

EC reviewing laws to cleanse political funding: Chief Election Commissioner

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By PTI

New Delhi: The Election Commission (EC) is working towards a "comprehensive review" of the election laws as it is "eagerly awaiting" government's response on its slew of proposals to decriminalize politics and cleanse political funding, CEC Nasim Zaidi said here today. The poll watchdog, he said, is also seeking to empower itself to countermand elections in cases of money power abuse, drawing from the recent experience of Tamil Nadu elections where candidates in countermanded polls contested again with impunity.

Zaidi, while delivering inaugural address at the 'National Interactive Conference on Electoral Laws', said the legal researchers of the poll body, in collaboration with legal luminaries and institutions, are working to address the need for a comprehensive review of the Representation of People (RP) Act. "Electoral reforms is another important area which needs to be addressed in a very systematic manner. We are happy to release a compilation of 47 proposals of electoral reforms sent by the Commission from time to time for law making. "These have also been examined by Law Commission and many proposals of EC have been endorsed for legislation," he said. Zaidi said while he understands that the recommendations made by the EC and Law Commission in this regard are being "scrutinised" by a task force in the Law Ministry, their "outcome is eagerly awaited".

"Of these, recommendations pertaining to decriminalization of politics, prevention of abuse of money, transparency in funding of political parties, making bribery a cognisable offence, criminalising paid news, empowering EC to countermand election in cases of bribery and abuse of money in election on the lines of countermanding in event of booth capturing are important," he said.

The CEC went on to add that it was important to undertake a "comprehensive review" of the RP Act in view of issues and challenges that have been thrown up before it from time to time and hence the poll body should "come up with a draft RP

Bill which can then go through the motion of examination by competent authority in due course to time".

He added that such a review of the said Act is "overdue for past few decades".

Recounting the Tamil Nadu instance, he said "if law had been amended in time enabling EC to countermand elections on account of abuse of money or bribery, it would have served as a deterrence in the recently held elections." "So, it is a classical example how a challenge thrown in one set of election needed legal amendment to plug loopholes in subsequent cases and how it led to litigation," he said, adding many writ petitions were filed in the Madras High Court in this incident.

The CEC said while election disputes have gone down after Electronic Voting Machines (EVMs) were introduced, the legal fraternity needs to study the present trend of number of disputes like in the nomination process, campaign and corrupt practises under the RP Act and find ways to "minimise" them.