for allotment of a reserved party symbol in

one or more States (excluding Jammu & Kashmir) as shown in the following table:—

TABLE 8

Party	States and Union Territories in which recognised.
1. Indian National Congress	All States and Union Territories.
2. Communist Party of India	Andhra Pradesh, Assam, Bihar, Kerala, Madras, Maharashtra, Orissa, Punjab, Rajasthan, West Bengal and Tripura.
3. Praja Socialist Party	Assam, Bihar, Gujarat, Kerala, Madhya Pradesh, Maharashtra, Mysore, Orissa, and Uttar Pradesh.
4. Swatantra Party	Andhra Pradesh, Bihar, Gujarat, Madras, Mysore, Orissa, Rajasthan, and Himachal Pradesh.
5. Bharatiya Jana Sangh	Madhya Pradesh, Punjab, Rajasthan, Uttar Pradesh and Delhi.
6. Republican Party of India	Maharashtra, Punjab and Himachal Pradesh.
7. Socialist Party	Uttar Pradesh and Manipur.
8. All-Party Hill Leaders' Conference	Assam
9. Jharkhand Party	Bihar
10. Muslim League	Kerala
11. Dravida Munnetra Kazhagam	Madras
12. Peasants & Workers Party	Maharashtra
13. Shiromani Akali Dal	Punjab
14. Forward Bloc	West Bengal

Two important changes took place in 1964 among the larger and well-established political parties. First came the split in the Communist Party of India. In April, 1964, 32 members dissociated themselves from the party's national council. This was followed by a convention in July at Tenali attended by representatives from several States who elected office-bearers of the new party and resolved to form branch committees in all the States. It appeared to the Commission that the new party, which eventually came to be known as the Communist Party of India (Marxist), had a substantial following in the States of Andhra Pradesh, Kerala and West Bengal. The party was accordingly recognised in these three States and allotted the reserved symbol of hammer and sickle with a star. The Communist Party of India, however, continued to be recognised in these and other States as before with its old symbol of ears of corn and sickle.

The Commission was informed in July, 1964 by the general secretaries of the Praja Socialist Party (PSP) and of the Socialist Party (SP) that the two parties had merged to form the Samyukta Socialist Party (SSP) and that this united party had chosen the "hut" (which was the PSP's symbol before the merger) as its election symbol. After making necessary enquiries, the Commission notified in October, 1964 its recognition of the SSP in place of the PSP and the SP in all the States where either of the latter parties had been previously recognised and the allotment of the "hut" symbol to the new party.

This union, however, was short-lived. Early in February, 1965, the Commission was informed that it had come to an end on January 31, when the inaugural meeting of the *ad hoc* national committee of the party at Varanasi broke up. Twelve leading members of the former PSP withdrew from this meeting with their followers, declared the merger as annulled and decided to revive the units of the PSP immediately at all levels. The party so revived or re-formed also decided to adopt the "hut" as its symbol and approached the Commission with a request for its re-allotment to the PSP. This was objected to by the SSP which contended that the revived PSP should be treated as a new party and that in any case, the "hut" symbol allotted to the SSP should not be taken away from it.

The Commission, after taking into account the strength of the two parties before the merger and after the break-up in the House of the People and in the various Legislative Assemblies, came to the conclusion that the revived PSP was practically the same party under almost the same leadership as before and was entitled to be treated on that footing, rather than on the basis that it was an entirely new party. The Commission considered the PSP's claim to get back its own symbol stronger than the SSP's claim to retain the symbol, and accordingly allotted it to the PSP in the States of Bihar, Gujarat, Madhya Pradesh, Maharashtra, Mysore and Orissa. The SSP was found to have sufficient strength only in four States, namely, Uttar Pradesh, Bihar, Kerala and Madhya Pradesh, besides the Union Territory of Manipur. The Commission further decided to allot to this party the "tree" symbol which had been previously allotted to the Socialist Party.

The SSP challenged the decision of the Commission by way of a writ petition and, when it was dismissed summarily by the Punjab High Court, the party took up the matter in appeal to the Supreme Court. In an interesting judgment delivered on September 30, 1966, a Full Bench of the Supreme Court held:—

"If the merger of the PSP and the SP was unsuccessful and before any significant time had passed the PSP had decided to separate,

and if all the leaders of the party and almost all its original members decided to quit the amalgamated party, the benefit of its symbol could not be left to the Socialist Party which, in the events that have happened, is bearing the name of the unified party. It is no longer the unified party it was when the name was assumed. Parties have a sentimental attachment for their symbols. The hut was the symbol of the PSP and the amalgamated party chose the hut rather than the tree because of the greater success of the PSP at the polls. If disagreement led to a quick break-up before the new party or its symbol could be properly grounded, the reversion to the original position was not only logical but also eminently just. It is clear, therefore, that the Election Commission proceeded along the right lines and reached the right conclusion both legally and in the light of the facts ascertained by it from impartial sources."

A political crisis overtook the State of Kerala in September, 1964. Dissensions within the ruling party which had been growing for some months culminated in the Legislative Assembly adopting a motion of no-confidence in the Congress ministry and the resignation of the Government. 15 members of the Assembly, who had broken away from the Indian National Congress, formed a new party called the Kerala Congress. A few weeks before the calling of the general election in the State to constitute a new assembly, this party approached the Commission for recognition and for the allotment of a reserved symbol. Since there was no reliable material to judge the strength of the party or the size of its following in the State, the Commission did not find it possible to accede to its request and advised it to follow the usual procedure and establish its claim for recognition at the ensuing general election. As an un-recognised party it set up 54 candidates of whom 23 were elected and secured 11.89 per cent of the valid votes polled. It had chosen the "horse" as its election symbol and most of its candidates were able to get that symbol allotted to them. Soon after the general election was over, the Commission accorded recognition to the party and allotted the "horse" symbol to it.

The Republican Party of India came into existence in 1957, replacing the All-India Scheduled Castes Federation which dissolved itself. When the party's leader and President, Shri N. Sivaraj died in September, 1964, it appeared that Shri B. K. Gaikwad was duly elected as President of the party in October, but this was challenged by a group led by Shri R. D. Bhandare. While Shri Bhandare claimed that he himself was the President of the party, Shri B. D. Khobragade, who had been the General Secretary of the party since 1957, strongly denied the claim and informed the Commission that Shri Bhandare was in fact expelled from the party in May, 1965. When this controversy was going on, there were reports in the

press that the Bhandare group had joined the Congress. Since there was no response from Shri Bhandare to the Commission's enquiry whether this was a fact, the Commission came to the conclusion that the Republican Party of India recognised by it was the one under the Presidentship of Shri B. K. Gaikwad. As mentioned earlier, the party was recognised only in Maharashtra, Punjab and Himachal Pradesh. In order to remove any misapprehension in the minds of electoral officers in these three States, the Commission circularised its decision to them.

Yet another case of party disunity that came to the notice of the Commission and led to a good deal of controversy before it was the split in the Shiromani Akali Dal. At the time of the general elections in 1962 when this party was recognised and the reserved symbol "Hand" was allotted to it, Master Tara Singh was the acknowledged leader of the party. Soon after the elections, the party split into two groups, both calling themselves Shiromani Akali Dal without any qualifying words. They were, however, referred to in the press as the Master Tara Singh Group and the Sant Fateh Singh Group. The dispute was raised before the Commission by the latter group claiming to be *the* Akali Dal and entitled to the "hand" symbol. The Commission found upon inquiry that out of the 15 members of the Punjab Legislative Assembly belonging to the Akali Dal, only 2, or perhaps 3, were with the Master Tara Singh Group and the others were with the Sant Fateh Singh Group. Furthermore, both the groups had contested the elections to the Shiromani Gurudwara Prabandhak Committee held in January 1965, at which the Punjab Government had allotted the "hand" symbol to the Shiromani Akali Dal (without any qualification but, in fact, the Master Tara Singh Group) and the symbol "Bow and arrow" to the Shiromani Akali Dal (Sant Fateh Singh Group). The latter group had come out successful at those elections with an overwhelming majority. After taking all these facts into consideration, the Commission decided that both the groups should be recognised with the names Shiromani Akali Dal (Master Tara Singh Group) or Akali Dal (Master Group) for short, and Shiromani Akali Dal (Sant Fateh Singh Group) or Akali Dal (Sant Group) for short, and that the "hand" symbol should be reserved for the first and the symbol "scales" should be reserved for the second. The "bow and arrow" symbol had been withdrawn after the first general elections because of the semi-religious and militant overtones which *teer-hkaman* had to the Sikh community.

The Akali Dal (Master Group) challenged this decision of the Commission by means of a writ petition before the Delhi High Court in January, 1967. It claimed that the party should be known as Shiromani Akali Dal without any qualification and that the Sant Group which was only a dissident faction should not be given recognition by the Commission. The High Court did not accept either of these contentions. After reviewing the facts and circumstances of the case, it held that the

Commission was justified in recognising the group led by Sant Fateh Singh as a political party and allotting a reserved symbol to it. It further held that the Commission was right in giving appellations to both in order to distinguish the one from the other for the purpose of allotting the symbols to their respective candidates.

Towards the end of 1964, the All India Congress Committee informed the Commission that the Jharkhand Party, which was functioning as a recognised party in Bihar since the first general elections, had merged in the Congress. The Commission ascertained that this party ceased to exist as an opposition party or group in the Bihar Legislative Assembly and that all its members had gone over to the Congress. It was also ascertained from the Parliament Secretariat, that, of the three members elected to the House of the People from Bihar on the Jharkhand Party ticket, two had joined the Congress. The fact of merger of the party in the Congress was, however, denied by various persons who claimed to be representatives of the Jharkhand Party. During the course of the inquiry it became evident that, following the decision of the party's representatives in the Legislatures to join the Congress, the party as such broke up and there were at least three rival groups in the State each claiming to be recognised by the Commission as the Jharkhand Party and entitled to its reserved symbol "cock". The Commission found it impossible to ascertain the relative strength of these groups or of the popular support, if any, each of them had. It accordingly decided to withdraw the recognition given to the Jharkhand Party in Bihar and the "cock" symbol from the list of reserved symbols in the State.

It may be recalled that the second general elections to the Legislative Assembly of Jammu and Kashmir was held in 1962 under the supervision of the Election Commission for the first time. On the basis of the results of that election the Commission recognised three political parties in the State, namely, the Jammu and Kashmir National Conference, the Praja Parishad and the Democratic National Conference. The Jammu and Kashmir National Conference was even then functioning as a political party affiliated to the Indian National Congress and had the same election symbol "Two bullocks with yoke on" allotted to it. In September, 1964, this party, with the exception of a comparatively small dissentient group, decided to ask the Congress to organise its unit in the State and join that unit. At about the same time the Praja Parishad formally resolved to merge with the Bharatiya Jan Sangh. The Commission accordingly decided to recognise the Indian National Congress and the Bharatiya Jan Sangh as political parties operating in the State and remove the Praja Parishad from the list of recognised parties in the State. As it appeared that the Jammu and Kashmir National Conference continued to function as a separate political party although in a depleted form, the Commission decided to allot a new reserved symbol "Plough" to it.

The State of Nagaland came into existence on December 1, 1963 and a general election to constitute the first Legislative Assembly of the State was held in January 1964. The Commission did not recognise any political party in this new State for the purpose of allotting reserved symbols to party candidates. Six free symbols were specified for the choice of all the candidates contesting the elections. Actually, they were contested by the Naga Nationalist Organisation which was the ruling party and the opposition group which called itself the Democratic Party of Nagaland. After the general elections, both these parties were recognised and allotted reserved symbols. The Democratic Party of Nagaland however dissolved itself in May 1965 and accordingly the recognition given to it was withdrawn. Immediately before the general elections of 1967, the Naga Nationalist Organisation was the only recognised party in the State.

The first general election in the Union Territory of Goa, Daman and Diu was held in December 1963. The Commission recognised four political parties, namely, Indian National Congress, Frente Populare, Maharashtra-wadi Gomantak and United Goans, in the Territory and allotted reserved symbols to them. The results of the election showed that all the four parties had sufficient electoral support, the last two having much more than the first two. In 1966, however, the United Goans suffered a split somewhat similar to the split in the Shiromani Akali Dal of Punjab. The Commission found it necessary to recognise both the groups and allot reserved symbols to them.

Thus on the eve of the general elections of 1967, 24 political parties had reserved symbols allotted to them in one or more States and Union Territories as shown in the following table:—

TABLE 9

Party	States and Union Territories in which recognised
1. Indian National Congress	All States (except Nagaland) and all Union Territories, (except Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli and Laccadive, Minicoy and Amindivi Islands).
2. Communist Party of India	Andhra Pradesh, Assam, Bihar, Kerala, Madras, Maharashtra, Orissa, Punjab, Rajasthan, West Bengal & Tripura.
3. Swatantra Party	Andhra Pradesh, Bihar, Gujarat, Madras, Mysore, Orissa, Rajasthan and Himachal Pradesh.
4. Bharatiya Jana Sangh	Haryana, Jammu & Kashmir, Madhya Pradesh, Punjab, Rajasthan, Uttar Pradesh and Delhi.
5. Praja Socialist Party	Bihar, Gujarat, Madhya Pradesh, Maharashtra, Mysore and Orissa.

Party	States and Union Territories in which recognised
6. Samyukta Socialist Party	Bihar, Kerala, Madhya Pradesh, Uttar Pradesh and Manipur.
7. Communist Party of India (Marxist)	Andhra Pradesh, Kerala, West Bengal and Tripura.
8. Republican Party of India	Maharashtra, Punjab and Himachal Pradesh.
9. All Party Hill Leaders' Conference.	Assam
10. J & K National Conference	Jammu & Kashmir
11. Democratic National Conference	Jammu & Kashmir
12. Kerala Congress	Kerala.
13. Muslim League	Kerala
14. Dravida Munnetra Kazhagam	Madras
15. Peasants and Workers Party.	Maharashtra
16. Naga Nationalist Organisation	Nagaland
17. Shiromani Akali Dal (Sant Fateh Singh Group)	Punjab.
18. Shiromani Akali Dal (Master Tara Singh Group)	Punjab
19. Forward Bloc	West Bengal
20. Maharashtrawadi Gomantak	Goa, Daman and Diu
21. United Goans (Sequeira Group)	Goa, Daman and Diu
22. United Goans (Furtado Group)	Goa, Daman and Diu
23. Frente Populare	Goa, Daman and Diu
24. People's Front	Pondicherry.

This large increase in the number of recognised parties from 14 in 1962 (*vide* table 8 above) to 24 in 1967 is accounted for by the recognition of 8 parties in Jammu and Kashmir, Nagaland, Goa, Daman and Diu and Pondicherry and by the splits in the Communist Party and the Akali Dal.

It may be recalled that after the revision of the list of recognised parties on the results of the second general elections, the system of recognising some parties as national parties and others as State parties was given up. Each party was recognised in one or more States after assessing the electoral support it had obtained in each State in parliamentary elections as well as

assembly elections. Under the rules then in force, a symbol reserved for a party in certain States was not available in any other State for its candidates even as a free symbol. Since some of these parties felt aggrieved by this rule and urged that they were hampered in their effort to establish themselves in other States, a special procedure was evolved at the third general elections to satisfy such parties. The partial recognition of these parties in a few other States by including their symbols among the free symbols did not, however, help many of them in their electioneering or in gathering votes in those States to any appreciable extent. There appeared to be no point in continuing the system of partial recognition and it was withdrawn soon after the general elections of 1962.

The parties concerned, however, again raised the same issue in 1966. The Commission decided to try out another procedure in order to accommodate all the eight multi-state parties, that is to say, parties recognised in two or more States. The symbol allotment notification was revised to ensure that the candidates sponsored by a multi-state party got the party symbol not only in the States where they were "recognised" but also in any other State. These parties were informed that in order to facilitate the printing of ballot papers at the appropriate time, it would be necessary for each of them to inform the chief electoral officers of each of the other States about the number of candidates the party proposed to sponsor in that State for assembly elections and for parliamentary elections and that this intimation should reach the chief electoral officers by 1st January 1967.

The implementation of this new provision did not give rise to any difficulty except in Uttar Pradesh as regards the Republican Party of India. This party was recognised only in Maharashtra, Punjab and Himachal Pradesh and so far as the Commission was aware, the Republican party which was entitled to set up candidates in any other State under the Commission's notification was the one whose president was Shri B. K. Gaikwad and general secretary was Shri B. D. Khobragade. When this necessary information was circulated to the returning officers in Uttar Pradesh, one Shri Khem Chandra, describing himself as the general secretary of the Republican Party of India (U.P.), contended that the party symbol of "elephant" should be given in Uttar Pradesh only to the candidates sponsored by this party of which Shri Rahat Moulaey was said to be the president. Obviously, this party was different from the one which had been recognised all along as the Republican Party of India. It was not possible for the Commission to determine its position *vis a vis* the Republican Party of India, although it appeared to be the result of a split in the main party, confined perhaps to the State. Shri Rahat Moulacy however, obtained on January 17, 1967, three days before the last date for nominations at the general elections, from the Delhi High Court a direction quashing the above-mentioned instructions by the Commission to the returning officers in the State. The Commission immediately withdrew

the instructions and informed all the returning officers. The inevitable and unfortunate result was that in a number of constituencies the returning officers had no guidance and no authoritative information to decide as between two candidates, both of whom claimed to be sponsored by the Republican Party of India and wanted the "elephant" symbol to be allotted to them. In spite of the unresolved dispute, 168 assembly candidates and 24 parliamentary candidates contested the elections with the "elephant" as their symbol in Uttar Pradesh.

Another relaxation made by the Commission in the symbol allotment notification was in regard to sitting members of the House of the People or of a State Legislative Assembly who wished to contest the same election on the same free symbol they had chosen at the previous election. The general provision in regard to the allotment of a free symbol was that if two or more candidates had indicated their first preference for the same free symbol, the returning officer should decide by lot to which of them the symbol should be allotted. An exception was added to this provision that if one of the candidates was a sitting member of the particular House and had contested the previous election on that free symbol, he should be allotted the symbol in preference to any other independent candidate.

An important change was made in the form of nomination paper requiring a party candidate to declare that he was sponsored at the election by a specified political party. The symbol allotment notification made it clear that in order to secure the party symbol, first, a candidate should make this declaration in his nomination paper, secondly, a notice in writing to that effect should be delivered to the returning officer not later than 3 P.M. on the last date for the withdrawal of candidature, and thirdly this notice should be signed by the president, secretary or other officer-bearer of the party who has been authorised by the party to send such notices.

The Commission issued on December 20, 1966 a circular to all the recognised parties detailing the procedure for sponsoring candidates as follows:—

- (i) The party should by January 3, 1967, intimate to the chief electoral officer of each of the States in which it would be setting up candidates, the names of the persons who have been authorised by the party to convey its final decision as to its approved candidates at the elections in that State. Not more than two or three such persons should be authorised for this purpose and wherever more than one person was authorised in the State, the districts or areas assigned to each of them should be clearly mentioned. The authorisation should also be specific in regard to parliamentary constituencies and assembly constituencies.

- (ii) Facsimile signatures of each of the persons so authorised should be sent by the party to the chief electoral officer and the returning officer of each of the constituencies in which it proposed to sponsor candidates.
- (iii) Any subsequent change in the persons so authorised should be similarly intimated to the chief electoral officer and the returning officers concerned.
- (iv) A complete list of the approved candidates along with the names of the substitute candidates if any, who would be contesting only in the event of the approved candidate's nomination being rejected, should reach the chief electoral officer and the returning officers concerned by the last date for nominations in the State. Changes in the list would, however, be permitted up to 3 P.M. on the last date for the withdrawal of candidatures. This list should clearly indicate who is the approved candidate for the constituency and who is the substitute candidate.
- (v) Every candidate sponsored by the party, including a substitute candidate, should make a declaration to that effect in his nomination paper.
- (vi) If a substitute candidate has been proposed but refuses or fails to withdraw in time, two candidates officially sponsored by the party will remain in the field. Unless the returning officer has been definitely informed as to which of them is the approved candidate, he will not be able to allot the party symbol to either of them and will have to allot free symbols to both of them.

These instructions were not fully followed by all the parties in all the States. As on previous occasions, there were a few complaints that names of authorised office-bearers of the parties were not communicated till practically the last moment, that when they were communicated to the chief electoral officer, they were not communicated to the returning officers, that facsimile signatures of the authorised persons were not sent to the returning officers, that consequently they could not be certain of the authenticity of the letter produced by the party candidate and so on.

The rules provide that the allotment by the returning officer of any symbol to a candidate shall be final except where it is inconsistent with the directions issued by the Commission in its symbol allotment notification, in which case the Election Commission may revise the allotment. Considering the huge number of candidates in the field, complaints about incorrect or improper allotment of symbols were comparatively very few. It was only in 27 cases that the Commission found it necessary to revise the order of the returning officer.

The Commission had initially provided only 6 free symbols for each State but this proved to be insufficient in 10 States and 4 Union territories. An unexpectedly large number of independent candidates stood nominated in an appreciable number of constituencies and consequently the list of free symbols had to be enlarged to the extent necessary. As many as 9 more free symbols had to be added to the lists in Madhya Pradesh and Maharashtra and 10 to the list in Uttar Pradesh.

All the party symbols and the free symbols initially notified by the Commission are reproduced on the opposite page.

On an analysis of the votes polled by the party candidates at the general elections, it was found that the following parties had secured not less than 4 per cent of the valid votes polled (not counting the votes polled by those party candidates who had forfeited their deposits) and were accordingly eligible for a reserved symbol in the States and Union Territories as shown in the following table:—

TABLE 10

Name of Party	States and Union Territories in which recognised.
1. Indian National Congress	All States (except Nagaland) and all Union Territories (except Goa, Daman and Diu and the Laccadive, Minicoy and Amindivi Islands).
2. Swatantra Party	Andhra Pradesh, Gujarat, Haryana, Madras, Mysore, Orissa, Rajasthan, Chandigarh, and Himachal Pradesh.
3. Bhartiya Jana Sangh	Bihar, Haryana, Jammu & Kashmir, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Uttar Pradesh, Chandigarh, Delhi and Himachal Pradesh.
4. Samyukta Socialist Party	Bihar, Kerala, Maharashtra, Orissa, Rajasthan, Uttar Pradesh and Manipur.
5. Communist Party of India	Andhra Pradesh, Assam, Bihar, Kerala, Maharashtra, Orissa, Punjab, West Bengal, Manipur and Tripura.
6. Communist Party of India (Marxist)	Andhra Pradesh, Kerala, Madras, West Bengal, Punjab and Nagar Haveli and Tripura.
7. Praja Socialist Party	Assam, Bihar, Mysore and Orissa.
8. All Party Hill Leaders' Conference	Assam.
9. J & K National Conference	Jammu & Kashmir.
10. Kerala Congress	Kerala
11. Muslim League	Kerala
12. Dravida Munnetra Kazhagam	Madras

Name of Party	States and Union Territories in which recognised
13. Republican Party	Maharashtra.
14. Peasants and Workers Party	Maharashtra.
15. Janata Paksha	Mysore
16. Naga Nationalist Organisation	Nagaland.
17. Jana Congress	Orissa.
18. Shiromani Akali Dal (Sant Fateh Singh Group)	Punjab.
19. Bangla Congress	West Bengal.
20. Forward Bloc	West Bengal.
21. Maharashtrawadi Gomantak	Goa, Daman and Diu.
22. United Goans (Sequeira Group)	Goa, Daman and Diu.
23. People's Front	Pondicherry.

A comparison of the above table with table 9 will show that the Swatantra Party lost its recognition in Bihar but gained a footing in Haryana and Chandigarh. The Jana Sangh retained its strength in all the States where it was previously recognised and gained electoral support in Maharashtra and Himachal Pradesh. The Samyukta Socialist Party lost recognition in Madhya Pradesh but secured it in Maharashtra and Orissa. The Communist Party of India lost the electoral support it formerly had in Madras to the Communist Party of India (Marxist). The Praja Socialist Party appeared to have lost heavily in Gujarat, Madhya Pradesh and Maharashtra, where it had sufficient electoral support at the previous general elections. As against this loss, it gained recognition in Assam.

The Republican Party of India lost its status as a multi-state party since at the last general elections it had sufficient electoral support only in Maharashtra. Among the single-state parties, the Akali Dal (Master Group) in Punjab, the Democratic National Conference in Jammu and Kashmir and the Frente Populare and the United Goans (Furtado Group) in Goa, Daman and Diu failed to obtain sufficient electoral support and consequently their recognition was withdrawn. Three new parties, namely, Janata Paksha in Mysore, Jana Congress in Orissa and Bangla Congress in West Bengal, all of which had been established by dissidents from the Congress Party, came out with sufficient success at the general elections to secure recognition.

CHAPTER V

POLLING STATIONS AND ELECTION MATERIALS

Under the law as it stood before it was amended in December, 1966, the duty of providing a sufficient number of polling stations within each constituency was performed by the returning officer of the constituency. The amendment transferred this duty to the district election officer who was required to select suitable places and make the necessary arrangements for setting up polling stations 'for every constituency the whole or greater part of which lies within his jurisdiction'. In the few cases where an assembly constituency spread over two districts, this meant that the district election officer of one district had to provide polling stations in another district which, from the administrative point of view, was inconvenient. In practice, the former officer had to go by the choice and recommendation of the latter. The Commission felt that it would be more appropriate to require the district election officer to provide polling stations for 'every constituency or part thereof which lies within his jurisdiction'. In the Union Territories, however, where there was no provision for the appointment of district election officers, this function was performed by the returning officers as before.

Previous experience had shown that the polling staff at any polling station was able to handle without difficulty an electoral roll of 1,000 to 1,200 voters. The Commission accordingly suggested that the optimum number of polling stations to be provided for a constituency might be arrived at by dividing the total number of electors in the constituency by 900, and a few more or a few less could be provided to suit local conditions. The general instruction was given that the number of electors assigned to a polling station should normally be limited to 1,000 and should not in any case exceed 1,200.

The other instructions which the district election officers were asked to bear in mind were as follows:—

- (a) Where the number of voters in a village exceeded 1,200, two separate polling stations should be set up, preferably in the same building, and if convenient, a small village or hamlet in the vicinity included in the polling area of one of them.
- (b) Parts of the electoral roll can be split up and the voters allotted to two polling stations, if necessary, to bring the total number of electors allotted to any polling station to the required average.

- (c) Polling stations should be so set up that ordinarily no voter is required to travel more than 3 miles to cast his vote. In sparsely populated, hilly or forest areas, this rule may have to be relaxed but in order to avoid voters walking unduly long distances, polling stations may have to be set up for a comparatively small number of voters.
- (d) In urban areas not more than four polling stations, and in rural areas not more than two polling stations, should be located in the same building in order to avoid overcrowding and confusion and to maintain peace and order.
- (e) In most places, provision of separate polling stations for women has been found to be unnecessary. Where, however, such a provision has to be made, the polling station for women voters and the polling station for men voters of a particular polling area should be located in the same building. Where two polling stations are set up in the same compound or building and the number of men and women voters are more or less equal, there should be no objection to allotting one of them for men and the other for women.
- (f) Where the polling area for one or more polling stations comprises a number of villages, the polling station should ordinarily be located in the village having the largest number of voters. Where, however, another village is more central or has distinctly better facilities it might be chosen in preference to the village having the largest number of voters.
- (g) Due consideration should be given to the existence of obstructions like hills, forests, rivers, etc. No polling area should contain villages on either side of a river, but where a village itself is divided by a river or stream, it should not be split up for polling purposes unless there are special reasons.
- (h) A polling station should be located in one of the villages attached to it unless special circumstances exist for setting it up outside the polling area. It should be ensured that the entire area of the constituency is covered by the proposed polling stations.
- (i) As far as possible, polling stations should be located in schools (government or aided) and other government or semi-government institutions. The location of polling stations in private buildings or premises should be avoided but where this becomes unavoidable the consent of the owner should be obtained in writing. It should also be ensured after the filing of nominations

at the election that the owner is not a candidate nor a known sympathiser or worker of any of the candidates at the election.

- (j) No polling station should be located in police stations, hospitals, temples or places having religious significance.
- (k) As far as possible, buildings should be chosen for setting up polling stations. If it becomes absolutely necessary to set up a polling station in a temporary structure, its exact location should be indicated in the list.

The work connected with the preparation of the list of polling stations commenced early in 1966. After the lists had been prepared in accordance with these instructions, they were published in draft inviting comments and suggestions from the public by a specified date. A copy of the lists was also supplied to each of the recognised political parties in the State and to the sitting members concerned. Thereafter, the district election officer discussed his proposals with party representatives and the sitting members at a meeting, amended the draft list of polling stations where necessary and sent it through the chief electoral officer to the Commission for approval. The finally approved list was then published in the constituency and copies were supplied free of cost to all the contesting candidates.

No separate list of polling stations was prepared for a parliamentary constituency. The district election officer merely put together the approved lists for the several assembly constituencies comprising the parliamentary constituency and notified it as the approved list of polling stations for the latter.

The total number of polling stations provided for all the parliamentary and assembly constituencies in India at the Fourth General Elections was 267,555 as against 238,031 provided in 1962. The number provided in each of the States and the Union Territories was as follows:—

TABLE 11

Name of State/Union Territory	No. of polling stations
1. Uttar Pradesh	42,369
2. Bihar	29,213
3. Madras	23,862
4. Andhra Pradesh	23,816
5. Maharashtra	22,947
6. West Bengal	22,650
7. Madhya Pradesh	19,191
8. Mysore	14,011

Name of State/Union Territory	No. of polling stations
9. Rajasthan	12,913
10. Gujarat	11,554
11. Orissa	8,960
12. Kerala	8,366
13. Punjab	6,866
14. Assam	6,481
15. Haryana	4,741
16. Jammu & Kashmir	2,525
17. Himachal Pradesh	2,255
18. Delhi	1,918
19. Tripura	787
20. Manipur	709
21. Goa, Daman & Diu	470
22. Nagaland	363
23. Pondicherry	324
24. Andaman & Nicobar Islands	123
25. Chandigarh	81
26. Dadra and Nagar Haveli	34
27. Laccadive, Minicoy & Amindivi Islands	26

In the absence of suitable buildings, arrangements had to be made for the erection of temporary structures for locating a few polling stations. In all about 9,450 temporary structures were erected at an approximate cost of Rs. 4,50,000 as against 15,115 temporary structures so erected at a cost of Rs. 6,29,433 during the general elections of 1962. No inconvenience was experienced in conducting the poll in the temporary structures.

The procurement and distribution of all the material equipment required for the conduct of the poll in each and every polling station imposes as usual a heavy responsibility on the officers charged with the running of these elections. A wide variety of articles have to be collected in sufficient quantities, made up into parcels for the use of each polling party at each polling station and kept ready for distribution at the place from which a group of polling parties will be setting out. In most States, it became obvious that the same polling party would have to conduct the poll at two

or even three polling stations one after the other. The more important of the polling materials required for a polling party are ballot boxes, ballot papers, paper seals and indelible ink.

As the elections were held under the marking system of voting in most parts of the country, the existing stock of ballot boxes was more than sufficient. In fact, a large number of these boxes became surplus to requirement except in Nagaland and Pondicherry. The shortage in these two areas was made good by obtaining the requisite number of boxes from Assam and Mysore, respectively.

During the general elections held in 1962, it was noticed that the Allwyn type of ballot boxes had a mechanical defect which permitted the box being opened without breaking the paper seal by banging it in a special way. Since the defect could not be removed by the manufacturers, all boxes of this type which were in use in the States of Andhra Pradesh, Jammu and Kashmir and Madras were discarded and replaced by the Godrej type of ballot boxes procured from other States having surplus stock.

The next important requirement in connection with the conduct of poll is the ballot paper. Under the marking system of voting which was adopted throughout the country except in Nagaland, the Andaman and Nicobar Islands and three remote assembly constituencies of Himachal Pradesh, the ballot papers showing the names of the contesting candidates and the symbol allotted to each of them had to be printed within the short period between the date of withdrawal of candidatures and the date of poll. With the experience gained during the general elections of 1962 and subsequent bye-elections the Government printing presses in the State made their plans well ahead and were ready for this unusual and onerous job in January, 1967. Where necessary, they obtained the additional machinery and equipment required for the printing of ballot papers. Many of the presses which on the last occasion had relied on hand-numbering decided at a somewhat late stage to employ type-high numbering machines for numbering the ballot papers. They had some difficulty in getting at short notice their requirement of such machines but eventually secured them with the assistance of the State Trading Corporation.

The quantity of paper required for printing more than 500 million ballot papers of different sizes was naturally enormous. Four paper mills in different parts of the country were selected by the Commission for manufacturing the approved type of paper, and the State Governments placed their orders direct with one of the mills after obtaining the necessary allocation from the Central Directorate General of Supplies. The supply of paper to the Union Territories was arranged by the Central Controller of Printing and Stationery from the same mills. As the elections were to

be held simultaneously to the House of the People and the State Legislative Assemblies, paper of two different colours was ordered. As on the previous occasion white paper was used for the elections to the Lok Sabha and pink paper for the elections to the Legislative Assemblies. There was an unexpected shortage of pink paper in Bihar with the result that paper of different colours had to be used to make up the deficiency for some of the assembly constituencies. A total quantity of 1,088 tons of paper costing about Rs. 18,33,560 was purchased.

The following instructions were issued to the presses as regards the size and design of the ballot papers :—

- (i) The front face of the ballot paper will contain only the names of the contesting candidates, the symbols of the candidates and the name of the constituency. The name of the constituency will be printed in the middle of the first shaded area.
- (ii) The serial number of the ballot paper will normally be printed on the top left corner of the reverse face of the ballot paper. It may alternatively be printed on the front side of the ballot paper if that is found more convenient.
- (iii) The width of the ballot paper will be 4 inches.
- (iv) The width of the space allotted to each candidate will be $6\frac{1}{2}$ ems and the width of the shaded area between the space allotted to any two candidates will be $2\frac{1}{2}$ ems. There will be no shaded area either at the top or at the bottom; instead, there will be a thick line at both ends.
- (v) The size of each symbol will not be more than $9\text{ ems} \times 5\frac{1}{2}\text{ ems}$.

The length of a ballot paper varied in direct ratio with the number of contesting candidates whose names were to be shown on it. Upto 9 candidates, the ballot paper was of a convenient size to handle, being about $13\frac{1}{2}$ inches by 4 inches, or one half of a half-sheet of paper. When the number of candidates was 10 or more, as was regrettably the case in quite a number of constituencies, the normal pattern of printing their names one below the other, allowing each a panel of $1\frac{1}{2}$ inches width, would give an unduly long ballot paper. The instruction was accordingly issued that in such cases the ballot paper should be 8 inches wide and printed in two columns divided by a shaded area similar to the one between the panels of two candidates.

The work of printing ballot papers was handled by the State Government's printing presses except in Assam and Uttar Pradesh. Most of them were able to get through this unusually heavy and unaccustomed job satisfactorily and within the limited time allowed to them. In a few States which had presses located in different parts, the work was done

with greater facility and the distribution of printed ballot papers to the districts was also easier. The ballot papers for 12 parliamentary constituencies of Assam were printed by the Central Government's press in Calcutta and flown to different centres in Assam for distribution.

In Uttar Pradesh, the printing of ballot papers became a problem on account of strike by certain categories of government employees including those working in the presses and consequently arrangements were made to get the work done partly at the Government of India presses in New Delhi, Faridabad and Aligarh, and at nine private presses in Lucknow, Allahabad, Varanasi, Kanpur and Moradabad. The experiment of getting ballot papers printed in private printing presses tried for the first time in this State out of necessity proved to be fairly successful. Security arrangements were adequate and the presses delivered the goods in time.

A few specimen ballot papers which were printed for use at the general elections are reproduced in plates.

The distribution of the ballot papers to the various polling stations was completed without any hitch.



Paper seals for securing the ballot boxes were available in sufficient quantity in most States. To make up the deficiency in the other States 19,00,000 green paper seals were printed at the Nasik Press at a cost of about Rs. 12,000 and supplied to them. The old unnumbered pink paper seals were also numbered by hand-numbering machines and used at the elections.

Marking of the left forefinger with indelible ink is a statutory requirement designed to prevent impersonation at the polling stations. As at the general elections of 1962, the mark was made with a plastic rod just above the root of the nail. In all 30,89,104 phials of indelible ink were supplied to the various States at a total cost of Rs. 8,41,626.


Designs of ballot papers used in the General Elections, 1967.

C


విశాఖపట్నం నరసింహారావు
No 50157
SPECIMEN
BALLOT PAPER
PARVATHIPURAM
పశుపతి నరసింహారావు

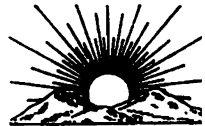
ਹਰਬੰਸ ਲਾਲ
हरबंस लाल
AMRITSAR SOUTH




ਕਿਰਪਾਲ ਸਿੰਘ
कृपाल सिंह
AMRITSAR SOUTH




ਕੁਲਦੀਪ ਸਿੰਘ
कुलदीप सिंह



ਗੀਤਾ ਮੁਖਰਜੀ
Gita Mukherji
RASHBEHARI AVENUE



ਬਿਜੋਯ ਕੁਮਾਰ ਬਾਨਾਰਜੀ
Bijoy Kumar Banerjee




ਸੁਨੀਲ ਕੁਮਾਰ ਦਾਸ
Sunil Kumar Das



ਗੁਰਦੀਪ ਸਿੰਘ
गुरदीप सिंह











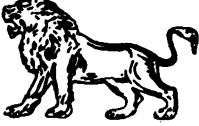
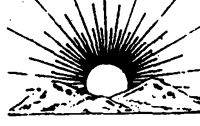


ਲਛਮਣ ਦਾਸ ਜਤੀ
लछमण दास जती



- A. Parvathipuram Parliamentary Constituency in Andhra Pradesh.
B. Rashbehari Avenue Assembly Constituency in West Bengal.
C. Amritsar South Assembly Constituency in Punjab.

Designs of ballot papers used in the General Elections, 1967.

अमर सिंह		राम सरूप	
SIRSA			
तेजा सिंह		शेरा राम	
दया राम		सन्ता सिंह	
दलवीर सिंह		सखी राम	
फकीर चन्द		सोरण राम	
फुलु राम		हरफुल सिंह	

CHAPTER VI

ELECTION PROGRAMME

Sections 14 and 15 of the Representation of the People Act, 1951 provide that when the time comes for holding a general election for constituting a new House of the People or a new Legislative Assembly in a State, the President or, as the case may be, the Governor of the State shall issue the public notification calling the general election on such date as may be recommended by the Election Commission. Further when the new House or Assembly is to be constituted on the expiration of the duration of the existing House or Assembly, the law permits the issue of the first notification calling the general election at any time not earlier than six months prior to the date on which the normal five year term is due to expire under the Constitution. This term commences on the date appointed by the President or the Governor, as the case may be, for the first meeting of the House or Assembly.

The term of the third House of the People elected in 1962 was due to expire on April 17, 1967. In the case of the State Legislative Assemblies elected in 1962, the due dates of expiry in 1967 were as follows:—

Andhra Pradesh	March 19
Assam	March 22
Bihar	March 13
Gujarat	March 16
Haryana	March 12
Jammu & Kashmir	April 5
Madhya Pradesh	March 25
Madras	March 28
Maharashtra	March 14
Mysore	March 14
Punjab	March 12
Rajasthan	March 12
Uttar Pradesh	March 25
West Bengal	March 11

A general election had been held in Kerala in 1965 to constitute a new Legislative Assembly and completed with the issue on March 17, 1965 of "the due constitution notification". After meeting the leaders of the political parties, however, the Governor came to the conclusion that it was not possible to form any stable ministry in the State. On receiving his report, the President, on March 24, 1965, issued a proclamation under article 356 of the Constitution dissolving the newly elected Legislative Assembly of the State. This proclamation was extended from time to time until March 1967 and it was decided that the general election to the Legislative Assembly of the State should be held simultaneously with the general election to the House of the People.

In Orissa, the last general election to the Legislative Assembly had been held in June 1961, about eight months before the countrywide general elections of 1962. The five-year term of this Assembly was due to expire on August 20, 1966. The question whether the general election to constitute a new Assembly in Orissa should, for the second time, be held some months before the general elections in the country, or whether the duration of the Assembly should be extended so as to avoid asking the electorate to go to poll twice within twelve months, was considered by the Government of India and a decision in favour of the latter alternative was taken and announced in Parliament on December 10, 1965. The proclamation of emergency which had been in operation since 1962 was utilised for this purpose. The Orissa Legislative Assembly (Extension of Duration) Act, 1966, was passed by Parliament in pursuance of the proviso to clause (1) of article 172 of the Constitution under which while a proclamation of emergency is in operation, Parliament has power to extend by law the duration of the Legislative Assembly of a State for a period not exceeding one year at a time.

In Nagaland, the Legislative Assembly was constituted for the first time by a general election held in January 1964. It was summoned to meet for the first time on March 2, 1964 and consequently there was no need for another general election in 1967 so far as the Assembly was concerned. The State of Nagaland Act 1962 constituted the whole of the State into one parliamentary constituency and allotted to it one seat in the House of the People. Section 10 of this Act further provided that the sitting member (nominated) of the House representing the Naga Hills-Tuensang Area would represent the State of Nagaland in the House until a person was elected in accordance with law to fill the seat allotted to the parliamentary constituency of Nagaland. Accordingly, the State had to go to poll with the rest of the country for electing for the first time its representative in the House of the People.

Since the passing of the Government of Union Territories Act, 1963, the holding of elections to the Legislative assemblies of five Union Territories, namely, Himachal Pradesh, Manipur, Tripura, Pondicherry and

Goa, Daman and Diu, became the direct responsibility of the Election Commission. In the first three Union Territories, the territorial councils, which had been elected in 1962, were functioning as provisional legislative assemblies under section 54 of that Act. The five-year term of the Tripura assembly was due to expire only on July 31, 1967, and that of the Himachal Pradesh and Manipur assemblies on August 2, 1967. Consequently, the earliest dates on which the general elections to reconstitute the legislative assemblies in these three Union Territories could be called under the law without prior dissolution of the existing assemblies were February 1 and February 3, respectively.

In Pondicherry, where the Legislative Assembly had been duly constituted on August 29, 1964, after a general election, another general election was not due in 1967, but the Territory which formed a single parliamentary constituency had to elect its representative in the House of the People.

The Union Territory of Goa, Daman and Diu had a peculiar political problem facing it. In this Territory, a general election had been held in December 1963 to constitute for the first time a Legislative Assembly for the Territory and at the same time, elections were held to fill the two seats allotted to it in the House of the People. Even during those elections, the question whether Goa should be merged with the State of Maharashtra or should continue for a definite or indefinite period as a Union Territory was very much in the forefront, and after the elections also, it continued to agitate the public mind. With a view to arriving at a decision on this controversial issue, the government of India considered that the wishes of the electors of the Union Territory should be ascertained through an opinion poll and accordingly brought a special Bill before Parliament in November, 1966.

The Goa, Daman and Diu (Opinion Poll) Act, 1966, provided that the opinion poll in the Territory should be conducted under the supervision, direction and control of the Chief Election Commissioner (which was practically the same as that of the Election Commission). The council of ministers which was functioning in the Union Territory before the passing of this Act resigned on December 3, 1966. By means of an order of the President made on the same day under section 51 of the Government of Union Territories Act, 1963, the Territory was placed under the Administration of the Lt. Governor without ministers and the Legislative Assembly of the Territory was dissolved. It was decided as a matter of policy that the opinion poll should not be held simultaneously with the general election to the House of the People but at least a month earlier. It was actually taken on January 16, 1967, three days after the general election to the House of the People had been called.

The Delhi Administration Act, 1966, constituted for the Union Territory of Delhi a metropolitan council with 56 elective seats. The Territory was divided into the same number of single-member constituencies and the holding of elections in these constituencies was made the responsibility of the Election Commission. The provisions of the Representation of the People Act, 1951, and the rules made thereunder were made applicable with the necessary formal modifications. For all practical purposes, the first general election to the metropolitan council in Delhi took the place of the assembly elections in the States and arrangements had to be made for holding them simultaneously with the elections to fill the seven seats in the House of the People allotted to Delhi. There was also an added complication in that, for the sake of economy, the Delhi Administration decided to hold the elections to the municipal corporation of Delhi at the same time along with the parliamentary and metropolitan council elections. Since the elections under the Delhi Municipal Corporation Act, 1957, were not the direct concern of the Commission, it had to coordinate the activities of the different officers concerned and conduct the three elections together.

After consulting the State Governments and the Central Government, the Commission came to the conclusion that the most convenient period for poll would be the week ending February 21, 1967. As on previous occasions, the '*mugh poornama*' which fell this year on February 14, had to be avoided. Since this was an important mela day in the States of Uttar Pradesh, Bihar and Gujarat and special police arrangements had to be made on that day at different places of pilgrimage, it became necessary to complete polling at least in these States on February 21. The other States also generally welcomed the proposal to fix the poll dates somewhat earlier in the month since the new Legislative Assemblies could then be constituted a few days earlier and a little more time would consequently be available for forming the new governments and summoning the new Houses to meet for their first budget sessions.

The Commission decided to fix February 25, as the date by which the assembly elections were to be completed in all the States and in the Union Territories of Himachal Pradesh and Tripura, and March 7 in the Union Territory of Manipur.

In regard to the parliamentary elections also, the Commission's estimate was that results could be declared by the end of February in about 510 constituencies out of the total of 520. Accordingly, it intimated to the Central Government that it would be quite practicable to fix February 28 as the date for completion of the general elections to the House of the People and that, if this was done, it would not be necessary to call a session of the existing House after new members had been elected from almost all the constituencies. The Commission recommended that the existing House

should be dissolved at the end of February and the notification duly constituting the new House should be issued on March 1. It felt that it should be possible for the Finance Ministry to work out a scheme for calling the new Parliament on or about March 20, getting through the absolutely essential financial business by March 31 and carrying on later with the budget and other business, if necessary, after a short break in the session.

The Government, however, considered that it might not be possible to get through all the steps and formalities for the constitution of the new Government in sufficient time before the suggested date for the first meeting of the new Parliament and that ten days might not be sufficient to get through the essential items of business in that Parliament. The Commission was informed that a short session of the existing House in the second half of March was unavoidable and that, following precedent, the date for completion of the general election to the House of the People had better be fixed as March 31, 1967.

Eventually, the Commission recommended to the Central and State Governments the following programme for the general elections in all the States and Union Territories except the State of Kerala:—

Notification calling the elections	. January 13
Last date for nomination	. January 20
Scrutiny of nominations	. January 21
Last date for withdrawal of candidatures	January 23
Dates of poll	February 15 to 21
Date of completion of—	
Assembly elections except Manipur .	. February 25
Assembly elections in Manipur .	. March 7
Parliamentary elections .	. April 1.

In Kerala, the notifications calling the elections to the House of the People and to the State Legislative Assembly were issued on January 16 and the poll in all constituencies was fixed for February 20.

The Legislative Assemblies of Himachal Pradesh, Manipur and Tripura were dissolved on January 12 before issuing on January 13 notifications calling the general elections in these Union Territories.

In Goa, Daman and Diu, the verdict of the opinion poll taken on January 16 was against merger with the adjoining States of Maharashtra and Gujarat. Thereupon, the Government decided that a general election should be held in that Territory to constitute a new Assembly as early as possible. The Commission recommended that the general election might

be notified on February 24 and fixed poll for March 28. Polling in the two parliamentary constituencies of the Territory which had been announced for February 19 was postponed to March 28.

It may be recalled that in 1962 also, the election process began on January 13 but the main poll period was from February 16 to 25. In 1967, this period was reduced to 7 days. The actual dates of poll in the various States were as follows:—

One day poll

Haryana	}	February 19
Punjab		
West Bengal		
Kerala	.	February 20
Jammu & Kashmir	}	February 21
Orissa		

Two days poll

Mysore	.	February 15, 19
Assam	.	February 17, 21

Three days poll

Andhra Pradesh	}	February 15, 18, 21
Gujarat		
Maharashtra		
Madras		
Rajasthan	.	February 15, 18, 20
Madhya Pradesh	.	February 16, 17, 20

Four days poll

Bihar	}	February 15, 17, 19, 21
Uttar Pradesh		

In 8 of the Union Territories poll was taken on a single day: Andaman and Nicobar Islands, Laccadive, Minicoy and Amindivi Islands and Tripura on February 18, Chandigarh and Delhi on February 19, Pondicherry on February 28, Dadra and Nagar Haveli on February 21 and Goa, Damian and Diu on March 28. Manipur took 4 days, February 15, 20, 24 and 28, to complete the poll.

In Himachal Pradesh, it was decided to exclude from the general poll in February only 5 assembly constituencies which were expected to be snowbound to a large extent. Poll was taken on February 18 and 21 in 55 assembly constituencies covering the whole of Simla, Hamirpur, Kangra and Mandi parliamentary constituencies, seven-tenths of Mahasu parliamentary constituency and four-fifths of Chamba Parliamentary constituency. In Kinnaur, Rohru and Chopal assembly constituencies forming part of Mahasu parliamentary constituency, polling was postponed to April 27 and

29; and in Bharmour and Lahaul-Spiti assembly constituencies forming part of Chamba parliamentary constituency it was eventually taken on May 28 and 31.

Despite wintry conditions in Jammu and Kashmir it was quite practicable to take the poll on February 21 in all the assembly constituencies except those of Leh and Kargil. The election to the Ladakh parliamentary constituency was uncontested. Poll in Leh and Kargil assembly constituencies was eventually held on June 1.

This poll programme was an improvement on the one achieved at the third general elections. It was specially gratifying that the poll could be taken on a single day in as many as six States and eight Union Territories. In the other States also, the number of days taken for poll was less than in 1962.

By the end of February results of the elections were declared in 506 out of 520 parliamentary constituencies and in 3,377 out of 3,457 assembly constituencies.

In twelve States and two Union Territories notifications were issued under section 73 of the Representation of the People Act, 1951, on March 1, 1967, signifying the due constitution of their legislative assemblies. The remaining four States followed on 3rd, 5th, 7th and 10th of March and two Union Territories on 10th March and 1st April. The new Legislative Assemblies were summoned to their first meeting on the dates given in the following table:—

TABLE 12

Name of State/Union Territory	Date of first meeting
1. Andhra Pradesh	March 18
2. Assam	March 20
3. Bihar	March 15
4. Gujarat	March 16
5. Haryana	March 17
6. Jammu and Kashmir	March 24
7. Kerala	March 15
8. Madhya Pradesh	March 23
9. Madras	March 15
10. Maharashtra	March 13
11. Mysore	March 15
12. Orissa	March 23
13. Punjab	March 20
14. Rajasthan	May 3
15. Uttar Pradesh	March 17
16. West Bengal	March 8
17. Goa, Daman and Diu	April 12
18. Himachal Pradesh	March 18
19. Manipur	March 20
20. Tripura	March 14

As regards the House of the People, the Government had at first thought that a lame duck session of Parliament with the old House was unavoidable and both Houses had actually been summoned to meet on March 13. Subsequently, however, soon after the poll week was over, the Government felt that it would be better to avoid the lame duck session and summon the new House instead of the old. Since the Election Commission had previously notified April 1 as the date by which the general election should be completed, section 73 of the Act stood in the way of duly constituting the new House. A notification under that section could be issued only after the date originally fixed for the completion of the election, that is to say, after April 1. In order to get over this difficulty, the section was amended by an Ordinance promulgated on February 28. The amended section provided that the due constitution notification shall be issued by the Election Commission as soon as may be after the results of the elections in all the constituencies (other than those in which the poll could not be taken for any reason on the date originally fixed or for which the time for completion of the election has been extended, have been declared by the returning officers. The Commission acting under this amended section issued the due constitution notification on March 4. By that date the results had not been declared only in nine constituencies, viz. Cachar in Assam, Baramula and Udhampur in Kashmir, Mahasu and Chamba in Himachal Pradesh, Panjim and Marmagao in Goa, Daman and Diu and Inner Manipur and Outer Manipur in Manipur. The new House of the People was summoned by the President to meet on March 16.

The avoidance of a lame duck session of Parliament with the old House of the People and the summoning of the new House to meet for the budget session was welcomed in all quarters as the proper thing to do. It has, however, to be observed that, though the anticipated difficulties were in practice found to be not insuperable, they were real. They are bound to arise in every general election year so long as the financial year for various budgetary and taxation purposes begins on the 1st of April and the procedure for presenting the budget and obtaining a vote on account requires a session of Parliament in the latter half of March. The best time for holding simultaneous general elections all over the country is the first week of March rather than the third week of February, but, unless the financial year is changed, *e.g.*, to the year commencing on 1st July, we shall have to follow more or less the programme adopted as at this year's general elections and, both at the Centre and in the States, the first budget session of the newly constituted Houses will have to be hustled through at the start.

The time-table for any election, including a general election, is almost fully regulated by the provisions of section 30 of the Representation of the People Act, 1951. The various stages are the issue of a notification in the official gazette calling upon the constituencies to elect a member, the making

of nominations, scrutiny of nominations, the withdrawal of candidates from the contest, the election campaign and, finally, the poll. Formerly, the minimum period for conducting an election, from the issue of the first notification to the polling day, came to 32 days. On the recommendation of the Commission, the section was slightly amended in 1966 reducing the interval between the last date for nominations and the date for the scrutiny of nominations by one day and the interval between the latter day and the last date for the withdrawal of candidatures by one day, thus reducing the over-all minimum period for conducting an election to 30 days. The Commission was, and is, of the view that, with the increasing awareness of the general public in regard to election matters, the minimum period of 20 days between the last date for withdrawal of candidatures and the date of poll in the constituency, which is now provided in the section, could safely be reduced to 15. Since the election propaganda at a general election begins well before its formal announcement, this shortening of the period is not likely to prejudice effective electioneering either by parties or by candidates, while it will certainly help in reducing their election expenses.

According to clause (e) of section 30, the Commission has to fix in respect of every election the date before which the election shall be completed. The necessity for such a statutory requirement even from a theoretical point of view is not clear and it does not seem to serve any useful practical purpose. The Commission is competent under section 153 to extend the time for the completion of any election by formally changing the date so that there is really no fixity about it. The Commission recommends that clause (e) of section 30 and section 153 of the Act may both be omitted:

CHAPTER VII

NOMINATION OF CANDIDATES AND UNCONTESTED RETURNS

A thorough grasp of the legal provisions relating to nominations of candidates and their qualifications and disqualifications is essential for returning officers. One of their important functions is to scrutinise the nomination papers of all candidates standing for election and decide summarily, but in a judicial manner, which of them have been validly nominated. It is clearly laid down in the law that the returning officer shall not reject a nomination paper on the ground of any defect which is not of a substantial character. He may reject a nomination if he is satisfied that there has been a failure to comply with any of the mandatory provisions regarding nomination or that, on the date fixed for the scrutiny of nominations, the candidate is either not qualified, or is disqualified, for standing for election under a constitutional or legal provision.

The Representation of the People (Amendment) Act of 1966 brought together in one chapter the provisions relating to disqualifications for membership of Parliament and State Legislatures which were scattered in different places in the main Act. Only one additional disqualification was introduced by the amending Act. A person convicted of any black-marketing, hoarding or profiteering offence or of adulterating any food-stuff or drug and sentenced to imprisonment for not less than six months would stand disqualified from the date of such conviction and the disqualification would continue for five years after his release from prison. In regard to the disqualification arising out of contracts for the supply of goods to, or for the execution of works undertaken by, the appropriate Government, a moot point of law was resolved by the amending Act: where the contract had been fully performed by the contractor, it would not be deemed to subsist and to disqualify the contractor, simply because the Government had not performed its part of the contract, either wholly or in part.

As regards qualifications of candidates, the constitutional amendment made in 1963 requires to be noticed. Articles 84 and 173 of the Constitution were then amended to provide that a person standing for election to Parliament or to a State Legislature must make and subscribe before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out in the Third Schedule to the Constitution. The oath is to the effect that he will bear true faith and allegiance to the Constitution of India as by law established and that he will

uphold the sovereignty and integrity of India. In pursuance of these two articles of the Constitution, the Commission authorised the returning officer and the assistant returning officers for each constituency as the persons before whom the oath may be taken and signed by the candidate standing for election from that constituency. Since even a person confined in a prison or detained in a detention camp is not debarred from being nominated as a candidate, the Commission also authorised the superintendents of prisons and commandants of detention camps to administer the oath.

During the general elections, two cases came to the notice of the Election Commission where a candidate, being confined to bed in a hospital, was unable to go to the returning officer of the constituency and take the oath. In one case, where the returning officer's headquarter was near the hospital, the Commission instructed the returning officer to administer the oath to the candidate in the hospital. The other case, however, was brought to the notice of the Election Commission at a very late stage and, since the constituency also was at a great distance from the hospital, it was not possible to make any provision for administering the oath. After the completion of the general elections the Commission notified that in the case of any candidate confined to bed in a hospital or elsewhere owing to illness, the medical superintendent in-charge of the hospital or the medical practitioner attending on him could administer the oath and send the necessary intimation to the returning officer of the constituency.

The number of candidates who were nominated during the general elections of 1967 was 25% more than the number nominated in 1962 and 44% more than the number nominated in 1957. The figures were as follows:—

TABLE 13

Parliamentary Elections

	1957	1962	1967
No. of candidates nominated	2,281	2,763	3,244
No. of nominations rejected	44	35	39
No. of candidates who withdrew	718	743	836
No. of contesting candidates	1,519	1,985	2,369
No. of unopposed returns	12	3	5

TABLE 14

Assembly Elections

	1957	1962	1967
No. of candidates nominated	16,475	18,876	23,858
No. of nominations rejected	361	304	426
No. of candidates who withdrew	5,938	5,752	6,911
No. of contesting candidates	10,176	12,820	16,501
No. of unopposed returns	48	47	53

The party-wise break up of the number of contesting candidates at the parliamentary and assembly elections in 1962 and 1967 is given below:—

TABLE 15

Name of Party	No. of contesting candidates at:			
	Parliamentary elections		Assembly elections	
	1962	1967	1962	1967
Indian National Congress	488	516	2,927	3,443
Bhartiya Jana Sangh	196	250	1,140	1,607
Swatantra Party	173	179	1,038	978
Samyukta Socialist Party	107*	122	607*	813
Praja Socialist Party	168	109	1,070	768
Communist Party of India	137	109	833	625
Communist Party of India (Marxist)	..	59		511
Republican Party of India	68	70	123	378
Other parties	168	90	1,156	604
Independents	480	865	3,926	6,774
TOTAL	1,985	2,369	12,820	16,501

*Socialist Party Figures.

There were 515 contested elections to Parliament and, in all except 3 of them, there was a Congress candidate. The Jan Sangh put up candidates in nearly one-half, and the Swatantra Party in a little more than one-third, of the constituencies. A noticeable feature was a large increase in the number of independent candidates. Roughly, on an average, for every 6 parliamentary constituencies there were 10 independent, 6 Congress, 3 Jan Sangh, and 2 Swatantra candidates and 6 candidates sponsored by other political parties.

The plethora of party and non-party candidates was equally noticeable at the assembly elections. The average number of candidates at a contested election was 4.8. While this average was less than 4 in Andhra Pradesh, Kerala, Madras, Mysore, Jammu & Kashmir, West Bengal and Tripura, it was 7.1 in Uttar Pradesh, 6.4 in Bihar and 5.8 in Punjab and Haryana. The number of constituencies in which there were 8 or more contesting candidates was particularly large in Uttar Pradesh (158 out of 425) and in Bihar (78 out of 318).

Five candidates were elected without contest to the House of the People as against three in the General Elections of 1962. Four of them belonged to the Congress and the fifth to the Naga Nationalist Organisation. They were elected from Vijayawada constituency in Andhra Pradesh, Kokrajhar constituency in Assam, Anantnag and Ladakh constituencies in Kashmir and Nagaland constituency.

The member returned by the Kokrajhar constituency without opposition lost his seat by an unfortunate failure on his part to appreciate an intricacy of the election law. The returning officer for the constituency on January 23 declared Shri Rupnath Brahma to be duly elected under section 53(2) of the Representation of the People Act, 1951 and this declaration was published by the Central Government on February 10 in the Gazette of India as required by section 66 of the Act. Shri R. Brahma was at that time a member of the Assam Legislative Assembly which was only dissolved on March 1. Now, rule 3 of the Prohibition of Simultaneous Membership Rules made by the President under articles 101(2) and 190(2) of the Constitution provide that "the seat of a person who is chosen a member of the Legislatures of two or more States specified in the First Schedule to the Constitution in the Legislatures of all such States shall become vacant, unless he has previously resigned his seat in the Legislatures of all but one of the States, shall be ten days from the later or, as the case may be, the latest of the dates of publication in the Official Gazettes of such States of the declarations that he has been so chosen". Shri R. Brahma was apparently under the erroneous impression that this rule did not apply in his case since he was not standing for re-election to the Legislative Assembly. He consequently did not resign his membership

of the then existing Assembly within the prescribed period of 14 days counting from February 10 with the result that his seat in the House of the People became vacant on February 24. These facts came to light only after the new House met when the Lok Sabha Secretariat were checking the credentials of new members. It was most unfortunate that owing to an entirely technical lapse on his part Shri R. Brahma could not take his seat in the House. A bye-election had to be held in the constituency on July 30 at which Shri R. Brahma was again successful although this time after a contest.

33 candidates were elected without contest to the State Legislative Assemblies as against 47 in the General Elections of 1962. The bulk of the unopposed returns was from Jammu & Kashmir. In 21 constituencies in Kashmir Province and in one constituency of Jammu Province, there was no contest and the Congress candidate was declared elected. (In the general election of 1962, there were 34 uncontested returns in this State). In Assam, 3 Congress candidates and 2 candidates sponsored by the All Parties Hill Leaders' Conference were elected unopposed, 6 more Congress members were similarly elected in Andhra Pradesh, Maharashtra, Mysore and Manipur.

CHAPTER VIII

ASPECTS OF ELECTIONEERING

The pre-election atmosphere in a number of States was marked by a degree of tension, degenerating here and there into outbursts of violence, which was not noticeable during previous general elections. Reports appeared frequently in the press of election meetings in different parts of the country being broken by organised rowdiness. Strikes and threatened strikes by certain classes of Government servants were another disquieting feature during the two or three months immediately preceding the poll week.

Towards the end of August 1966, the Commissioner of Police for the City of Madras convened a conference of representatives of political parties at which a code of conduct for observance during the ensuing general elections was agreed upon in principle. This was followed by a conference of party representatives convened by the Chief Minister of the State towards the end of December 1966. The following ten-point code for the guidance of political parties was evolved at this conference:—

(1) No party should indulge in any activity which would aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.

(2) While criticising other political parties, the criticism should be confined to their policies and programme, past record and work. So also, it is necessary to eschew criticism of all aspects of private life, not connected with the public activities of the leaders or the workers of other parties. Further, no criticism of the parties or their workers based on unverified allegations or distortion should be indulged in.

(3) Political parties will ensure that their supporters do not create obstructions in or break up meetings, processions etc., organised by other parties, workers or sympathisers of one political party will not try to create disturbances at public meetings organised by another political party by putting questions orally or in writing or by distributing leaflets of their own party. Processions should not be taken by one party along places where meetings are held by another party.

(4) Political parties will refrain from making statements which will cause disaffection among the police. Complaints against individual policemen will first be brought to the notice of the Superintendent of Police con-

cerned and then the Inspector General of Police and they will be taken up before the public, only if not satisfied with the action taken by the Superintendent of Police or the Inspector General of Police.

(5) The Government, while taking measures to maintain law and order, will take care not to impose undue restrictions on civil liberties and will not comply such measures as would interfere with a satisfactory election campaign by the parties.

(6) The ruling party will ensure that no cause is given for any complaint that it has used its official position for the purposes of its election campaign.

(7) There shall be no appeal to caste or communal feelings for securing votes. Mosques, churches, temples or any other place of worship should not be used as a forum for election propaganda.

(8) All parties will co-operate with the officers on election duty to ensure a peaceful and orderly polling and complete freedom for the voters to exercise their franchise without being subjected to any annoyance or obstruction. Police may take appropriate action promptly against any one trying to tease the voters going to a polling station without at the same time hindering the lawful business of party workers nearing polling stations, who will be supplied by the political parties with suitable badges or identity cards.

(9) All parties will set their face against activities which are offences under the electoral law such as personation of voters, bribing of voters, intimidation of voters, canvassing within 100 metres of a polling station, transport of voters to and from polling stations.

(10) All political parties agree that the identity slips supplied by them to voters will be on plain (white) paper and will not contain any symbol.

The leaders of political parties in Madras State set a very good example indeed in evolving and agreeing to this fairly comprehensive code of conduct. A standing committee of seven persons representing different political parties to whom complaints regarding any breach of the code could be made was also set up at the conference. This doubtless contributed a great deal to the peaceful and orderly manner in which the elections were run in this State.

Historically, however, the credit for adopting for the first time a code of conduct for observance at elections must be given to Kerala. Such a code had been evolved by the Administration of the State (then under the President's rule) prior to the general elections held in February 1960. This code covered in a detailed fashion, but mainly like meetings and processions, speeches and slogans, posters and placards. In December 1966, this

same code was again adopted at a conference of the representatives of political parties in Kerala. It was as follows:—

I. *Meetings*.—(1) Before deciding to hold a meeting at a particular place, the party concerned should obtain the required permission from the authority or person in charge of that place, except in respect of public places where public meetings are usually conducted without specific permission.

(2) If any permission or licence has to be obtained for the use of loud-speaker or any other facility in connection with the meeting, the party should apply to the authority concerned well in advance and obtain such permission or licence.

(3) The party should inform the local police authorities of the venue and time of the meeting well in advance so as to enable the police to make necessary traffic and security arrangements.

(4) The party should ascertain in advance if there are any restrictive orders in force in that area. If such orders exist, they should be followed strictly. If any exemption is required from such orders, it should be applied for and obtained well in advance.

(5) Organisers of a meeting should invariably apply for and obtain the services of the police on duty for dealing with persons disturbing the meeting or otherwise attempting to create disorder. It will be desirable that the organisers themselves desist from taking action against such persons.

(6) If it comes to notice that another party intends to hold a meeting at the same place about the same time, the organisers should endeavour without delay to establish contact between themselves so that it may be arranged to hold the meetings one after the other or at different places or, if possible to hold the meetings simultaneously at two different localities of the same place (as in a big maidan) taking care to regulate the volume of loud-speakers so as not to cause disturbance. The local authorities will assist the parties in arriving at such an arrangement and the parties should approach them in this regard as early as possible.

II. *Processions*.—(1) A party organising a procession should decide beforehand the time and place of starting of the procession, the route to be followed and the time and place at which the procession will be disbanded. There should ordinarily be no deviation from the programme.

(2) The organisers should give advance intimation to the local police authorities of the programme so as to enable the latter to make necessary traffic and security arrangements.

(3) The organisers should ascertain if any restrictive orders are in force in the localities through which the procession has to pass, and should

comply with the restrictions unless exempted specially by competent authority. Any traffic regulations or restrictions should also be carefully adhered to.

(4) Before the procession starts, the organisers should take steps to arrange the processionists in such a manner, taking into account the nature of the roads, as to render the passage of the procession possible without creating blockades or hindrance to other traffic. If the procession is very long, it should be possible to organise it into segment of suitable length so that, at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held-up traffic could be allowed by stages and thus heavy traffic congestion avoided.

(5) The organisers should arrange to detail responsible persons to be in charge of the procession and each segment thereof with instructions to regulate the processionists in co-operation with the police officers on duty.

(6) The procession should be so regulated as to keep as much to the right of the road as possible and the direction and advice of police officers on duty should be strictly complied with.

(7) If two or more political parties have proposed to take their processions over the same route or parts thereof at about the same time, it should be possible for the organisers of those processions to establish contact well in advance and decide upon the measures to be taken to see that the processions do not cause hindrance to one another or give rise to undesirable situations. The assistance of the local authorities will always be available in arriving at a satisfactory arrangement and the parties should contact them at the earliest opportunity.

(8) The political parties should, to the extent possible, exercise control in the matter of the processionists carrying articles which may be put to misuse by undesirable elements, especially in moments of excitement.

(9) All political parties should endeavour to respect the right of every individual for peaceful undisturbed home life, however much they may resent his political opinions or activities. Organising demonstrations or picketing before the houses of individuals by way of protesting against the latter's opinions or activities is not in keeping with democratic principles and the concept of individual liberty and should not be resorted to under any circumstances.

III. *Speeches and Slogans*.—(1) Depreciatory or insulting remarks about the private lives, personal habits or physical peculiarities or handicaps of individuals should be avoided on the public platforms.

(2) Derogatory remarks on the religion, caste or community of individuals should not be made.

(3) Statements that are likely to wound the religious susceptibilities of any section of the people in any manner should not be made.

(4) Statements and slogans suggestive of violent action against any members of other political parties should be avoided.

(5) A high standard of decency and decorum while making speeches or raising slogans should be aimed at by all political parties. Nothing should be said or done that is likely to excite people to acts of indecency or violence.

(6) Political parties should adopt an attitude of mutual tolerance and forbearance, especially in situations when the uncontrolled exercise of the right of free speech and expression is likely to stir up ill-feeling and lead to disorder and violence. When meetings by different political parties are held in close proximity or processions have to pass by one another, use of provocative slogans and gestures should be scrupulously avoided.

IV. *Placards*.—(1) Political parties should endeavour to see that the use of pictorial representations for purposes of propaganda is restricted mainly to serve the purpose of illustrating their own objectives and policies. Such representations should not be used to depict the alleged defects or alleged misdeeds of other political parties in a lurid or exaggerated manner.

(2) Pictorial representations should be sober and moderate and of real educative value. They should not be of such nature as to inflame the feelings of the followers of opposing political parties, or to incite persons to acts of indecency or violence.

(3) Pictorial representations should not be used for the purpose of humiliating individuals or bringing into ridicule the beliefs and practices of the followers of any religious or political thought.

(4) The carrying of effigies purporting to represent members of other political parties or their leaders, burning such effigies in public and such other forms of defamatory demonstrations should not be countenanced by the political party.

(5) No political party should permit its followers to make use of any individual's land, building, compound wall, etc., without his permission for erecting flag-staffs, suspending banners, pasting notices, writing slogans, etc.

V. *General*.—Every political party should make earnest endeavours to instruct its followers on the above-mentioned principles of conduct and should openly dissociate itself from any type of activity that is in contravention of these principles. There should be no hesitation on its part in taking necessary action against persons who deliberately disobey the party's instructions in this regard.

A code drawn on practically the same lines as the Madras code was accepted by the political parties in Andhra Pradesh early in 1967.

In West Bengal, the draft of a code similar to the Kerala code was placed before the meeting of the party representatives in January 1967. This meeting convened by the Chief Minister was largely attended. Though all parties present did not formally and fully accept all that was contained in the draft, they unanimously resolved to ensure that the election campaign was conducted peacefully and to assist the authorities in the smooth and peaceful conduct of the poll on a single day.

There can be no doubt as to the usefulness of such codes if they are adopted by party representatives on the eve of a general election. The Madras code rightly emphasised that all parties should set their face against electoral offences and corrupt practices like bribery and intimidation of voters, appeal to caste or communal feelings, using places of worship for election propaganda and free transport of voters to and from polling stations. It is to be hoped that before the next general elections in the country, a comprehensive code of conduct on the lines evolved in Madras and Kerala will be adopted by parties in all the States.

In regard to one of the matters covered by the code, namely, providing free transport for voters, the general impression was that the acceptance of the code in Madras and elsewhere made little difference to the conduct of parties and candidates. There did not appear to be any perceptible abatement of the corrupt practice. Taxi-cabs and cycle rickshaws in towns and motor trucks in the interior, carrying a number of voters to and from the polling stations, were very much in evidence. Though it was apparent that the passengers were not paying for their ride, and the flags flown on the vehicles even indicated the offending parties, it was not practicable for the police to take any action in the matter, since the offence, if any, committed by the passengers or the drivers was not cognizable. The amendment made in 1966 which increased the maximum penalty for this offence from a fine of Rs. 250 to a fine of Rs. 1000 had practically no effect.

Canvassing for votes on caste or communal grounds also appeared to be indulged in quite freely, particularly in the villages, despite the fact that the election law condemns it as a corrupt practice.

The Commission took up again in July, 1966 the question of providing broadcasting facilities to recognised political parties for their election campaign. It may be recalled that five years ago, the Commission in consultation with the All India Radio authorities worked out a detailed scheme for political broadcasts, both at the centre on the national hook-up and in the State capitals. After much discussion, the proposal had to be abandoned for lack of agreement among the major parties as to be basis

for dividing the available radio time. A full summary of the provisional scheme and of the infructuous discussions with the parties was given in the Commission's Report on the Third General Elections.

Public opinion was, and is, undoubtedly in favour of utilizing this valuable medium of publicity for educating the electorate. The Commission felt that a further attempt should be made to bring about an agreement so that party broadcasts would be a regular feature at the general elections of 1967. The All India Radio authorities were not only ready and willing, but also genuinely anxious, to help implement any scheme that might find general acceptance. The Commission accordingly invited the seven bigger parties, namely, the Congress, Swatantra, Jan Sangh, the two Socialist parties and the two Communist parties, to a conference in August, 1966 to discuss the problem. The Secretary of the Information and Broadcasting Ministry and the Director General of All India Radio were also present at this conference.

The representative of the Congress party recalled that in 1961, the final suggestion made by his party was that each party should be allotted one broadcast for the same duration on different dates, but the Congress party should be allotted one more broadcast at the end of the series to reply to the criticism that would be levelled against it by the other parties. This proposal fell through as some of the other parties did not agree to the Congress having this right to reply. While the Congress was willing to consider any alternative proposal put forward at the present conference, it was prepared to stand by its former proposal if nothing better was acceptable to all the parties.

The general feeling was that one round of talks at interval of two or three days might not be adequate from the public point of view and that it should be quite practicable for the All India Radio to arrange daily conference in August, 1966 to discuss the problem. The Secretary of was proposed by the representatives of the other six parties that there should be three rounds of talks on the national hook-up, each talk being of fifteen minutes' duration, and that while the Congress party should not be given an extra broadcast for reply, it might have the last broadcast assigned to it.

The Congress took time to consider this new proposal. Its final reply to the Commission was as follows:—

“We considered afresh the question of broadcasting facilities for political parties in the coming general election but regret to say that it is not possible for us to agree with the proposal that the Congress and each other political party should have three talks of 15 minutes duration each. We are unable to appreciate the rationale of this proposal. As against three

broadcast talks by the Congress which has polled 44.72% in the last general election and has won 358 seats in the House of the People, the proposal allots 18 talks to the six opposition parties which in combination have polled 33.77% and have won 79 seats in the House of People.”.

As there seemed to be no possibility of finding a formula for allocating time which would be acceptable to all the major parties, the Commission decided not to pursue the matter.

There is obviously much force in the objection taken by the Congress to the opposition parties' proposal that the time should be divided equally among all the parties considered eligible to participate in the broadcasts. So long as we have a number of political parties contesting the elections, any equitable allocation of broadcasting time among them must necessarily take into account their relative strength in the legislatures and in the country, which could never be equal or even nearly equal. The Commission in 1961 had proposed that the total broadcasting time of 300 minutes should be divided in proportion to the sum of the number of seats won by each party in the Lok Sabha (or Legislative Assembly) and the number of seats actually contested by each. At the last general elections the Congress party held 358 seats in the Lok Sabha and contested 516 seats, while the Communist Party of India (Marxist) held 11 seats and contested 59 seats. It would hardly seem fair to suggest that these two parties should be given the same amount of time for their broadcasts. Some weightage for the smaller parties would no doubt be justifiable, but not absolute equality. A simpler formula might be to apportion time entirely on the basis of the number of candidates each of the eligible parties sets up at the general election to the Lok Sabha or to the Legislative Assembly, as the case may be.

CHAPTER IX

THE POLL

The system of voting followed during the first two general elections was the balloting system. The voter exercised his franchise by putting a common ballot paper distinguished only by a serial number in the ballot box of the particular candidate for whom he wished to vote. At every polling station a separate box was placed for each candidate and a label was pasted bearing a pictorial representation of the symbol allotted to him. All these ballot boxes were placed in a screened compartment into which the voter was asked to go with his ballot paper and insert it in the ballot box bearing the symbol of his choice, without making any mark whatsoever on the ballot paper.

Though the balloting system was simple and worked fairly well, it had several drawbacks, not the least of which was the cumbrousness involved in putting up large voting compartments and a number of ballot boxes at every polling station. The marking system was adopted at the third general elections throughout the country except Jammu & Kashmir, Manipur and a few constituencies in Andhra Pradesh, Gujarat, Punjab and Himachal Pradesh.

Under this system, a distinct ballot paper has to be prepared for each election containing the names of the contesting candidates and against each, the fascimile of the symbol allotted to that candidate. The voter is asked to mark with an inked rubber stamp on or near the symbol of the candidate for whom he wishes to vote, inside a small voting compartment, bring out the ballot paper after folding it so as to conceal his vote and insert it in the common ballot box kept in full view of the presiding officer and other persons present at the polling station. This system eliminated the possibility of ballot papers being surreptitiously taken out of the polling station or not being put in the ballot box or being transferred from the ballot box of one candidate to that of another candidate.

At the fourth general elections, the marking system was extended still further and made practically universal. It was introduced in Jammu & Kashmir (including the district of Ladakh) and in the Union Territory of Manipur where also it worked successfully, despite difficulties of transport and communication and the backwardness of the people in some parts. No difficulty was experienced in the two Union Territories of Dadra and Nagar Haveli and the Laccadive Minicoy and Amindivi Islands where elections

were held for the first time. It was, however, considered not practicable to introduce the marking system in the Andaman and Nicobar Islands which formed one parliamentary constituency also going to poll for the first time. Besides these Islands, the only other areas where the balloting system had to be followed were three inaccessible and snow-bound assembly constituencies of Himachal Pradesh.

As mentioned in an earlier chapter, it was decided to take the poll on a single day in six States. As this had been achieved on previous occasions in Kerala and in undivided Punjab, the arrangements did not present any acute or difficult problem in Kerala, Punjab and Haryana, and poll was conducted smoothly without any hitch in these three States. The other three States which got through the poll on one day were West Bengal, Orissa and Jammu and Kashmir.

Both because of its size and because of the inadequacy and uneven distribution of its police forces, the poll in West Bengal had been spread over a number of days at the first three general elections. It had taken 23 days to complete the poll in 1952, 14 days in 1957, and 10 days in 1962. The feasibility of taking the poll on one day had, therefore, to be very carefully considered from all angles, and particularly from the point of view of maintaining peace and order at the polling stations on polling day.

When poll was spread over ten or fifteen days, it was possible to deploy at least two policemen at each polling station, besides a certain number of patrolling parties in the constituency. Any such arrangement was out of the question for a one-day poll, since the whole police force of the State would not have been sufficient to provide even one constable for each of the 23,000 polling stations set up in the State. As a first step to the solution of this problem, a meeting of the representatives of all the political parties was convened by the Chief Minister. There was general agreement at this meeting on a code of conduct designed to maintain order during the whole electioneering period. The parties also agreed in particular that it would be desirable to take the poll on a single day throughout the State and that, even without the usual watch and ward arrangements to which the public had been accustomed in the past, all parties would do their best to prevent quarrels and rowdiness at the polling stations. The success of the experiment, which during the pre-election period appeared to be hazardous, was almost entirely due to the active co-operation of the political parties and the general public in maintaining order with sub-minimal police force in many polling areas.

At the previous general elections, all constituencies in Greater Calcutta and Howrah used to poll on the last day in order that the metropolitan police force could be reinforced by detachments from the districts. The holding of simultaneous poll throughout the State on one day meant that

the normal police force functioning in each area had to look after the arrangements on the polling day without any assistance from the other areas. So far as the cities of Calcutta and Howrah were concerned, it was decided that the posting of a small police party at each polling premises should not be dispensed with. In order to deploy the available force to the best effect, it was further decided that each polling premises should have a somewhat larger number of polling stations located in it although this meant a certain amount of congestion at the premises and consequent inconvenience to the public. The normal rule of not locating more than four or five polling stations in the same building or compound was relaxed and the district election officers were permitted to set up as many as six to eight polling stations in the same premises.

The provision of police guards in the districts was confined to some polling stations in the towns and industrial areas. While in the past at least two constables or one constable and one trained national volunteer in uniform were put on duty at each polling station, it was remarkable that this time over 17,000 polling stations out of a total of 23,000 did not have a single constable attached to it. National volunteer force men, home guards, and village chaukidars were utilized to a large extent at all polling stations.

The second big problem in arranging a single day poll was man-power. Each polling station had to have a presiding officer and at least five polling officers for conducting the poll. In addition, the returning officer for each constituency had to mobilize a large number of persons to look after the three or four centres set up for distributing the election materials to the polling personnel, sending them out to their respective polling stations and receiving them back after the completion of the poll. These distributing centres were manned almost exclusively by the staff of the district collector, the sub-divisional officers and block development officers.

It was, however, in regard to the polling personnel numbering in all more than 140,000 that special arrangements were necessary. First, the field of recruitment was considerably enlarged. All Central and State Government offices and institutions, including colleges and schools, were requested to spare for election work as many of their staff as possible for two or three days, including the date of poll. While this category was more than sufficient to meet the requirements of Calcutta city and some adjoining constituencies, it was quite inadequate for the districts. The district election officers were accordingly authorised to draw upon the following supplementary categories to the extent necessary:—

- (i) teachers of State-aided colleges and schools and of free primary schools;

- (ii) employees of municipalities, zilla parishads and anchal panchayats;
- (iii) employees of statutory corporations and public sector undertakings;
- (iv) retired government servants; and
- (v) employees of mercantile firms, tea-estates, etc.

This was the first time when a large number of non-officials of these categories were appointed as presiding officers and polling officers in the State. There were, however, very few complaints about the manner in which any of them discharged their functions in spite of the fact that many had their own political affiliations and sympathies.

The third main problem which the district election officers had to face was transport. A large number of vehicles had to be found, all at the same time, for taking polling parties to the polling stations and for bringing them back after the conclusion of the poll. The Government of India as well as the State Government issued general directions to their respective offices to place all available vehicles at the disposal of the election officers for these two or three days. It has been reported that the response from the Central Government offices was extremely poor. Requisitioning of private vehicles and public transport vehicles had to be done to a considerable extent even after careful planning and maximum utilization of the available government transport.

It was indeed gratifying that a large State like West Bengal, where during the pre-election period tension was evidently acute in many places, should have been able to manage a smooth and peaceful poll on a single day. It appeared that the public and the political parties participating in the elections were determined to see that order was maintained at the polling stations and rowdy elements did not get the upper hand. The election officers tackled the difficult problems of man-power and transport with resoluteness and efficiency.

Orissa which had taken a full week to complete the poll at the general elections held in 1961 and 1962, also made strenuous efforts and successfully accomplished a single day poll without any mishap. The political climate of the State immediately before the election was not particularly encouraging. There were quite a few instances of disturbed election meetings and violent clashes among partisan groups which did not augur too well for a single day poll. As in West Bengal, regular police protection at the polling stations had to be drastically whittled down. In addition to the forest guards and excise peons, home guards and village watchmen (*gram rakshis*) were employed in place of police constables in the majority of

polling stations. In spite of this reduction in police strength, there were very few cases of disturbance at polling stations and none which led to an adjournment of the poll. The general atmosphere during the conduct of the poll was reported to be peaceful throughout the State.

Jammu & Kashmir being a small State had a comparatively easy task in arranging for a single day poll. The police and administrative staff available in each of the two provinces of the State was found to be adequate for election purposes. In the matter of transport also, this State did not have any serious difficulty.

With the experience gained in these six States, and especially in West Bengal and Orissa, the Commission feels confident that a few more States will be able to achieve a single day poll at the next general elections and that the other States will be able to reduce the number of polling days to two or, at the most, three days and the over-all poll period to four days.

At the first general elections held in 1952, the Laccadive, Minicoy and Amindivi Islands formed part of an assembly constituency in the State of Madras. After these islands were constituted into a Union Territory in 1956, no election had been held and its representative in the House of the People had been nominated by the President. This arrangement came to an end with the passing of the Union Territories (Direct Election to the House of the People) Act, 1966, and it became necessary to make arrangements for holding an election in this Territory. 14,505 electors were enrolled in its ten inhabited islands, the largest number being 2,964 in Minicoy and the smallest being 50 in Bitra. The rolls were printed in Malayalam which is the language of the majority of the people in all the islands except Minicoy. The part of the electoral roll pertaining to this island was printed also in Mahal language which is the language spoken there. Being practically the first time when elections were held in the Territory, no political parties were recognised for the purpose of allotment of symbols. In all, 26 polling stations were set up and, except the one in Bitra, they were separate for men and for women. Since the islands lie scattered in the Arabian Sea at considerable distances from one another, the administration engaged two ships exclusively for election work and completed the distribution of polling materials by the evening of February 16. Poll was taken simultaneously in all the islands on February 18. Remarkable enthusiasm was displayed by the electors. 82 per cent of the electorate turned out at the polling stations to vote. The percentage of women electors who voted was 86.1, as against 78.27 in the case of men. It was remarkable that out of 11,897 votes polled, only 90 were rejected as invalid in spite of the fact that the marking system was entirely new to the people.

The administration had to face greater difficulties in conducting the election for the very first time in the Andaman and Nicobar Islands.

Under the Union Territories' (Direct Election to the House of the People) Act, 1966, these far-flung islands in the Bay of Bengal were constituted into a single parliamentary constituency and called upon to elect one member to the House of the People on the basis of adult suffrage in exactly the same manner as in other parts of India. The task was not too difficult in Andaman Islands though it was not possible to establish contact with a few small primitive tribes like the Onges of little Andamans, the Jarwas of South and Middle Andamans and the residents of North Sentinel Islands. The Nicobar Islands as a whole were distinctly more backward, being almost entirely tribal in character, and in parts untouched by the civil administration. However, steps were taken to register to the extent possible the adult residents of all the islands as electors. 47,064 persons (32,386 men and 14,678 women) were enrolled. Considering that the population of the islands as ascertained at the census of 1961 was only 63,548, the enrolment of electors could be regarded as quite satisfactory. The rolls were prepared in Hindi and English. 123 polling stations were set up, of which only 50 had to cater for more than 400 voters each. 36,924 persons representing 78 per cent of the electorate voted at the keenly contested election in which six candidates took part. Apart from a complaint from some of the candidates that they had very few facilities to go round in the Nicobar Islands for electioneering purposes, the arrangements made by the administration for conducting the election appeared to be quite satisfactory.

The Union Territory of Dadra and Nagar Haveli was another area in which elections were held for the first time, and that too under the marking system of voting. Despite the backwardness of the area which is inhabited largely by *adivasi* tribes, the people participated enthusiastically in the elections. The turn-out at the polling stations was very good, being 78 per cent of the total electorate of 29,564. It however appeared that lack of experience in the voting system led to a large number of the ballot papers being marked either wrongly or not at all. Out of 23,144 voters (the number of women voters was nearly equal to the number of men voters), the ballot papers of 1896 voters (*i.e.* 8.19 per cent) had to be rejected as invalid.

It is noteworthy that at this general election voter participation was highest in these three Union Territories where elections were held for the first time.

Special arrangements had to be made for taking the poll in five assembly constituencies of Himachal Pradesh which were snow-bound and inaccessible from outside in the month of February. In three of these, namely, Kinnaur, Rohru and Chopal assembly constituencies which formed part of Mahasu parliamentary constituency, it was possible to take the poll at the end of April on the 27th and 29th. In Lahaul-Spiti and Bharmour assembly

constituencies forming part of Chamba parliamentary constituency, however, polling had to be postponed to the end of May, because of late snowfalls on the high mountain passes.

It was possible to adopt the marking system in Rohru and Chopal assembly constituencies since the areas were accessible from Simla by the end of April and printed ballot papers containing the names of candidates and their symbols could be sent out there a few days before the date of poll. In Lahaul-Spiti, Bharmour and Kinnaur assembly constituencies, the old balloting system had to be adopted.

The Lahaul-Spiti assembly constituency was one of the most difficult areas for holding election. It comprised the extensive mountainous district of Lahaul and Spiti the inhabited parts of which lay in two widely separated valleys, and also a part of Kulu tehsil which remained cut off from that district in winter when the Rohtang pass got snowed up. In the circumstances, the returning officer whose headquarter was at Keylong in Lahaul had to be helped by his assistants at Kaza (in Spiti) and at Kulu even at the stage of receiving and scrutinising nominations for the assembly elections. The arrangements for poll also had to be made independently by these three officers, each for his own area. All material requirements for the assembly and parliamentary elections, including ballot boxes and ballot papers, were sent to Keylong and Kaza well before the setting in of winter. Thanks to the recent development of the district, both Lahaul and Spiti could manage their polling staff problem without difficulty. The counting of votes was done independently at Keylong, Kaza and Kulu and the results, so far as the parliamentary election was concerned, were communicated by wireless message to the returning officer in Chamba. The results of the counting of assembly ballot papers at Kaza and Kulu were similarly communicated to the returning officer at Keylong who then totalled up and declared the result.

The existence of a curious border dispute between Andhra Pradesh and Orissa came to light during the elections and posed a pretty little problem for the election officers in both the States. The position of a certain area comprising 13 small and scattered forest villages had apparently been ambiguous for many years. It was (and is) not definitely known whether, in 1936, when the Province of Orissa was created under the Government of India Act, 1935, this area stood transferred to that Province from the Province of Madras or not. Consequently, the area was being treated as part of Salur assembly constituency by the election officers of Andhra Pradesh, and as part of Nandapur assembly constituency by the election officers of Orissa, and the residents of the 13 villages were registered in the electoral rolls for both these constituencies. According to the election

programmes of the two States poll was taken in Salur assembly constituency on February 15, and in Nandapur assembly constituency on February 21, at both of which the villagers had apparently the opportunity to participate. This absurd situation has been brought to the notice of the Government of India by the Commission and it is to be hoped that the dispute between the two States will be resolved soon.

The disturbed conditions prevailing in Mizo district of Assam because of the hostile action of a section of the Mizos seriously affected poll in the district. This large but sparsely populated district comprised three assembly constituencies and formed part (roughly one-third, in voter strength) of Cachar parliamentary constituency. Only one candidate and that too the same person, stood for election from Aijal East and Aijal West assembly constituencies and he was declared elected. There was no nomination at all from the Lungleh assembly constituency. While it thus became unnecessary to arrange for poll in any of the three assembly constituencies of the district, it had to be taken in the whole district for the election to the House of the People which was contested. Partly because of the re-grouping of villages along main roads which was then taking place and partly because of the disturbed conditions prevailing in the interior, it was possible to set up only 62 polling stations with adequate security arrangements to enable the electors to exercise their franchise. For the purpose of moving polling personnel from one place to another and carrying polling materials to some of the polling stations, helicopters arranged by the Ministry of Defence were utilised.

Except in Kerala, the polling arrangements were the same as in the third general elections. The polling party generally consisted of the presiding officer and five polling officers. A common ballot box was provided for the reception of both the assembly and parliamentary ballot papers after they had been marked by the voter. In order to make it easier for him and to reduce the possibility of any confusion, the ballot papers were given to him one after the other, and not at the same time. The procedure laid down by the Commission was as follows:—

- (i) the first polling officer would identify and locate the name of the voter in the roll, enter in the 'marked copy' of the electoral roll the serial number of the assembly ballot paper to be issued to him, and pass on the ballot paper to the second polling officer;
- (ii) the second polling officer would similarly locate the entry relating to the voter and enter the serial number of the parliamentary ballot paper to be issued to him in the other 'marked copy' of the electoral roll. He would then pass on both the

ballot papers to the third polling officer. Simultaneously, he would also place a tick mark in ink or copying pencil against the name of every voter who has received a ballot paper and is a woman;

- (iii) the third polling officer would mark the voter's left-forefinger with indelible ink and hand over both the ballot papers to him. After receiving the ballot papers the voter would go to the fourth polling officer;
- (iv) the fourth polling officer would take both the ballot papers from the voter, explain to him how to record his vote, hand over the assembly ballot paper and an inked rubber stamp to him and pass on the parliamentary ballot paper to the fifth polling officer, who would be sitting opposite to him at the same table. The voter would proceed to the first voting compartment, record his vote on the assembly ballot paper, come out and drop the folded ballot paper into the ballot box kept on the table in front of the fifth polling officer; and
- (v) the fifth polling officer would hand over the parliamentary ballot paper and inked rubber stamp to the voter, who would proceed to the second voting compartment and record his vote on the parliamentary ballot paper, bring it back and drop it into the same ballot box and quit the polling station.

In Kerala, however, the Commission considered that the voters, with their greater experience of elections and higher level of literacy, would be able to manage both the ballot papers at the same time and accordingly permitted the following modified procedure for voting at the polling stations:—

- (i) the first polling officer would identify and locate the name of the voter in the copy of the electoral roll kept by him. After identification, he would underline the entry and, if the voter was woman place a tick mark against her name;
- (ii) simultaneously, the second polling officer in charge of the assembly ballot papers would enter in the 'marked copy' of the electoral roll the serial number of the ballot paper to be issued to the voter and pass on the ballot paper to the fourth polling officer;
- (iii) the third polling officer in charge of the parliamentary ballot papers, would simultaneously enter in the other 'marked copy' of the electoral roll the serial number of the ballot paper to be issued to the voter and pass on the ballot paper to the fourth polling officer;

- (iv) the fourth polling officer would mark the voter's finger with indelible ink and hand over both the ballot papers to the voter directing him to go to the fifth polling officer; and
- (v) the fifth polling officer seated near the voting compartment would hand over both the ballot papers and an inked rubber stamp to the voter who would then proceed to the voting compartment, record his vote on both the ballot papers, bring them out and drop them in the ballot box kept in front of this polling officer.

While it appeared that polling went through with the usual speed and smoothness at most of the polling stations in Kerala, the result of counting made one wonder whether the simplified procedure had really worked well. There was a surprisingly large increase in the number of rejected ballot papers at both the elections. As many as 246,285 ballot papers marked at the parliamentary elections and 237,296, ballot papers marked at the assembly elections were rejected as invalid. The percentage of invalid votes to the total worked out to 3.77 and 3.64, respectively as against 2.07 at the parliamentary general elections held in 1962 and 1.54 at the assembly general elections held in 1965. Besides the difference in voting procedure mentioned above, there might have been other reasons for this considerably higher percentage of invalid votes in this State (as indeed in most other parts of India) but it has to be admitted that they are not easy to spot.

There were 9 hours of poll in all the States, except in Jammu and Kashmir where because of the cold, it was decided to have poll for only 8 hours. The poll started at 7 A.M. in the Andaman and Nicobar Islands and the Laccadive, Minicoy and Amindivi Islands at 7.30 A.M. in Assam, Bihar, West Bengal, Manipur and Tripura, and at 8 A.M. in all the other States and Union Territories. A mid-day break for lunch was not allowed in any polling station and polling went on uninterruptedly throughout the allotted hours.

The rules provided that every voter who reaches polling station before the time fixed for conclusion of the poll must be permitted to cast his vote. While in most places voting finished well before the notified hour, there were quite a few polling stations where the voters came in large number in the afternoon and made it difficult for the polling party to wind up the poll. Candidates and their agents could certainly help in securing an even flow of voters to the polling stations so that there was no heavy rush either in the morning hours or towards the end of the day.

Very few changes were made in the law regulating the conduct of the poll since the third general elections. At those elections, an unusual case occurred in Uttar Pradesh where a party candidate who had been duly nominated died after the date fixed for the scrutiny of nominations and before the last date for withdrawal of candidatures. The poll could not be countermanded under section 52 of the Representation of the People Act, 1951, as it then stood. Since the party concerned did not have a substitute to take the place of the deceased candidate, it had a legitimate grievance that it could not contest the particular seat. On the recommendation of the Commission, the section was amended in 1966 providing for the countermanding of poll, not only in cases where a contesting candidate died before the publication of the list, but also in cases where a validly nominated candidate died and a report of his death was received by the returning officer before he had prepared the list of contesting candidates under section 38 of the Act.

In six assembly constituencies, one each in Gujarat, Maharashtra, Madras, and Orissa and two in Uttar Pradesh, poll was countermanded on account of the death of a contesting candidate; and in all of them fresh elections were held as provided in the law almost immediately. There was no such untoward occurrence in any of the parliamentary elections.

Another small amendment of the law related to the hour upto which the election meetings were permissible before the commencement of the poll in any polling area. The amended section 126 of the Act prohibited the convening, holding or attending of any public meeting in any polling area during the period of 48 hours ending with the hour fixed for the conclusion of poll in that area. Thus, if in a certain area, poll was to be taken between 8 A.M. and 5 P.M. on February 20, no election meeting could be held after 5 P.M. on February 18 in that area. Apart from helping to induce a comparatively quiet atmosphere on the eve of poll, this provision gave considerable relief to the police forces and facilitated their movement to assigned places of duty on polling day.

As an aid to the authorities in preserving law and order during poll, the Commission recommended to the State Governments that the day on which poll was to be taken in any area should be declared a 'dry day' under the excise laws of the State.

As on previous occasions, the Central and State Governments declared the polling day in any area to be a local holiday for their offices in that area when it was not a public holiday. They also issued instructions that an additional paid holiday might be granted on that day to the employees of the various industrial organisations under Government.

As it was not practicable to compel private commercial and industrial concerns to adopt similar measures, it was suggested to them that wherever the establishment could not be closed on polling day, the management should allow the employees a reasonable period of time to exercise their franchise.

It is not obligatory under the election law for candidates to appoint election agents to look after their interest during the electioneering period. Both in parliamentary constituencies and in assembly constituencies, only a small proportion of the contesting candidates appointed election agents. A duly authorised election agent could relieve the candidate of several important duties such as appointing polling agents and counting agents, being present at the scrutiny of nominations, visiting polling stations during poll, keeping account of the expenses incurred by and on behalf of the candidate at the election, watching the counting of votes and so on. It is curious that a large number of candidates preferred to fight the elections without the assistance of election agents.

During poll, the officials on duty at the polling stations could not be expected to know the election agents of all the candidates, with the result that the entry of an election agent into a polling station was some times objected to and the agent was unable to establish his credentials. In order to get over this difficulty, some returning officers used to issue unofficial identity cards to election agents. This procedure which was found to be distinctly useful at the third general elections was regularised by amending the rule relating to the appointment of election agents. Under the amended rule, the candidate was required to send the intimation of appointment in duplicate to the returning officer and the returning officer was required to return one copy of the election agent after affixing his seal and signature to it in token of his approval of the appointment. This authenticated copy served the purpose of an identity card and secured the election agent's entry into any polling station without dispute.

Many independent candidates as well as party candidates did not appoint polling agents at all polling stations in the constituency. This was partly due to the non-availability of suitable persons willing to do the work and partly due to the inability of the candidates to meet even the small out-of-pocket and incidental expenses of a large number of polling agents.

All those electors who are registered as "service voters" in a separate part of the electoral roll for a constituency are required to give their votes by postal ballot and in no other manner. The great majority of

service voters are members of the armed forces of the Union. A much smaller, but important, group consists of persons who are employed under the Government of India in posts outside India. As explained in a previous chapter the registration of service voters which formerly was centralised in the office of the chief electoral officer in each State was now being done in the office of the district election officer in each district. Consequently the issue of postal ballot papers to service voters was also decentralised and made the responsibility of the district election office. These offices were instructed to keep the forms of outer cover, inner cover, declaration by, and instructions to, the elector filled up and kept ready, get the postal ballot papers printed or multigraphed as expeditiously as possible after the list of contesting candidates had been drawn up, and issue the covers without any delay. In the case of the defence services, the covers had necessarily to be sent through the record offices, but the voter returned the ballot paper and the declaration direct to the returning officer by post. While there was no such compulsion in the case of the foreign service personnel, the covers were sent to the External Affairs Ministry for despatch to the addressees by air mail in the diplomatic bag and the voters also returned ballot papers through the same channel. It appeared that in spite of best efforts there was delay at one stage or another in many cases. There were complaints that the voters received the ballot papers very late leaving little time for them to send the papers back to returning officer. This difficulty was more noticeable in the case of foreign service voters. It appeared that the practice of sending the papers both ways in diplomatic bags contributed largely to the delay and the Commission felt that it might be better if the ordinary air mail was utilised both ways and the correspondence between the returning officer and the voter made direct.

Voting is also a problem for the large number of persons, official and non-official, who are on election duty on the date of poll. Not many polling agents of candidates fall within the category of "voters on election duty" according to the definition in the rules since most of them are residents of the polling area where they function as polling agents and consequently are in a position to vote at their own assigned polling stations. The rules enable a voter on election duty to vote by post. All that he has to do is to apply to the returning officer for a postal ballot paper at least 7 days before the date of poll. If he is a public servant on election duty in the constituency of which he is an elector and prefers to vote in person he has the alternative of obtaining an election duty certificate from the returning officer by applying for it not less than 4 days before the date of poll. He can then produce the certificate at any polling station within the constituency, get a ballot paper and note in the ordinary manner.

Sometimes it happens that the area where the voter is on election duty on the polling day lies within the parliamentary constituency, but not within the assembly constituency of which he is an elector. In such a case he has to apply for a postal ballot paper to vote at the assembly election and either for a postal ballot paper or an election duty certificate to vote at the parliamentary election which is not very convenient either for him or for the returning officers concerned. However the system of issuing certificates to public servants on election duty and enabling them wherever possible to vote in person worked well on the whole and was availed of by public servants to a greater extent than postal ballot.

The procedure for enabling blind and infirm electors to cast their votes in secrecy was changed by an amendment of the relevant rule. Formerly, if any voter owing to blindness or other physical infirmity was unable to read the ballot paper or to distinguish the symbols printed on it or to make a mark thereon with the rubber stamp he had to take the assistance of the presiding officer and no one else. The rule was amended so that any such voter could be helped by a companion of his own choice, provided the latter was an adult and acted as such companion for only one elector at that polling station. The presiding officers were relieved of the duty of assisting blind and infirm voters.

In its report on the third general elections, the Commission noted with satisfaction that there was not a single instance of adjournment of poll or re-poll on the ground that the poll was interrupted or completely upset by rioting or open violence. Regrettably this record of peaceful polling was broken at the last general election but in very few places. Owing to serious disturbance or apprehended breach of the peace, poll was adjourned at 12 polling stations in 5 different assembly constituencies of Bihar, and in 5 other polling stations repoll had to be ordered in that State. One or two sporadic instances of violent disturbances were reported from Assam, Andhra Pradesh, Haryana, Madhya Pradesh and West Bengal. The hostile activities of the Nagas disturbed the poll in 6 places in Manipur. In all these cases, the re-poll or adjourned poll, as the case may be, was taken very soon afterwards without any recurrence of the disturbances.

A serious incident was reported from a polling station of Barchana assembly constituency in Cuttack district. A number of voters turned up at this polling station at about 6 P.M. an hour after the close of the poll and demanded that they should be allowed to vote. When the presiding officer rightly refused to oblige them, they forcibly entered the polling station, took away from his custody two ballot boxes containing the ballot papers cast at the polling station and threw them in a river nearby. The boxes were, however, recovered without difficulty by the

district election officer who rushed to the spot and no great harm was done by the rowdy behaviour of a group of people.

In Jammu and Kashmir, inclement weather led to the adjournment of poll by a few days in 14 polling stations of Karnah assembly constituency, two polling stations of Poonch assembly constituency and one polling station of Kangan assembly constituency. The apprehensions of some of the political parties that weather conditions in the greater part of Kashmir Province and in some areas of Jammu Province would make it very difficult for the voters to reach their polling stations turned out to be exaggerated.

Our election law and procedure have the usual built-in safeguards against impersonation of electors at polling stations. *Firstly*, it is an offence under the Indian Penal Code punishable with one year imprisonment or with fine or with both. *Secondly*, the rules provide for challenging the identity of any person who turns up at a polling station claiming to be a certain elector on the roll and attempts to vote at the polling station. Any polling agent may challenge his identity by first depositing Rs. 2/- in cash with the presiding officer. On such challenge, the officer is required to hold a summary enquiry and decide the question. The deposit is only intended to prevent polling agents from indulging in baseless challenges for the sake of annoying some of the electors and delaying the voting process. If the presiding officer is satisfied that the challenge is frivolous or has not been made in good faith, he will direct the deposit to be forfeited to Government but not in any other case even if the challenge has failed. *Thirdly*, if the real elector on reaching the polling station finds that some one had impersonated him and already voted, the rules provide for the separate recording of his vote as a tendered vote. Such votes, however, cannot be considered along with the other ballot papers but can be scrutinised later by the Court during the trial of an election petition. *Fourthly*, there is the device of putting an indelible ink mark on the left forefinger of every voter at the time he receives the ballot papers. This effectively prevents him from turing up at the same or any other polling station and trying to personate some other elector.

Considering the enormous size of the electorate, the number of cases in which challenges by polling agents successfully established impersonation were very few, being only 5,202 for the whole of India. The total number of tendered votes at all polling stations also was only 73,289. Both these figures were appreciably less than the corresponding figures at the 1962 elections when there were 6,358 successful challenges and 85,585 tendered votes in all. In the nature of things these figures

can only give a rough indication of the extent to which there was personation at the elections. Still it is worth noting that the total of tendered votes and successful challenges was considerably less in 1967 than in 1962 and was only of the order of one in 2,000 voters. The total number was comparatively large in Bihar (11,173), Madras (10,345), Uttar Pradesh (9,271), Andhra Pradesh (7,892), Madhya Pradesh (6,464) and West Bengal (6,377).

It is frequently alleged that the mark put on the voters' fingers is not really indelible and that it can be removed by certain processes immediately after the voter comes out of the polling station. This allegation, however, has not been substantiated before the Commission or before any of the electoral officers in the States. While it is impossible for the Commission to find out the extent to which this malpractice is indulged in with the object of casting bogus votes, it does not appear on the evidence available that it is being done in an organised manner or on an appreciable scale. The Council of Scientific Research which is responsible for the formula according to which the indelible ink is manufactured has so far not been able to devise any thing better.

Voter participation in this general elections was appreciably more than in the general elections of 1962. The total electorate had increased from 218,216,585 in 1962 to 250,312,239 in 1967. The total number of electors who voted in parliamentary constituencies in which there was contest was 152,724,611, *i.e.* 61.33 per cent of the total number of electors on the rolls for those constituencies. The corresponding percentage at the third general election to the House of the People was 54.80. In the States, this percentage varied from 76.56 in Madras to 43.70 in Orissa and in the Union Territories it varied from 82.08 in the Laccadive, Minicoy and Amindivi Islands to 51.20 in Himachal Pradesh.

In the 16 States and 4 Union Territories where general elections to the Legislative Assembly were held in 1967, the total electorate was 247,104,213 while the number of electors who voted in the 3,453 contested elections was 151,793,713 that is 61.33 per cent of the total number of electors on the rolls of those constituencies. The corresponding percentage at the elections of 1962 was 56.29. The percentage of electors voting was highest in Madras (76.57) and lowest in Orissa (44.05).

As compared to the third general election, the proportion of women voters to men voters showed an appreciable increase from about two-thirds to three-fourths. At the parliamentary elections about 86,460,500 men and 66,264,000 women voted; and at the assembly elections about 86,214,600 men and 65,579,100 women voted.

CHAPTER X

COUNTING OF VOTES

Not counting the Union Territory of Goa Daman and Diu and the few snow-bound constituencies of Jammu and Kashmir and Himachal Pradesh where the general election poll had to be postponed, the poll was completed as scheduled on February 21, except in one parliamentary constituency and 9 assembly constituencies of Manipur. The Commission had earlier issued the general instruction that the counting of votes should not be taken in any State or Union Territory before February 21. While it was no doubt desirable that counting of votes in any constituency should be taken up at the earliest practicable moment after the conclusion of the poll in that constituency, such counting at a general election would have meant the prior announcement of results in some constituencies while poll was going on in others. This could psychologically influence a section of the electorate in the latter constituency to vote for the winning party. In order to avoid any such indirect influence on voting behaviour, the Commission decided to withhold counting until the last date of poll.

On the eve of the elections, some persons expressed apprehensions about the safety of the ballot boxes containing the used ballot papers during the period between the conclusion of poll and the commencement of counting and the possibility of tampering with the ballot papers. In order to allay these fears and apprehensions and to induce the maximum amount of confidence, the Commission issued general instructions regarding the safe custody of ballot boxes after the poll and before counting. It also issued a direction that, if any of the contesting candidates so desired, he might be permitted to post an agent to keep watch at the place where ballot boxes were stored and the agent might be allowed to affix his own seals to the doors and windows of the building in which the ballot boxes were stored, in addition to the seals that might be affixed by the returning officer. After all the ballot boxes had been received and stored and the room had been locked, no one should be allowed to go in until the morning of the date fixed for counting. If during this interval the room had to be opened for some reason, the returning officer should send for the candidates and open the room in their presence and, immediately after the purpose for which the room was opened had been served, the candidates or their representatives should again be allowed to seal the doors and windows. The Commission also prescribed a log book to be maintained in order that a full record might be available of persons entering the room, purpose of the visit, time of entry, time of exit, etc. These instructions which were followed at all places went a long way

towards creating confidence in the minds of candidates as to the security of the ballot boxes at the place of storage.

As mentioned in the preceding chapter, both the ballot papers issued to a voter at a polling station were required to be put in a common ballot box after he had marked them. This procedure was adopted in order to avoid any confusion at the time of poll resulting in assembly ballot papers being put in the parliamentary ballot box and *vice versa*. The sorting out of the two kinds of ballot papers after opening these ballot boxes was consequently the first step at the stage of counting. This presented no difficulty since the parliamentary ballot papers were white and the assembly ballot papers were coloured pink.

At the third general elections, separating the two kinds of ballot papers and sorting the valid votes in favour of the different assembly and parliamentary candidates were done in the same operation by setting at the counting table one line of trays for the parliamentary candidates and another for the assembly candidates. While this procedure speeded up the counting, it gave rise to the complaint that not every candidate could have a counting agent at each table and watch the counting on his behalf. In order to avoid crowding at the table, the instruction was given that the number of counting agents at each table should be the same as the official counting staff at that table, namely, three. The total number of counting agents thus permitted had to be rationed out among the numerous parliamentary and assembly candidates which was not very satisfactory.

It was therefore decided that separating the assembly ballot papers from parliamentary ballot papers should be done first as an independent operation at one table and thereafter the scrutiny, sorting and counting of the assembly ballot papers only should be done at that table. The separated parliamentary ballot papers were put back in the empty ballot box and taken to another table kept close by. The instruction was given that the counting tables should be so arranged that the actual movement of the parliamentary ballot papers was visible to the counting agents sitting at both the counting tables. In effect, there were two parallel rows of counting tables, one row for counting each type of ballot papers after they had been separated. Depending on the size of the hall, 8 to 12 tables were placed in each row. Each candidate was permitted to have one counting agent at each table where his ballot papers were counted. The staff at each table consisted as before of one supervisor and two counting assistants.

The counting at each place was done by the returning officer for the assembly constituency but in every case he was appointed an assistant returning officer for the parliamentary constituency in which that assembly constituency was comprised. This gave him the necessary legal authority to count the votes cast at each polling station for both the elections. The returning officer for the parliamentary constituency was himself present whenever and wherever practicable and supervised the counting. At each

counting place the returning officer for the assembly constituency did the final scrutiny and rejection of invalid ballot papers in respect of the *parliamentary* election at one table, while at another table one of the assistant returning officers for the assembly constituency did the corresponding task in respect of the assembly election.

Since the parliamentary constituency comprised a number of assembly constituencies, ranging from 5 in Uttar Pradesh to 16 in Jammu and Kashmir and Manipur, this method of counting the parliamentary ballot papers found in the ballot boxes involved the work being done simultaneously at different places by different assistant returning officers, the ballot papers and accounts having to be transferred to the returning officer's office, and the returning officer declaring the results after counting the postal ballot papers for the parliamentary election and giving the candidates an opportunity to claim a recount in the event of their being dissatisfied on reasonable grounds with original count done by the assistant returning officers. Special arrangements were made for transporting the ballot papers and accounts as quickly as possible from the assistant returning officers counting places to the returning officers counting place and for keeping them in the local government treasury under double lock arrangements. This method certainly expedited the counting of parliamentary ballot papers and rendered possible the announcement of results by the returning officers within a very short time of his assistants declaring the results for the assembly elections held within that parliamentary constituency.

The returning officer for a parliamentary constituency and the returning officers for the component assembly constituencies had to work as a team. They were asked to choose their counting places and draw up their counting programme with care. A counting hall large enough to accommodate all the officials on duty, the candidates and their counting agents, with facilities for the safe storage of ballot boxes in the same building, was an essential requirement which, incidentally, was not readily to be had in quite a number of counting centres. The returning officers were asked to see that the place chosen for counting was centrally situated in the assembly constituency in order to ensure the rapid transport of ballot boxes from the polling stations after poll, and also to see that the place had a telegraph office or police wireless facility in order that the result of the election may be immediately communicated to the authorities concerned.

A minor but useful change had been made in the rules regarding the time for counting the ballot papers received by post. Instead of being counted *last* after all the ballot papers found in ballot boxes had been taken out sorted and counted, the revised rule provided that the returning officer should first deal with the postal ballot papers. This was convenient and

saved time, since he could take up this duty as soon as his counting staff and the agents of candidates had been seated at the counting tables and began the sorting work.

As each parliamentary constituency comprised a number of assembly constituencies, parliamentary ballot papers had necessarily to be counted at more places than one. In regard to such cases, the provision was that the rule about postal ballot papers being counted first would apply only to the counting at the last of such places. Following this rule, the returning officer for a parliamentary constituency first took up the counting of postal ballot papers on the day fixed by him for final counting and then proceeded to compile the results sent by his assistants in respect of the several assembly segments and declare the result in the prescribed manner.

It always takes the returning officer a good deal of time to start the counting, mainly because much time has to be spent in verifying the credentials of the numerous counting agents who are entitled to be present. Every appointment of a counting agent has to be made in the prescribed form in duplicate, one copy being sent by the candidate to the returning officer and the other copy being made over to the counting agent for production before the returning officer. Previously the rule was that the agent should produce his copy for verification by 6 P.M. on the day preceding the date of counting. As many candidates found it difficult to comply with this rule, especially when the counting was fixed for the day immediately following the date of poll, the rule was modified requiring the counting agent to present his copy of the letter of appointment at least one hour before the hour fixed for the commencement of counting. Even after this relaxation of the rule, the not unusual lack of punctuality on the part of some counting agents often held up counting.

Excepting for the modification already explained about counting the two sets of ballot papers at different tables, the procedure for scrutinising and counting them remained the same as before. The assistants at the various counting tables sorted out the ballot papers clearly and validly marked in favour of each candidate and those which were clearly invalid or the validity of which was doubtful, counted up the ballot papers in each bundle and then sent them over to the returning officer with the result sheet for the particular polling station provisionally filled up. It was however the returning officer's duty under the rule to scrutinise each of the invalid and doubtful ballot papers and either reject or accept it, giving briefly his reason for rejection in every case. At this stage the candidates' agents sitting at his table had the opportunity to see those ballot papers and make representations to the returning officer, if they so desired.

The rules provide for the announcement of the result of counting in respect of each polling station separately. It has sometimes been suggested to the Commission that this method of counting naturally results in the political affiliation of small polling areas with about 1000 electors on an

average becoming a matter of common knowledge. It is said that this leads to victimisation and harassment of particular areas which have voted strongly against the candidates of the party in power. The Commission doubts if this is true to any appreciable extent and is inclined to think that an odd instance here or there is being exaggerated to make out the prevalence of a reprehensible and undemocratic practice. The method of counting now in vogue has certainly the merit of being systematic which would be lost to some extent if, as suggested, the ballot papers found in a large number of ballot boxes were first mixed up, put in bundles of 1000 or 2000 and then counted. Even on this pattern it should not be difficult for the political parties, if they were so minded, to find out broadly how a particular area voted.

Another suggestion made in the same connection, but on contrary lines, is that arrangements should be made for sorting and counting of the ballot papers immediately after the conclusion of poll at each polling station. The Commission does not consider it either practicable or desirable to do so. The candidates will not be satisfied with the counting done by a large number of inexperienced officials, particularly in the interior, and will almost always insist on a recount by the returning officer. Experience at the general elections shows that the polling staff at many stations have barely sufficient time after the close of poll to pack up their things and proceed to the collecting centre the same evening. They certainly will not have time to spare for counting the ballot papers carefully and bundling and sealing them up again. The immediate announcement of the result, so far as the polling station is concerned, may well lead to disorder, if not breach of the peace, at a hotly contested election when tempers are running high. Last, but not least, many polling stations in rural areas are ill-equipped with lighting arrangements and counting simply cannot be done after dusk.

Two important minor amendments were made on the recommendation of the Commission in the provisions of the Representation of the People Act, 1951, relating to the counting of votes and declaration of results. One was to provide a safeguard against the possibility of disturbance at a counting place resulting in a few ballot papers being unlawfully removed or destroyed. A new section 64A was inserted on lines similar to section 58 which provided for a fresh poll in the case of destruction, loss or damage of ballot boxes at any polling station but only in cases where the Commission found it necessary to order a repoll. The new section 64A provided that, if at any time before the counting of votes was completed, any ballot paper used at a polling station were unlawfully taken out of the custody of the returning officer or were accidentally or intentionally destroyed or lost or damaged or tampered with, the returning officer should immediately report the matter to the Commission. The Commission after taking all material circumstances into account would either order a fresh poll at the particular polling station

or direct the returning officer to continue the counting. There was, however, no incident anywhere which required resort to this section.

The other amendment made by Parliament was in section 66 of the Act which provided that when the counting of the votes had been completed, the returning officer must forthwith declare the result of the election. As so worded, the section made it practically impossible for the Commission to interfere in the exercise of its powers of superintendence, direction and control, even when some serious mistake had been, or was being, committed at the counting stage but the returning officer was not inclined to rectify it. The amendment of the section gave power to the Commission to hold up the declaration by issuing a suitable direction to the returning officer. This amendment also was not brought into operation as there was no occasion for the Commission to issue any 'hold-up' direction to any returning officer.

There was however an unusual case reported by the returning officer for an assembly constituency in Kashmir in which the Commission had to intervene before the counting was completed. During the counting, one of the candidates raised an objection to the opening of, and the counting of the ballot papers contained in, two ballot boxes used at two different polling stations. It was alleged that at the first polling station the presiding officer did not demonstrate the first ballot box to be empty before closing it for use and that consequently some malpractice was suspected. The returning officer, on the basis of a statement on oath by the candidate's agent, considered that a material irregularity had been committed by the presiding officer. As regards the second polling station where also two ballot boxes had been used, the objection was on the ground that one of them did not close properly and the lid could be lifted slightly. The returning officer considered that there was a possibility of spurious ballot papers being inserted in the box during transit. He accordingly withheld counting of all the four ballot boxes used at these two polling stations without opening them and recommended to the Commission that a repoll should be held at both the polling stations. The Commission enquired into the matter at the district headquarters in the presence of the candidates and came to the conclusion that repoll was entirely unnecessary at either polling station. The returning officer was directed to continue the counting. On opening the ballot boxes, nothing was found that could even remotely suggest tampering and the returning officer declared the result in the presence of the Commission.

The arrangements made by the returning officers for the counting of votes and the maintenance of order at the place of counting were apparently satisfactory. There were hardly any complaints as to the manner in which the counting was done by them. There were also very few cases in which applications for recount were made to the returning officers at the final stage as provided under the rules, and the number of cases in which such applications were allowed either wholly or in part, was negligible.

It was noticed that the number of invalid votes, as well as its proportion to the total votes cast, had increased in most of the States as compared with the figures for the general elections of 1962. Considering that the marking system of voting had been in vogue for the last five years, not only for elections to the Legislatures but also for municipal and panchayat elections practically everywhere, the increase was surprising.

A possible explanation might lie in the increased turn-out at these general elections and the unfamiliarity with the voting process on the part of a large number of electors who came for the first time. During counting, it was noticed in some places that a sizable number of electors appeared to have deliberately put in their ballot papers unmarked for one of the elections but not for the other. It might be that this kind of deliberate abstention was practised to a greater extent than one suspected and added to the total of invalid votes. It also appeared that the parties and candidates had not devoted sufficient time to the task of instructing the electors as to how they should vote. It would obviously have been profitable for them to do so through their agents canvassing for them on the polling day.

A curious feature about the invalid votes was that in all the States and Union Territories where elections were held simultaneously to the House of the People and the Legislative Assembly, with the solitary exception of Kerala, the percentage of rejected votes to the total votes cast was appreciably higher at the assembly elections, as the following table would show:—

TABLE 16

Name of State/Union Territory	Percentage of invalid votes to total votes cast at	
	Parliamentary elections	Assembly elections
1. Andhra Pradesh	3·89	4·30
2. Assam	5·37	7·78
3. Bihar	4·50	5·27
4. Gujarat	4·85	6·34
5. Haryana	4·18	4·96
6. Jammu and Kashmir	3·38	4·15
7. Kerala	3·78	3·64
8. Madhya Pradesh	5·89	7·36
9. Madras	3·04	3·86
10. Maharashtra	5·07	6·88
11. Mysore	4·76	6·06
12. Orissa	5·95	7·37
13. Punjab	4·55	5·23
14. Rajasthan	3·96	4·90
15. Uttar Pradesh	5·15	6·62
16. West Bengal	3·80	5·35
17. Goa, Daman and Diu	2·89	3·73
18. Himachal Pradesh	4·12	5·46
19. Manipur	2·97	3·66
20. Tripura	2·61	3·70

There did not seem to be any noticeable correlation between the number of candidates and the size of the rejected vote; if there were, it might be said by way of explanation that the generally larger number of candidates at the assembly elections created confusion in the mind of the illiterate electors while marking the assembly ballot papers but not to the same extent while marking the parliamentary ballot papers. It is just possible that, since the voter was asked to mark the assembly ballot paper first and the parliamentary ballot paper next, he made fewer mistakes in marking the latter.

CHAPTER XI

RESULTS OF THE ELECTIONS

Not counting the uncontested returns which were made and announced in January, the first ten results to be declared after the poll were in regard to the Manipur Legislative Assembly. Four were declared on February 17 and six on February 18. Counting, however, commenced in a number of States only on February 21 which was the last day of general poll in the country. The results of voting in 553 assembly constituencies were declared on that day, followed by 1353 on the 22nd, 1036 on the 23rd, 320 on the 24th and 59 on the 25th. 46 more assembly results were announced during the last three days of February and 33 during the first ten days of March. The results of the elections in Goa, Daman and Diu where poll was taken on March 28 were announced on the following three days.

In six assembly constituencies, *viz.* Jetpur (Gujarat), Thirumangalam (Madras), Ambegaon (Maharashtra), Parlakhemundi (Orissa), Jaunpur (Uttar Pradesh) and Harraiya (Uttar Pradesh), where the poll as originally fixed had to be countermanded, results were declared between March 13 and April 17. The other late results were from seven snow-bound constituencies of Himachal Pradesh and Ladakh; Kinnaur on April 30, Rohru and Chopal on May 2, Bharmour and Lahaul-Spiti on June 3, Leh on June 14 and Kargil on June 24. This completed the elections in all the assembly constituencies, except Lungleh in Mizo district of Assam where no nomination paper was filed.

As regards the parliamentary constituencies, 3 results were declared on the 21st February, 45 on the 22nd, 127 on the 23rd, 175 on the 24th, 114 on the 25th, 23 on the 26th, 9 on the 27th and 5 on the 28th. 9 more results came in the first six days of March and one on the 10th March. The two results from Goa were declared on the 31st March, and the results of voting in Mahasu and Chamba parliamentary constituencies of Himachal Pradesh where the poll was taken late, were declared on the 2nd May and 4th June, respectively.

In all, 520 members were elected to the House of the People. The Indian National Congress came out successful as the largest party, but with a small majority securing only 283 seats. The Swatantra Party which gained 20 more seats in the House became the largest opposition group with 44 members. The Bharatiya Jana Sangh increased its strength from

14 to 35 while Dravida Munnetra Kazhagam which fought the elections only in Madras State secured as many as 25 seats. The two Socialist parties and the two Communist parties also gained at the expense of the Congress. The number of seats won, the number of contesting candidates set up and the percentage of valid votes polled by the major political parties and independents are given in the following table:—

TABLE 17

Party	No. of seats won	No. of candidates set up	Percentage of valid votes polled
1. Indian National Congress	283	516	40·73
2. Swatantra	44	179	8·68
3. Bharatiya Jana Sangh	35	250	9·41
4. Dravida Munnetra Kazhagam	25	25	3·90
5. Samuykta Socialist Party	23	122	4·92
6. Communist Party of India	23	109	5·19
7. Communist Party of India (Marxist)	19	59	4·21
8. Praja Socialist Party	13	109	3·06
9. Republican Party of India	1	70	2·48
10. Other Parties	19	65	3·67
11. Independents	35	865	13·75

In the 16 States and 4 Union Territories where elections were held to constitute new Legislative Assemblies, 3453 members were elected after contest. The Indian National Congress secured in all 1,694 seats, including 31 uncontested seats. Though it emerged as the largest party in the Legislative Assemblies of 13 States, it failed to obtain an absolute majority in 5 of them, namely, Bihar, Punjab, Rajasthan, Uttar Pradesh and West Bengal. In Kerala, Madras and Orissa, it lost its former primary position to the Communist Party of India (Marxist), Dravida Munnetra Kazhagam and the Swatantra Party, respectively.

The number of seats won, the number of contesting candidates set up and the percentage of valid votes polled by the major political parties and

independents at the assembly elections are given in the following table:—

TABLE 18

Party	No. of seats won	No. of candidates set up	Percentage of valid votes polled
1. Indian National Congress .	1,694	3,443	39·96
2. Bharatiya Jana Sangh	268	1,607	8·78
3. Swatantra	257	978	6·65
4. Samyukta Socialist Party .	180	813	5·19
5. Dravida Munnetra Kazhagam* . .	138	174	4·34
6. Communist Party of India (Marxist) .	128	511	4·60
7. Communist Party of India	121	625	4·13
8. Praja Socialist Party	106	768	3·40
9. Republican Party of India	23	378	1·53
10. Other Parties .	195	430	4·75
11. Independents .	376	6,774	16·67

Of the 520 members elected to the House of the People, 30 were women and of 3,486 members elected to the 20 Legislative Assemblies, 98 were women.

MULTIPLE ELECTIONS

A number of sitting members of the Council of States stood for election, some to the House of the People and others to the Legislative Assemblies. 13 were elected to the House of the People and 4 to the Legislative Assemblies.

It is provided in section 69(2) of the Representation of the People Act, 1951, that if a person who is already a member of the Council of States is chosen a member of the House of the People, his seat in the Council of States shall become vacant on the date on which he is so chosen. Similarly the Prohibition of Simultaneous Membership Rules, 1950, provide that if such a person as aforesaid is chosen a member of the Legislative Assembly of a State, his seat in the Council of States shall become vacant on the expiry of 14 days from the date of publication in the official gazette of the State of the returning officer's declaration that he has been so chosen. In consequence of these provisions, there occurred 17 vacancies in the Council of States immediately after the general elections.

*This party functions only in the State of Madras.

7 persons who were sitting members of the State Legislative Councils were elected to the House of the People and 17 others to the various Legislative Assemblies.

There were 9 instances where the same person was elected to the House of the People and to the State Legislative Assembly. Out of them, six persons retained their membership of Parliament and resigned their membership of the Assemblies; the other three retained their assembly membership.

One person in Bihar, one in Rajasthan, two in Orissa and two in West Bengal were each elected to the Legislative Assembly from two constituencies. They resigned one of the two seats secured by them within the prescribed time.

FORFEITURE OF SECURITY DEPOSITS

Every candidate standing for election to the House of the People or to a Legislative Assembly, before presenting his nomination paper, has to make a security deposit of Rs. 500 in the former case and Rs. 250 in the latter. If, however, the candidate is a member of the scheduled castes or of the scheduled tribes, the security deposit is reduced by half. Where a person stands for election for more than one constituency, he has to make the appropriate deposit in respect of each of the constituencies.

The deposit made by or on behalf of a candidate is returned (a) if his nomination is rejected, or (b) if he withdraws his candidature within the prescribed time and in the prescribed manner, or (c) if he is elected, or (d) if he obtains more than one sixth of the total number of valid votes polled at the election. Otherwise, the deposit is forfeited to the Central Government in respect of a parliamentary election and to the State Government in respect of an assembly election. Where, however, a person stands for election from more than one parliamentary constituency or from more than one assembly constituency and consequently has made more than one security deposit, only one deposit will be returned to him even if he gets elected from more than one such constituency or obtains more than one sixth of the valid votes polled at each of the elections.

The number of candidates who forfeited their security deposits again showed a large increase over the record of previous general elections. In the 515 parliamentary constituencies where there was contest, the total number of candidates was 2,364 and out of them, 1,204 forfeited their deposits totalling Rs. 5,30,200. (The corresponding figures for the general elections of 1962 were 491, 1,982, 856 and Rs. 3,86,750). In 3,453 contested elections to the Legislative Assemblies, 8,843 out of 16,468 candidates forfeited their deposits amounting to Rs. 19,08,822. (The corresponding figures for the general elections of 1962 were 2,842, 6,337, 12,633 and

Rs. 13,69,450). The State-wise break up of the forfeitures is set out in the Tables below:—

TABLE 19
Forfeiture of Deposit at Parliamentary Elections

State/Union Territory	No. of contest- ed seats	No. of contesting candidates	No. of candidates forfeiting deposits	Amount forfeited
Uttar Pradesh	85	507	296	1,35,000
Bihar	53	315	193	84,750
Maharashtra	45	185	89	42,000
Andhra Pradesh	40	163	71	30,750
West Bengal	40	140	45	19,000
Madras	39	127	48	21,250
Madhya Pradesh	37	174	100	38,450
Mysore	27	100	38	17,000
Gujarat	24	80	32	14,750
Rajasthan	23	116	68	29,250
Orissa	20	65	17	7,500
Kerala	19	61	18	8,750
Assam	13	46	14	6,500
Punjab	13	75	44	18,500
Haryana	9	67	49	19,750
Jammu and Kashmir	4	13	5	2,500
Delhi	7	46	32	15,250
Himachal Pradesh	6	25	12	4,750
Goa, Daman and Diu	2	16	12	6,000
Manipur	2	10	5	1,750
Tripura	2	4	—	—
Chandigarh	1	10	7	3,500
Andaman & Nicobar Islands	1	6	4	2,000
Dadra and Nagar Haveli	1	5	3	750
Lacadive, Minicoy and Amindivi Islands	1	5	2	500
Pondicherry	1	3	—	—
TOTAL	515	2,364	1,204	5,30,200

TABLE 20

Forfeiture of Deposits at Assembly Elections

State/Union Territory	No. of contested seats	No. of contesting candidates	No. of candidates forfeiting deposits	Amount forfeited in rupees
Uttar Pradesh	425	3,014	2,000	4,34,175
Bihar	318	2,025	1,303	2,94,072
Madhya Pradesh	296	1,553	945	1,95,425
Andhra Pradesh	285	1,065	436	99,000
West Bengal	280	1,058	416	93,125
Maharashtra . . .	269	1,241	649	1,49,250
Madras . . .	234	778	294	61,625
Mysore . .	214	725	269	59,625
Rajasthan .	184	892	493	96,125
Gujarat .	168	612	251	55,675
Orissa	140	603	283	55,125
Kerala .	133	423	140	32,875
Assam .	120	485	223	49,625
Punjab	104	602	369	74,875
Haryana	81	471	284	55,725
Jammu and Kashmir . .	53	184	74	9,750
Himachal Pradesh .	60	269	139	28,250
Goa, Daman and Diu .	30	226	170	42,500
Manipur .	29	155	78	17,000
Tripura . .	30	87	27	5,000
TOTAL .	3,453	16,468	8,843	19,08,322

The Party-wise break up of the forfeiture of deposits was as follows:--

TABLE 21

Name of Party	Contested Parliamentary elections		Contested assembly elections	
	No. of candidates set up	No. of candidates forfeiting deposits	No. of candidates set up	No. of candidates forfeiting deposits
Congress	511	7	3,412	136
Jana Sangh	250	113	1,607	853
Swatantra	179	88	978	468
Samyukta Socialist	122	55	813	419
Communist	110	41	625	312
Praja Socialist	109	75	768	512
Republican	70	42	378	285
Communist (Marxist)	58	13	511	189
Other Recognised parties	74	16	602	178
Unrecognised parties	16	7	224	90
Independents	865	747	6,550	5,401
TOTAL	2,364	1,204	16,468	8,843

The multiplicity of candidates contesting the general elections, both with the support of organised parties and independently of them, has been noticed in a previous chapter. The average number of candidates contesting a parliamentary constituency came to 4.59; it was nearly 6 in Bihar, Punjab and Uttar Pradesh and more than 7 in Haryana, while it was less than 3.3 in Jammu and Kashmir, Kerala, Madras and Orissa. For assembly constituencies the average number of candidates came to 4.74; it was highest in Uttar Pradesh (7.1) and lowest in Kerala (3.2). There were more than 8 candidates in 24 parliamentary constituencies and 253 assembly constituencies. The result naturally was that, in quite a few of these open-to-all contests, the successful candidate got in with a small fraction of the valid votes polled in the constituency and could claim to be its chosen representative only in a technical sense.

In almost all the constituencies where the number of candidates was large, the really serious and effective contestants were two or three or at the most four, all the rest coming within the category of "also ran" and helping only to increase the length of the ballot paper, confusing the electors and

swelling the expenses and electioneering difficulties of the main candidates. Seven out of every eight independent candidates at the parliamentary elections, and five out of every six independent candidates at the assembly elections, lost their deposits. As against this, their success was of the order of one in twenty in the former case and one in seventeen in the latter. The party-wise analysis of the forfeiture of deposits by candidates given in table 21 above shows that even the organised political parties put up candidates in a large number of constituencies where they had very little electoral support.

Under our election law, the elections are held in single-member constituencies and each contest is decided in favour of the candidate who gets "first past the goal post", irrespective of the actual size of the electoral support he has in the constituency. When a large number of candidates stand for election and a sizeable proportion of the votes cast is frittered away on those who are not the main contestants, the constituency is in effect deprived of its right to choose a true representative. If, for instance, all the candidates who forfeited their security deposits at the last elections had abstained from the contest, the electorate in many constituencies would have had a better opportunity of choosing the right person.

It is not easy to find a suitable remedy for this unsatisfactory state of affairs. Theoretically, the holding of a second ballot after eliminating the ineffective candidates at the first, or even the replacement of first-past-the-goal-post system by the single-transferable-vote system, might seem to be an improvement; but in present circumstances either of these courses has serious disadvantages from the practical point of view. The Commission would reiterate the recommendation made in its Report on the Third General Elections that in order to check the multiplicity of candidates, the security deposit should be increased to Rs. 1500 in the case of an election to the House of the People and to Rs. 750 in the case of an election to a Legislative Assembly.

CHAPTER XII

ACCOUNTS OF ELECTION EXPENSES

The Law relating to election expenses and to the rendering of accounts by the candidates remained practically the same as before. Every contesting candidate at an election to the House of the People or to the Legislative Assembly of a State is required to keep a separate and correct account of all expenditure in connection with the election incurred or authorised by him or by his election agent between the date of publication of the notification calling the election and the date of declaration of the result. The total of this expenditure should not exceed the prescribed maximum which for a parliamentary election is Rs. 25,000 in any State (except Nagaland) and Rs. 10,000 in any Union Territory and in the State of Nagaland. For the assembly elections, the maximum limit of expenditure is Rs. 9,000 in Uttar Pradesh and Madras, Rs. 8,000 in Bihar, Gujarat and Maharashtra, Rs. 7,000 in Andhra Pradesh, Kerala, Madhya Pradesh, Orissa, Punjab and West Bengal, Rs. 6,000 in Assam, Haryana, Mysore and Rajasthan, Rs. 5,000 in Jammu and Kashmir, Rs. 2,000 in any Union Territory, and Rs. 1,000 in Nagaland. It is a corrupt practice for a candidate to spend more than the prescribed amount on his election. If the High Court on the trial of an election petition finds the elected candidate guilty of this corrupt practice, his election will be declared void and he will also stand disqualified for election to any legislature for a period of six years.

Considering the extent of the constituencies and the size of the electorate, it cannot be said that the maximum prescribed by law for election expenses is at all high. The electorate of a parliamentary constituency in a State now averages nearly 5 lakhs and the constituency often extends over more than one administrative district. The electorate of an assembly constituency in the States of Uttar Pradesh, Bihar, Madras and Maharashtra ranges from 75,000 to over one lakh. In fact, the complaint is often heard that the candidates find it impossible to keep within the prescribed limit and still conduct any thing like an efficient election campaign in such large electorates. The Commission is of the view that the maximum limits for expenses fixed more than 15 years ago require to be raised.

The rules provide that the account to be maintained by each contesting candidate or his election agent should contain full particulars of every item of expenditure and that vouchers must be obtained unless from the nature of the expenditure such as postage, travelling by road or rail and

the like, it is not practicable to do so. A true copy of the account supported by vouchers or receipts has to be lodged by the candidate himself with the district election officer within 30 days from the date on which the result of the election has been declared. This officer scrutinises the accounts in the first instance from the purely formal point of view and sends to the Commission in respect of each constituency a report whether each candidate has or has not lodged his account and whether the account has been lodged within the time and in the manner prescribed by the Act and the rules. The account lodged by any candidate is open to inspection in the office of the district election officer on payment of a small fee of one rupee.

The failure to lodge the account in time and in the prescribed manner could result in the candidate being disqualified for being chosen as, and for being, a member of, Parliament or of any State Legislature. Before the amendment of the Act in 1966, the disqualification took effect only after the expiry of two months from the date on which the Commission decided that the candidate had defaulted and the disqualification was for a period of three years counting from the date by which the candidate ought to have lodged the account. The Commission, however, was empowered to reduce the period of disqualification if it found sufficient reason to do so.

The amending Act of 1966 revised the relevant section to read as follows:—

“If the Election Commission is satisfied that a person—

- (a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure, the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.”.

The procedural rules were also amended to accord with the new section. The reports furnished by the district election officers were scrutinised by the Commission and in any case where it found a default on the part of a candidate, a registered notice was issued to him to show cause within twenty days as to why he should not be disqualified. After considering the representation, if any, submitted by the candidate, the Commission passed its final order *either* disqualifying him on the ground that he, not only failed to submit the account within time and/or in the prescribed manner, but also had no good reason or justification for the failure *or* holding that the explanation offered was satisfactory and that he need not be disqualified. In the former case, the order declaring him to be disqualified was published in the official gazette.

The task involved in going through this involved and lengthy procedure was naturally massive and laborious. Not all the district election officers succeeded in sending over their reports to the Commission within a short period after the accounts had been lodged with them. In the Commission's office also the scrutiny of the reports and, in relevant cases of the accounts, sent with them took about six months. By December 25th 1967, notices were issued to 473 parliamentary candidates and 4,445 assembly candidates to show cause why they should not be disqualified, as they had *prima-facie* failed to lodge their accounts within the prescribed time and/or in the prescribed manner; and out of them, 154 parliamentary candidates and 1,214 assembly candidates were declared to be disqualified. None of the latter, however was an elected candidate.

The Commission took a liberal view of what constituted sufficient justification for a candidate's failure to comply with the law in this respect. Inadvertence or ignorance of the legal provision was put forward as an excuse by quite a few erring candidates. Thus, the requirement that the candidate himself must lodge the accounts even when they were maintained by his election agent was not realised by some candidates. Some others, not noticing the change in law, had lodged their accounts with the returning officers instead of the district election officers. In such cases the Commission did not consider it necessary to penalise them on the principle that ignorance of the law is no excuse!

It was noticed that as in the past, many of the accounts which came up for scrutiny before the Commission were maintained in a slip shod fashion and hardly deserved to be recognised as a proper daily account. Some candidates who had failed to lodge the account came forward with the facile and obviously untrue explanation that they had spent nothing at all on their election and hence did not think it necessary to maintain or lodge an account. A few stated that apart from a certain sum given to the party they had spent nothing else on their electioneering campaign and they were not in a position to give details of the expenditure incurred by the party on their behalf.

In its last Report, the Commission expressed its view that the legal provisions relating to election expenses as they stand at present are of no use and call for either drastic amendments in total respect. Repeal of the existing provisions in the Act was proposed in a private member's Bill introduced in the Lok Sabha in 1964. The Bill was circulated to elicit public opinion and thereafter discussed in the House. While public opinion was more or less evenly divided, the preponderant opinion of the House was that some sort of statutory restriction on the election expenses of candidates was necessary and that in any event the existing legal provisions should not be scrapped. It was felt that if they were repealed the

result would be to leave the contesting candidates completely free in regard to election expenditure and this would certainly aggravate the evil of over-spending.

While it is agreed on all hands that the heavy expenditure now incurred by parties and candidates on their election campaign is most undesirable, it is not easy to find practical and effective methods of making them spend less. The Commission in its last Report had made an analysis of the principal items on which they generally spend substantial amounts with a view to finding out how far restrictions could be imposed by law in respect of these items. Since the position has not improved, it appears desirable to repeat relevant parts of the Commission's observations and recommendations.

There is no doubt that in many constituencies much money is spent on providing motor transport to workers who go round canvassing on behalf of a party or candidates. Not all the expenditure actually incurred by or on behalf of a candidate on this item is shown in his account. The Commission is of the view that it should be practicable to restrict the number of motor vehicles used for this purpose. In an assembly constituency the number may be limited to three and in a parliamentary constituency to six. In order to be effective, the law should provide for full information being given by the candidate to the returning officer as to the vehicles which would be actually used by him or by his agents and workers during the electioneering period.

Making arrangements for a well-attended election meeting is said to be an expensive affair, particularly if a number of sound amplifiers have to be provided at the meeting. It has been suggested that the number of such election meetings should be limited, say, to four. Although it might be comparatively easy to enforce such a restriction and it might also be effective in reducing the expenses of the candidate, the Commission considers that election meetings are essential for the proper education of the electorate and ought not to be restricted either in their nature or number.

The same cannot be said of public processions and demonstrations in which election propaganda takes the low and unintelligent form of shouting slogans and catch-words. The display of large sized streamers and banners, whether temporarily as part of such demonstrations or a little more permanently as a feature of the election landscape, is also in the same category. A complete ban on such processions, demonstrations and displays organised for the purpose of promoting or procuring the elections of a candidate, would not only help parties and candidates in reducing their election expenses, but also help the authorities in maintaining peace and order in the constituency. From the same point of view, it is desirable that a ban should be imposed on the use of peripatetic loudspeakers

on roads and highways for election propaganda, particularly in municipal areas where they tend to become a public nuisance.

Candidates occasionally arrange for stage shows, music, dancing and similar forms of entertainment as an attraction to further their main purpose of canvassing and spend considerable sums on such entertainment. This practice, however, does not appear to be widespread. The Commission does not consider it practicable or necessary to impose restriction on this type of election propaganda.

Although the accounts of election expenses seldom show the employment of paid canvassers and the amounts paid to them, there is good reason to believe that the practice exists and that it adds appreciably to the candidates expenses. Its potentiality for abuses of a more serious character like buying of votes cannot be ignored. The Commission recommends that, apart from the election agent who may, if necessary, be employed on payment, the employment of paid canvassers should be debarred under the election law. Where any remuneration is paid to the election agent of a candidate, it should of course, be included in his account of election expenses.

Every candidate has to get the assistance of a large number of volunteers to canvass for him and to work as polling agents or counting agents at the appropriate time. In many cases he has to give them small sums to cover their incidental daily expenses which may add up to a considerable amount as the total number of such agents and workers is fairly large. This expenditure, however, is unavoidable and cannot very well be restricted by law.

With regard to posters and placards on the printing and display of which substantial amounts are spent by candidates, it has been suggested that the Commission should undertake the responsibility of preparing one poster for each constituency containing the names and symbols of all candidates standing for election in the constituency and have it displayed at suitable places. If this were done, there would be no need for candidates and parties to print and display separate posters of their own and it should be possible to prohibit the display of any other posters or placards or other similar forms of publicity. Apart from the fact that this would necessarily introduce a dull uniformity which may not be palatable to the candidates and to the public, the Commission does not consider that it would be practicable for every returning officer to get such posters printed according to a uniform pattern and to get them displayed in all parts of the constituency. Another suggestion in the same connection is that the size of posters should be limited, since the printing and exhibition of large size posters is very expensive. The Commission, however, is of the view that such restrictions in regard to petty matters of this type will be difficult to enforce and are unlikely to produce the desired economy.

The printing and distribution of election manifestos and pamphlets is an item of expenditure which varies greatly in amount, depending on the sophistication or educational backwardness of the constituency and on the methods of campaigning preferred by the individual candidate. Organised political parties issue their manifestos on the eve of the general election and publicise them at their own expense. It has been suggested that the Commission should prepare a pamphlet containing the manifestos of all parties and send a copy to all electors. This would obviously mean an enormous and wasteful expense for the State without any reduction in the election expenses of candidates. It must also be remembered that since non-party candidates have the right to contest the elections, they cannot be discriminated against in this matter of free publicity. As in regard to posters discussed in the preceding paragraph, the Commission does not consider that it would be practicable for the returning officer in the short time at his disposal to print and distribute to all electors a pamphlet containing the election manifestos of all candidates in the constituency.

It has been the practice for the candidates' agents at each polling station to provide themselves with small printed slips of papers on which they enter the names and electoral roll numbers of the voters canvassed by them. These slips are then taken to the polling station by the voters and thus become unofficial poll cards which help them to get the ballot papers without delay. It has been suggested that the candidates would be saved a lot of expense if the Commission itself could issue official poll cards to all electors in the constituency. But this suggestion overlooks the fact that the issue of these unofficial identity slips to individual voters is an important part of the personal canvassing done on behalf of the candidates on polling day. Even if the Commission were to issue official poll cards, the candidates' agents would still like to contact the voters at the polling stations. From the administrative point of view, there are various difficulties in issuing official poll cards to electors. The administration could never be sure that poll cards addressed to individual voters are actually handed over to them, with the result that impersonation would be facilitated. On the other hand, the candidates' expenses on personal canvassing on polling day are not likely to be appreciably reduced by the issue of official poll cards to voters.

From this review of the main items of electioneering on which candidates appear to spend substantial amounts, it appears that there are only a few which could be effectively regulated or prohibited in order to reduce the overall expenditure. These are:—

- (i) the number of motor vehicles that may be used for electioneering purposes should be limited to three in an assembly constituency, and to six in a parliamentary constituency;
- (ii) processions and demonstrations and the display of large sized streamers and banners should be prohibited;

- (iii) the use of peripatetic loudspeakers on roads and highways for election propaganda should be prohibited;
- (iv) the employment of any paid canvassers (other than the election agent of a candidate) should be prohibited.

The existing law relating to account of election expenses suffers from two main defects. The first is that the period of accounting is limited to the interval between the date of the notification calling the election and the date of the declaration of the result of the election. If the rendering of accounts by candidates and the prescription of a maximum limit for expenses are to have any significance, it is clear that candidates must be required to account for all expenses incurred on account of, or in respect of, the conduct or the management of the election, whether before, during or after the election. The second main defect is that the expenditure incurred by political parties on particular candidates or groups of candidates sponsored by them does not require to be included in the accounts of any of the candidates. While organised political parties cannot be debarred from spending even during the election period on party propaganda generally, they must be made to account for any expenses incurred by them in promoting the election of particular candidates.

The Commission recommends that these two main defects should be removed and the legal provisions should be spelt out in greater detail so as to make them effective. In particular, there should be a provision on the lines of section 63 of the British Representation of the People Act of 1949 which prohibits election expenses being incurred by any person other than the candidate, his election agent and persons authorised in writing by the election agent and which further provides that where any such authorised person incurs expenses, he should furnish a detailed return of those expenses to the appropriate officer. There should also be a provision requiring the candidate to declare that the account lodged by him is true and complete in every respect.

CHAPTER XIII

THE PRESIDENTIAL AND VICE-PRESIDENTIAL ELECTIONS

Immediately after the general elections were for all practical purposes completed with the due constitution of the House of the People and the Legislative Assemblies the Commission announced the programme for the Presidential and Vice-Presidential elections. The terms of office of the President and of the Vice-President, elected in 1962, were due to expire on May 12, 1967. Sub-section (3) of section 4 of the Presidential and Vice-Presidential Elections Act, 1952, requires the Commission to appoint dates for both the elections so that they would be completed in time to enable the persons so elected to enter on their respective offices on May 13th, 1967. (The Commission accordingly fixed April 13 as the last date for making nominations, April 15 as the date for the scrutiny of nominations, April 18 as the last date for the withdrawal of candidatures and May 6 is the date of poll. This common programme for the two elections was notified on April 3.

The Constitution provides that the President shall be elected by an electoral college consisting of the elected members of both Houses of Parliament and the elected members of the Legislative Assemblies of the States and that the Vice-President shall be elected by an electoral college consisting of the members (including nominated members) of both Houses of Parliament. Although it is expressly provided in article 71 of the Constitution that the election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy, for whatever reason, among the members of the electoral college electing him, the Commission took all practicable steps to ensure that such vacancies were as few as possible. A number of vacancies had been caused in the Council of States by sitting members getting elected to the House of the People or to State Assemblies. As many as 25 bye-elections were held between March 20 and May 4 to fill all such vacancies. One vacancy from the State of Gujarat caused by the death of a member a few days before the date of poll could not be filled. Similarly, 4 bye-elections to the House of the People and 9 to the State Legislative Assemblies were held between April 24 and May 5 to fill vacancies caused by the resignation of their seats by members elected at the general elections. Three seats in the House of the People and 17 seats in the various State Legislative Assemblies, however were vacant on the date of poll as the elections in the constituencies could not be completed. Thus, there were only 21 vacancies in the presidential electoral college which had a total

membership of 4,131, and four vacancies in the vice-presidential electoral college which had a total membership of 763.

The Presidential Election

The Commission appointed the Secretary to the Rajya Sabha as the Returning Officer for the presidential election and the Secretaries to the State Legislative Assemblies as Assistant Returning Officers in their respective States. In Jammu and Kashmir, however, where it was decided to have polling at two places, namely, Jammu and Srinagar, the Under Secretary of the Assembly Secretariat was also appointed an Assistant Returning Officer. The Deputy Secretary of the Rajya Sabha Secretariat was appointed an Assistant Returning Officer to help the Returning Officer in the performance of his functions in New Delhi.

The number of candidates who were nominated for this election to the highest office in the land was surprisingly large. Nomination papers were presented by or on behalf of as many as 17 candidates, all the nominations were found valid on scrutiny and none of them withdrew their candidatures, with the result that there were 17 contestants at the election. It may be recalled that in 1962 and 1957 there were only three contesting candidates for the presidential election. Despite this large number, the real contest was between Vice-President Dr. Zakir Husain and Shri Justice Koka Subba Rao who resigned his office of Chief Justice of India to stand for the election.

Parliament House in New Delhi and the Assembly building in each State were appointed as the places for taking the poll. In Jammu and Kashmir, however, since the Legislative Assembly was not in session, the Assembly lobby in Jammu and the Assembly lobby in Srinagar were appointed as polling places for the convenience of members. The members of a State Legislative Assembly were required to vote at the place provided in the State capital and nowhere else. While the committee room in Parliament House was exclusively for members of Parliament, provision was made for those members who might not be able to go to New Delhi for the purpose to vote at any of the other notified polling places according to their convenience and choice. The Commission, however, notified well in advance that any member of Parliament who wished to vote in a State capital must inform the Commission in writing before May 1 naming the place where he wished to vote and giving particulars about his constituency and State and that on the receipt of this letter a permit would be sent to the member at the address given in the letter and a copy to the Presiding Officer concerned. The member would then be allowed to cast his vote at the specified place on production of the permit. 86 special permits were issued in this manner but 22 members desired, some at the very last moment, that the permits issued to them should be

cancelled and they should be allowed to vote in New Delhi. The unusually large number of permits, which had to be issued on this occasion, was due to the fact that there was no session of Parliament at the time of poll or immediately thereafter. The belated requests for the issue of permits and for the cancellation of permits previously issued caused considerable practical difficulties.

The ballot papers for the election were printed in two colours—green for members of Parliament and pink for members of the State Legislative Assemblies. The former were printed in English and Hindi and the latter in English and in the official language of the State. The ballot papers for members of Parliament and the ballot papers for members of the Legislative Assemblies of the five Hindi-speaking States and of Jammu and Kashmir were printed at the Government of India press in Delhi. The ballot papers for assembly members in the other States were printed on the same design in the State Government presses. The ballot papers intended for the use of the members of Nagaland Legislative Assembly were printed in English only.

A distinctive feature of the presidential election is that the votes cast by members of the electoral college do not have the same value. Detailed provisions are made in article 55 of the Constitution for securing uniformity in the scale of representation of the different States at the election. The value of each vote cast by the members of each Legislative Assembly and by members of Parliament was ascertained by the Election Commission in the manner prescribed in the Constitution.

First, the population of each State as ascertained at the census of 1961 was divided by the total number of elected members in the Legislative Assembly of the State and the quotient was expressed to the nearest thousand. The figure so obtained was the value of the vote given by any member of the Legislative Assembly of that State. Thus, the population of Uttar Pradesh at the last census was 73,746,401 and its Legislative Assembly has a total of 425 elected members. Accordingly, the value of the vote given by each assembly member of this State was fixed at 174. The population of Jammu and Kashmir was, however, taken to be 4,410,000 as provided in the Constitution (Application to Jammu and Kashmir) Order made by the President. Dividing this figure by 75, the vote of each Assembly member from Jammu and Kashmir had the value of 59.

The next step was to ascertain the total value of all the votes thus assigned to the Assembly members of the 17 States. [Incidentally, it may be mentioned that although five of the Union Territories have been provided with Legislative Assemblies by an Act of Parliament, the elected members of those Assemblies cannot be regarded as members of the presidential electoral college under article 54(b) of the Constitution]. This

total came to 430,851. In order to secure parity between the States as a whole and the Union of India, this number was divided equally among the 748 elected members of Parliament (520 in the Lok Sabha and 228 in the Rajya Sabha). The value of the vote of every member of Parliament was thus ascertained to be 576. The values of the Assembly members' votes were as given in the table below.

TABLE 22

State	Value of vote	No. of elected members	Total votes
1. Uttar Pradesh .	174	425	73,950
2. Bihar .	146	318	46,428
3. Maharashtra .	146	270	39,420
4. Madras .	144	234	33,696
5. Kerala .	127	133	16,891
6. Andhra Pradesh . . .	125	287	35,875
7. West Bengal .	125	280	35,000
8. Orissa . .	125	140	17,500
9. Gujarat . .	123	168	20,664
10. Rajasthan .	110	184	20,240
11. Madhya Pradesh . .	109	296	32,264
12. Mysore . . .	109	216	23,544
13. Punjab .	107	104	11,128
14. Assam . .	94	126	11,844
15. Haryana . .	94	81	7,614
16. Jammu and Kashmir .	59	75	4,425
17. Nagaland . . .	8	46	368

It should, however, be mentioned that each member of the electoral college had only one vote though its value varied as shown above.

It came to the notice of the Commission at a late stage that there might be a few blind or infirm members of the electoral college and that the rules made under the Presidential and Vice-Presidential Act did not prescribe any special procedure for the recording of their votes. The Commission accordingly proposed to the Central Government that the rules should be immediately amended and this was done on April 29. The new rule provided that if, owing to blindness or other physical infirmity

an elector was unable to read the ballot paper or make a mark thereon, the presiding officer should record the vote on the ballot paper in accordance with the wishes of the elector, observing as much secrecy as possible. In other respects the voting procedure remained the same as before.

Following precedent, the Commission fixed the hours of poll from 10 A.M. to 4 P.M. at all polling places. This period of six hours was hardly required even in New Delhi where 671 members voted. It could safely be reduced in the States and different periods could be fixed for different States taking into account the total number of members of the electoral college assigned to each place of polling. Thus, two hours should be ample for Nagaland, Jammu and Kashmir and Haryana, and three hours for Punjab, Assam and Kerala.

On the completion of poll in each State the sealed ballot box, the sealed cover containing the key of the ballot box and the packets containing other papers relating to the poll were despatched by the Assistant Returning Officer for the State to the Returning Officer at New Delhi through a special messenger. Except the messengers from Punjab and Haryana who brought the boxes by road under armed police escort, all the other messengers were asked to come by air. Special security arrangements were made at both ends of their air journeys.

The counting of votes began at 10 A.M. on May 9 in Parliament House. An interval of two clear days after the date of poll was considered necessary in order to ensure that the ballot boxes from all the State capitals reached New Delhi.

4048 members of the electoral college—732 members of Parliament and 3,316 assembly members—voted at the election. 41 ballot papers representing 7089 votes were found to be invalid. The number of valid votes polled by the contesting candidates at the first count was as follows:—

1. Dr. Zakir' Husain	471,244
2. Shri Koka Subbarao	363,971
3. Shri Khubi Ram	1,369
4. Shri Yamuna Prasad Trishulia	750
5. Shri Bhamburkar Shriniwas Gopal	232
6. Shri Brahma Deo	232
7. Shri Krishna Kumar Chatterjee	125
8. Shri Kumar Kamla Singh	125

The remaining nine candidates, namely, Shri Chandradutt Senani, Shri U. P. Chugani, Dr. M. C. Davar, Ch. Hari Ram, Dr. Man Singh, Shrimati Manohara Holkar, Shri Motilal Bhikabhai Patel, Shri Seetharamaiah Ramaswamy Sharma Hoysala and Shri Satyabhakt did not secure any vote at the first count.

Dr. Zakir Husain was declared elected as the President of India on May 9 and the notification announcing his election was also published on the same day. He assumed office on May 13, 1967.

The Vice-Presidential Election

The Secretary to the Lok Sabha was appointed as the Returning Officer for the vice-presidential election and one of the Deputy Secretaries was appointed as the Assistant Returning Officer. Only two candidates, namely, Shri V. V. Giri and Prof. Habib, were nominated for this election. Their nominations were found valid on scrutiny.

A committee room in Parliament House was fixed as the place of poll under rule 10. This rule, differing from rule 9, which provides for fixing a number of polling centres for the presidential election, gives no option to members of Parliament in regard to the place where they may vote at a vice-presidential election. As noticed earlier, as many as 61 members of Parliament found it more convenient to vote in their own State capitals at the presidential election. These members could not come to Delhi to vote at the vice-presidential election, which took place on the same day. However, 679 members of the electoral college, out of a total of 759, voted.

The counting of votes began at 5 P.M. on the same day, one hour after the close of the poll. It would have been more convenient to all concerned to begin counting immediately after the conclusion of poll.

Out of 679 votes cast, 3 were found to be invalid. The number of valid votes polled by the two contesting candidates was as follows:--

Shri V. V. Giri	....	483
Prof. Habib	....	193

Shri V. V. Giri was declared elected and the result was published in the Gazette of India on the same day. The newly-elected Vice-President assumed office on May 13, 1967.

Recommendations

The Commission in its Report on the General Elections of 1962 observed that the Presidential and Vice-Presidential Elections Act contains no provisions similar to sections 34 and 158 of the Representation of the People Act, 1951, requiring security deposits from candidates and providing for the forfeiture thereof in the event of their failing to secure the prescribed minimum of electoral support. All that is required of a candidate for election of either of these high offices is that he should find one member of the electoral college to propose and another to second his candidacy. While at the previous presidential elections only two or three

persons entered the contest without any backing worth the name, the absence of statutory restrictions of any sort prompted a large number of persons to stand for election this time although they probably knew that they had no chance at all. Nine candidates failed to get even one vote, which meant that even their proposers did not give it to them, four candidates got the support of one or two electors and two candidates got the support of only three or four electors. The Commission is of the opinion that the election to the high office of President should not be taken as a cheap and frivolous affair in this fashion. It reiterates its recommendation that the Act should be amended requiring a deposit of Rs. 1,000 from every candidate to be forfeited in the event of his getting less than one-tenth of the valid votes polled at the election and also requiring the nomination paper of every candidate to be subscribed by ten electors as proposer, seconder and supporters of the nomination.

Section 18 of the Act provides *inter alia* that if the Supreme Court is of the opinion that the nomination of any candidate has been wrongly rejected or the nomination of a contesting candidate has been wrongly accepted, the Supreme Court shall declare the election to be void. While it is logical and reasonable that the election should be set aside if a candidate has been wrongly kept out of the contest, the erroneous or improper acceptance of a nomination need not necessarily result in the avoidance of the election. It is only when such acceptance has materially affected the result of the election, that the election should be declared void. The Commission recommends that section 18(1) of the Act should in this respect be brought into line with section 100(1) of the Representation of the People Act, 1951.

CHAPTER XIV

ELECTION PETITIONS

After the completion of the general elections in 1962, the Commission constituted as many as 109 tribunals for the trial of 346 election petitions which had been admitted by it. Nine of the tribunals were presided over by retired judges of High Courts and the rest by serving district judges and additional district judges. In spite of the fact that the former devoted the whole of their time to the tribunal work and the latter had on an average only three petitions each to handle, the progress made by them in the trial of the petitions was slow. Only one-third of the petitions were disposed of by the end of 1962, about 150 during 1963 and less than 50 during 1964. A few election petitions dragged on for more than three years. The prescription in the law that "endeavour shall be made to conclude the trial of every election petition within six months from the date of publication of the petition in the gazette" remained a precept on paper and could not, for one reason or another, be complied with by a great majority of the tribunals.

The Commission accordingly recommended in its last Report that the system of constituting *ad hoc* tribunals for trying election petitions should be abolished and that the responsibility for disposing of election disputes quickly should be placed directly on the High Courts. The Commission pointed out that the principal advantage in making this change would be to eliminate altogether the delays caused by revision petition to the High Court from interlocutory orders of the tribunals, by the transfer of district judges in the normal course from one station to another and by applications to the Commission for transfer of petitions from one tribunal to another. The trial of the petitions by the High Court on its original side would induce greater confidence in the minds of the parties to election disputes and the general public. Incidentally, it would relieve the Commission of

the difficult task of finding out suitable members for the large number of tribunals it had to appoint after each general election and the mass of routine, administrative and accounting work involved in maintaining the tribunals on an *ad hoc* basis.

The recommendation was accepted by the Government and Parliament. Clause (1) of article 324 of the Constitution, which expressly vested in the Commission the power to appoint election tribunals, was first amended by the Constitution (Nineteenth Amendment) Act, 1966. The words "including the appointment of election tribunals for the decision of doubts and disputes arising out of, or in connection with, elections to Parliament and to the Legislature of States" were omitted from the clause. Then, Part VI of the Representation of the People Act, 1951 relating to the decision of election disputes was extensively amended by the Representation of the People (Amendment) Act, 1966. While the substantive provisions of the law were not altered, the amendment provided that the court having jurisdiction to try any election petition would be the High Court within the local limits of whose jurisdiction the impugned election was held. This jurisdiction would be exercised ordinarily by a single judge of the High Court and the Chief Justice was required to assign one or more judges for trying election petitions. It was further provided that the High Court in its discretion may in the interests of justice or convenience, try an election petition, wholly or partly, at a place other than the principal seat of the High Court. The chapter relating to appeals was also revised providing for an appeal as of right to the Supreme Court from any final order of the High Court, both on questions of fact and of law.

The above amendments applied in relation to Jammu and Kashmir but only in so far as parliamentary elections in that State were concerned. The State Government did not find sufficient time before the general elections to act upon the recommendation of the Commission and to bring forward bills to amend the Constitution of the State and the State Representation of the People Act. Consequently, the tribunal system continued in the State for deciding disputes relating to the Assembly elections. Under the State Act it was possible for the Election Commission to appoint a retired High Court judge as the member of an election tribunal but it was noticed that the wording of the section permitted only the appointment of a judge who had retired from the High Court of the State and not from any other High Court in India. On the recommendation of the Commission, this lacuna in the law was filled by an amending Ordinance promulgated soon after the general elections in the State.

In all 339 election petitions calling in question the elections to the House of the People and to the Legislative Assemblies (other than that of

Jammu and Kashmir) were presented before the various High Courts. The State-wise distribution of these election petitions' is given in the following table:—

TABLE 23

State/Union Territory	No. of election petitions		Total
	Assembly elections	House of the People elections	
1. Andhra Pradesh . . .	17	2	19
2. Assam . . .	5	—	5
3. Bihar . . .	21	4	25
4. Gujarat . . .	23	4	27
5. Jammu and Kashmir . .	—	4	4
6. Haryana . . .	15	2	17
7. Kerala . . .	5	1	6
8. Madhya Pradesh . . .	46	3	49
9. Madras . . .	9	1	10
10. Maharashtra . . .	21	5	26
11. Mysore . . .	21	2	23
12. Orissa . . .	5	1	6
13. Punjab . . .	16	4	20
14. Rajasthan . . .	15	5	20
15. Uttar Pradesh . . .	45	8	53
16. West Bengal . . .	8	1	9
17. Delhi . . .	1*	2	3
18. Goa, Daman and Diu . .	2	—	2
19. Himachal Pradesh . .	10	—	10
20. Manipur . . .	3	1	4
21. Tripura . . .	—	1	1
TOTAL . . .	288	51	339

An extraordinarily large number of petitions, challenging 56 out of the 75 assembly elections held in Jammu and Kashmir, were presented to the Election Commission. Only 5 of the elections held in Kashmir Province and 14 of those held in Jammu Province were not challenged. Though the Commission intended to constitute three tribunals with retired judges of High Courts as members, owing to the paucity of such judges, it was possible to constitute only one such tribunal in Srinagar for the trial of all the 40 petitions arising from Kashmir Province. The petitions arising from four districts of Jammu Province—there was none from Kathua district—were sent for trial to the district judges who were appointed members of election tribunals for this purpose. The Srinagar tribunal began its work in June and the four tribunals of Jammu Province in May.

*Petition challenging an election to the Metropolitan Council of Delhi.

The State Government, however, took early steps to bring the law of the State into line with the Indian law. Section 138 of the Constitution of Jammu and Kashmir, corresponding to article 324(1) of the Constitution of India, was first amended and then the Jammu and Kashmir Representation of the People Act, 1957, exactly on the same lines as in India. A special provision was made in the amending Act for the automatic transfer of all petitions pending before the tribunals to the High Court and for the continuance of their trials by it. The amending Act was brought into force on September 12.

In all, 169 election petitions were disposed of by the High Courts by the 25th December, 1967, 142 petitions were dismissed. The election of the returned candidates was set aside in 27 cases and in one of them the petitioner was declared to have been duly elected.

Although the Commission has ceased to be responsible for the disposal of election petitions, it is desirable that it should keep itself informed of the number and nature of the petitions lodged before the High Courts and of their disposal from time to time. The High Courts are required under the Act to intimate the substance of their decision in every case to the Commission immediately after the conclusion of the trial and to send the Commission a copy of the judgement or other final order in the case. There is, however, no provision in the law under which the Commission could obtain a copy of the petition in the normal course. The Commission recommends that sub-section (3) of section 81 of the Representation of the People Act, 1951 should be amended by restoring the words "and one more copy for the use of the Election Commission" which were omitted when the section was amended in 1966.

CHAPTER XV

FINANCIAL ARRANGEMENTS

The expenditure incurred in any State on the preparation of electoral rolls and the conduct of elections is borne initially by the State Government, but the Central Government contributes one-half of all expenses incurred by the State Government on the following items:—

- (i) election staff employed in the office of the chief electoral officer and in the district offices;
- (ii) preparation and revision of electoral rolls;
- (iii) storage and preservation of ballot boxes and other election materials; and
- (iv) the conduct of elections to the House of the People and to the State Legislative Assembly when they are held simultaneously, including the payment of allowances to government servants and others placed on election duty.

When the elections are not held simultaneously, the Central Government bears the entire expenditure incurred in respect of elections to either House of Parliament and the State Government bears it in respect of elections to either House of the State Legislature.

Previously all the Union Territories were directly administered by the Central Government and the expenditure on elections in these territories was borne by the Central Government. After the passing of the Government of Union Territories Act, 1963, each of the Union Territories of Goa, Daman and Diu, Himachal Pradesh, Manipur, Pondicherry and Tripura was provided with a Legislative Assembly, a council of ministers and a consolidated fund thereby placing it on a par with the States. The Central Government now shares the expenditure on elections with each of these five Union Territories in the same way as in the case of the States. But in regard to the other Union Territories of Delhi, the Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli and the Laccadive, Minicoy and Amindivi Islands, which do not have Legislative Assemblies and are directly administered by the Central Government, the entire expenditure on elections is borne by it.

The expenditure incurred on the Election Commission of India and its establishment, the Delimitation Commission and the presidential and vice-presidential elections is borne entirely by the Central Government.

Until the recent amendment of the law making all election petitions triable by the High Courts, the expenditure on every election tribunal set up in a State by the Election Commission was initially borne by the Central Government. Where the tribunal was constituted solely for the trial of election petitions arising from elections to the State Legislature, the expenditure was recovered from the State Government at the end of each financial year. Where the tribunal was constituted solely for the trial of election petitions arising from elections to Parliament, it was borne entirely by the Central Government. Where the same tribunal was appointed for the trial of both the types of election petitions, the total expenditure incurred on the tribunal was shared by the Central Government and the State Government the share of each being determined in proportion to the number of election petitions arising from elections respectively to Parliament and to the State Legislature.

The total expenditure incurred on the preparation and revision of the electoral rolls for the purposes of general elections held in 1967 was approximately Rs. 354 lakhs and the expenditure incurred on the conduct of general elections was approximately Rs. 741 lakhs as against the expenditure of Rs. 232 lakhs and Rs. 500 lakhs respectively in 1962. The State-wise break up of the expenditure in connection with the general elections, including the preparation and printing of electoral rolls, is given in the following table:—

TABLE 24

Name of State or Union Territory								Total expenditure incurred in rupees
1.	Andhra Pradesh	.	.	.	.	.	.	1,07,49,500
2.	Assam	.	.	.	.	.	.	21,07,180
3.	Bihar	.	.	.	.	.	.	1,24,17,742
4.	Gujarat	.	.	.	.	.	.	57,88,477
5.	Haryana	.	.	.	.	.	.	9,01,000
6.	Jammu and Kashmir	.	.	.	.	.	.	7,93,548
7.	Kerala	.	.	.	.	.	.	19,63,200
8.	Madhya Pradesh	.	.	.	.	.	.	52,00,000
9.	Madras	.	.	.	.	.	.	1,46,05,641
10.	Maharashtra	.	.	.	.	.	.	1,21,94,668
11.	Mysore	.	.	.	.	.	.	47,25,000

Name of State or Union Territory	Total expenditure incurred
12. Nagaland	21,600
13. Orissa	45,24,145
14. Punjab	12,86,556
15. Rajasthan	64,57,661
16. Uttar Pradesh	1,38,88,000
17. West Bengal	75,91,289
18. Andaman & Nicobar Islands	2,56,662
19. Chandigarh	5,049
20. Dadra and Nagar Haveli	36,296
21. Delh	14,00,000
22. Goa, Daman & Diu	4,08,700
23. Himachal Pradesh	9,16,854
24. Laccadive, Minicoy & Amindivi Islands	3,35,935
25. Manipur	4,12,330
26. Pondicherry	95,732
27. Tripura	4,51,007
TOTAL	10,95,33,772

The total expenditure on election tribunals during the five-year period 1st April 1962 to 31st March 1967 was Rs. 9,97,586, giving an average of Rs. 1,99,517 per year. The total expenditure on the Election Commission and the Delimitation Commission during the same five-year period came to Rs. 38,08,020 giving an average of Rs. 7,61,604 per year.

NEW DELHI;
29th December, 1967

K. V. K. SUNDARAM,
Chief Election Commissioner
(on leave).

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