Rules for Star Campaigners

Why in news?

Sunita Kejriwal, wife of Delhi Chief Minister Arvind Kejriwal, was appointed as a 'star campaigner' by the Aam Aadmi Party (AAP) for its campaign in Gujarat.

What are the legal provisions of star campaigners?

- **Representation of People's Act, 1951**- Section 77 of the Act provides for law relating to expenditure incurred by 'leaders of a political party'. These 'leaders of a political party' are popularly known as 'star campaigners'.
- **About-** Star campaigners are prominent individuals appointed by political parties to attract more votes during elections. They are usually top leaders of a party but can also include other celebrities.

There's no specific law defining who can be a star campaigner.

- **Guidelines-** The Election Commission has issued guidelines the Model Code of Conduct (MCC) regulating poll campaign by star campaigners.
- **Eligibility-** These campaigners must be members of the political party that appoints them.
- **Appointment limits**-

Political parties	Star campaigners limitation
Recognized parties	Up to 40
Unrecognized parties	Up to 20

- **Communication-** The names of star campaigners must be communicated to the Election Commission (EC) and the Chief Electoral Officer (CEO) of the relevant states within seven days from the date of election notification.
- **Multi-phase elections-**In multi-phase elections, a political party can submit separate lists of star campaigners for different phases. However, major parties often provide a single list applicable to the entire state.
- **Role of Election Commission**- The Supreme Court has stated that the Election Commission does not have the authority to decide who can be a star campaigner.

What are the financial regulations for star campaigner?

Representation of the People Act (RP Act) outlines the financial regulations for election campaigning in India.

- **Travel expenses-** Expenditure incurred by star campaigners on travel for party campaigning is not counted as part of a candidate's election expenditure.
- **Election expenditure limits-**
    - Larger States- Rs 95 lakh per constituency
    - Smaller States- Rs 75 lakh per constituency.
- **General campaigning**- Star campaigners' expenses remain separate from candidates' expenses only if they limit themselves to general party campaigning.
- **Rally/meeting participation**- If a star campaigner explicitly seeks votes for a candidate or shares the stage with them, the rally/meeting expense is added to the candidate's expenditure.
- **Multiple candidates**- When multiple candidates share the stage with a star campaigner, the rally's expenditure is divided equally among them.
- **Candidate promotion**- If a candidate's posters or photographs are displayed at a star campaigner's rally in their constituency, the entire expense of the rally is allocated to the candidate's election expenses.
- **Boarding/ Lodging expenses**- Any boarding or lodging expenses incurred by a star campaigner for campaigning are included in the candidate's expenditure account, regardless of who pays for it.
- **Joint travel-** If a candidate travels with a star campaigner, *50% of the star campaigner's travel expenditure* is apportioned to the candidate's expenditure.
- **Special provision-** MCC guidelines says that if Prime Minister or Former Prime Minister as star campaigner then the expenditure incurred on security including on the bullet-proof vehicles will be borne by the government and will not be added to the election expenses of the party or the individual candidate.
    - If another campaigner travels with the prime minister or former minister, the individual candidate must bear 50% of the expenditure incurred on security arrangements.
- **Fair election**- These rules ensure that while star campaigners can be effective vote-fetchers, their activities are regulated to maintain fair election expenditure practices.

What are the issues with star campaigning?

- **Expenditure assessment**- Assessing expenditure for star campaigner's rallies often underestimate actual costs it is due to the rate card used by the Election Commission.
- **Inefficiency-** The expenditure assessment challenges is due to EC's rate card as it does not reflect current market rates for various items which results in lower apportionment of expenditure to contesting candidates.
- **Advisory-** Election Commission (EC) issued an advisory to all political parties, emphasizing decorum and issue-based debates during campaigning. Star campaigners were put on notice regarding violations.
- **Inappropriate language**- Star campaigners from various parties have used inappropriate and abusive language against leaders of opposing parties. Appeals to caste or communal feelings and unsubstantiated allegations have been observed.
- **Madhya Pradesh Assembly By-Election 2020**- The Supreme Court stayed the EC's decision to revoke Kamal Nath's star campaigner status for derogatory remarks against a woman candidate.

What lies ahead?

- RP Act, 1951 could be amended to authorize the EC to revoke the 'star campaigner' status of a leader in case of serious violations of the Model Code of Conduct. This action would prevent party candidates from receiving expenditure relief for their campaigns.
- Such an amendment would encourage a sense of responsibility among star campaigners, ensuring that campaigns maintain necessary decorum and restraint.
- A more robust assessment and apportionment of rally/meeting expenses, especially when star campaigners campaign for specific candidates, would enhance transparency and fairness.
- The reforms for campaigners is essential to promote ethical campaigning practices and uphold the integrity of democracy.

References

1. The Hindu- Rules for star campaigners
2. PIB- ECI advisory for campaigners

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