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The Ministry of Law & Justice is proposing as follows regarding State funding of elections :-

I. To recommend in consultation with the recognized political parties, the quantities of the following items to be provided to recognised political parties or to the candidates set up by them taking into considerations the geographical features and means of communications available etc, namely:-

(a) For recognised political parties:

- (i) Suitable rent-free accommodation for its headquarters.
- (ii) One rent-free telephone, with Subscriber Trunk Dialing facility with a specified number of telephone calls over and above the free calls permitted to any subscriber.
- (iii) The amount of time to be distributed on private cable television network and electronic media.

(b) For Candidates of recognized Parties;

- (i) Specified quantity of petrol/diesel.
- (ii) Specified quantity of paper for printing.
- (iii) Postal stamps of a certain specified amount
- (iv) For an assembly election, one set of loudspeakers and for a parliamentary election, one set of loudspeakers for every assembly segment, subject to a maximum of six such sets.
- (v) For an assembly election, one telephone with a specified number of free calls, and for a parliamentary election, at the rate of one telephone for every assembly segment, subject to a maximum of six telephones.
- (vi) On the day of poll, some minimum arrangements may be made for the candidates' camps at each polling station.
- (vii) Supply of refreshments and food packets to the counting agents inside the counting hall.

II. To work out the Scheme of distribution of the above said items so as to be in consonance with the Commission's constitutional responsibility for conducting free and fair elections.

2. A brief history leading to the above proposal is as under.

3. President of India in his address to the Joint Session of the Parliament on 7.6.2004 has inter-alia stated that as part of the Government's commitment to electoral reforms, it will consider steps to introduce State Funding of Elections. State Funding of Elections is also one of the items of the NCMP of the UPA.

4. Department has observed that the growing role of money power in election and dubious means of collecting money for elections is one of the negative influences that have crept into the electoral system, generating the need for corrective measures.

5. In 1972, the Joint Parliamentary Committee on Amendments to Election Law had suggested that steps should be initiated so that the burden of legitimate election expenses as are borne by a candidate or a political party are progressively shifted to the State. Subsequently, the matter was considered by a couple of Committees and also the Law Commission of India, who have given their suggestions.

6. Subsequently, pursuant to a decision taken at an all-party meeting held on 22.5.1998, the Central Government constituted a Committee under the Chairmanship of late Shri Indrajit Gupta to examine the pattern of State funding in other countries where it is in vogue and suggest concrete proposals for providing State funding to candidates set up by recognised political parties. The said Committee has recommended, inter-alia, partial State funding of elections, **in kind only**, to recognised political parties and to the candidates set up by them. The Committee while recommending facilities to be given to the recognised political parties and candidates of these political parties including telephone, accommodation, specified quantity of diesel, airtime etc. also recommended creation of a separate Election Fund to which the Central Government may contribute at the rate of Rs.10/- per elector i.e. about Rs.600/- crores annually and the State Governments may also contribute proportionately a sum of Rs.600 crores annually to the Fund. As far as the recommendations of the Indrajit Gupta committee on Part (b) of its terms of reference is concerned, the Election and Other Related Laws (Amendment) Act, 2003 has been enacted.

7. Based on the above recommendations of the Indrajit Gupta Committee, comments/views of the State Governments and Union Territories and the ECI had been solicited. Except the State of Arunachal Pradesh, Haryana, Karnataka, Rajasthan and Tamil Nadu and UT of Pondicherry, most of the States are prepared to accept the recommendation of the Indrajit Gupta Committee, **provided that the entire funding be done by the Central Government.**

8. On the direction of PM, an approach paper was prepared by the Department for seeking directions of the Coordination Committee of the UPA on the following, on 9.8.2004:

- (i) Whether the provisions of the Election and Other Related Laws (Amendment) Act, 2003 for equitable sharing of time on private cable television network and electronic media, which is pending implementation, maybe implemented?
- (ii) Whether the State funding to political parties may be provided in kind only, as recommended by the Committee on State Funding of Election (Indrajit Gupta Committee); and if so, the Coordination Committee may indicate the nature of facilities to be provided or may indicate from the list of following facilities recommended by the Committee on State Funding of Elections:-

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9. On 16.12.2004, the Legislative Department has been informed that the matter has been discussed in the UPA Coordination Committee and the Department may finalise that proposal. In view of the above, Ministry has stated that the items suggested by the Committee on State Funding of Elections may be considered for implementation. The Committee has envisaged Election Fund of Rs.1200 crores. With a five year normal cycle of elections, a sum of Rs.6000 crores shall cover for all General Elections to the Legislative Assemblies and the Lok Sabha.

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11. Under sub-section (1) of section 78B of the Representation of the People Act, 1951, it is provided that provisions for supply of 'such items' by the ECI as are decided in consultation with it by the Central Government, to the electors or to the candidates set up by the recognised political parties. This has already been made and many of the items suggested by the Committee in State Funding of Elections [para 1(I) (b) above] for candidates of recognized political parties will be covered and no amendment of the above Act would be required for giving effect to any decision on supply of items of funding in kind.

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