

## Electoral Transparency

### Why in news?

Recently, The Centre has amended the Conduct of Election Rules to restrict access for the public to a section of poll documents.

### What is the recent amendment to Conduct of Election Rules?

- **Conduct of Election Rules 1961** - It is a set of rules which provide for provisions on how to conduct the elections as per the Representation of People Act, 1951.
- **Provisions of conduct of election rules** - The rules provide for procedures regarding election matters such as
  - **General provisions** - Public Notice of Intended Election, Nomination Papers, Symbols for Elections.
  - **Election Process** - List of Validly Nominated Candidates, Withdrawal of Candidature.
  - **Polling Procedures** - Appointment of Election Agents, Publication of Polling Hours, Voting in Person, Postal Ballots
  - **Declaration of Results**
- **Recent amendment** - The amendment to Rule 93(2)(a) of the 1961 Conduct of Election Rules was brought by Ministry of Law and Justice.
- **Earlier Provision** - All other papers relating to the election shall be open to public inspection.
- **The amendment** - All other papers as specified in these rules relating to the election shall be open to public inspection.
- **Purpose** - To Restrict the access to electronic records, such as CCTV video footage of election process.
- **Need for the amendment:**
  - To prevent violation of secrecy of vote.
  - To prevent potential misuse of CCTV footage of inside of the polling station.
  - Sharing of CCTV footage may have serious repercussions, especially in sensitive regions like Jammu and Kashmir, naxal- affected regions, etc.

*Electronic documents such as CCTV camera footage, webcasting footage and video recording of candidates during the Model Code of Conduct period are not covered in the Conduct of Election Rules.*

- Many documents are mentioned in the handbooks and manuals published by the Election Commission from time to time, such as

## What is the significance of transparency in electoral process?

- **Transparent electoral process** - Openness of electoral activities to scrutiny by stakeholders (political parties, election observers and voters alike), who are able to independently verify the process.
- **Building confidence** - Transparency fosters trust among voters, candidates, and political parties in the electoral process.
- **Enhances accountability** - Transparent electoral processes hold election management bodies (EMBs) accountable to the public.
- **Promotes participation** - When voters understand how elections are conducted and see that processes are transparent, they are more likely to participate actively in elections.
- **Reduces electoral fraud** - Open procedures and clear guidelines minimize opportunities for misconduct.
- **Equal access to information** - Transparency ensures that all candidates and voters have equal access to information regarding the electoral process.
- **Informed electorate** - Transparent processes provide voters with the information they need to make informed choices, enhancing the quality of democratic participation.
- **Assess the fairness of elections** - Access to electoral documents is crucial to assess the fairness of elections.

## What are the issues with the recent amendment?

- **Restricts citizen-voters' right to Information** - It prevents access a large number of electoral documents which are not specifically mentioned in the Conduct of Election Rules such as
  - Reports submitted by Election Observers
  - Scrutiny reports submitted by Returning Officers after polling day
  - Index Cards sent to the EC after the declaration of results which contain detailed statistics relating to the elections.
  - CCTV footage of election process
- **Erodes integrity of the electoral process** - It reduces the public confidence on the election commission and creates trust issues in the electoral process.
- **Imbalance in access to information** - Enables the ruling party to have access to information that others may not have.

## What lies ahead?

- Balancing the electoral transparency and administration is essential for a successful electoral democracy.
- Sunlight is the best disinfectant, and information will restore faith in the process.
- Curated contents can be shared with the public to ensure transparency and privacy.
- Judiciary monitored access to sensitive information on case by case basis can be provide.

## Reference

[The Hindu | Election rule amendment](#)

