

**GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
LEGISLATIVE DEPARTMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 3136**

**TO BE ANSWERED ON FRIDAY THE 09<sup>th</sup> AUGUST, 2024**

**Expenses on Election**

3136. Shri Rajiv Pratap Rudy:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Election Commission of India has conducted fair and free elections as an autonomous body under the Constitution of India, if so, the details thereof and the functioning of the election commission;
- (b) whether the huge expenses are incurred by the Indian exchequer with reference to elections including general election, if so, the details thereof;
- (c) the steps taken/proposed to be taken by the Government to reduce these expenses both by the Election Commission of India and political parties, including candidates; and
- (d) whether the Government is considering funding of political parties through the Election Commission, if so, the details thereof, if not, the reasons therefor?

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE  
MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE  
IN THE MINISTRY OF PARLIAMENTARY AFFAIRS**

**(SHRI ARJUN RAM MEGHWAL)**

(a) : As per article 324 of the Constitution of India, the Election Commission of India (ECI) has been vested with the superintendence, direction and control of the preparation of electoral rolls, and the conduct of, all elections to Parliament and to the Legislature of every State and to the offices of President and Vice-President of India. Articles 324 to 329 of the Constitution define the functions, responsibilities, structure and, powers of the ECI. The ECI has informed that within the Constitutional framework, robust design is inbuilt to conduct elections in a free and fair manner and over the years it has issued guidelines, instructions, manuals, handbooks, checklists, etc. for guidance of all stakeholders including political parties.

The ECI has further informed that it has conducted 18 General Elections and about 400 Assembly elections, elections to the offices of President and Vice-President and biennial elections. At every stage starting from the summary revision of electoral roll, announcement of poll, preparation of EVMs for poll, etc., Political Parties/ contesting candidates are consulted. There is a robust grievance redressal mechanism in place to address various issues raised by political parties. Moreover, as per the Representation of People Act, 1951, (the RP Act, 1951) any aggrieved candidate/elector can file an election petition within 45 days of declaration of result.

(b): The expenditure on the conduct of elections to Lok Sabha is to be borne by the Government of India and expenditure on conduct of election to the State legislatures, by the respective State Governments, when such elections are held independently. Further, in case these elections are held simultaneously, the expenditure is borne by the concerned State Governments and Central Governments on a 50:50 basis.

(c): The ECI has informed that several measures have been taken by the Commission to reduce the expenses by the Political Parties and Candidates.

For political parties:

The ECI has requested to the Political Parties that if the party desires to provide any financial assistance to its candidates for their election expenses, such assistance shall not exceed the prescribed ceiling. Any payment in this regard by the party shall be made only through crossed account payee check or draft or through bank account transfer and not in cash. Further, Political parties are required to submit the Annual audit statement, contribution report and election expenditure statement of every election before the ECI, which is uploaded on the website of ECI and the respective Chief Electoral Officers (CEOs).

For candidate:

Under section 77(1) of the RP Act, 1951, every candidate at an election shall, either by himself or by his election agent, shell keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent between the date on which he has been nominated and the date of declaration of the result thereof, both dates inclusive. Under section 77(3) of the RP Act, 1951, the total of the said expenditure shall not exceed the amount prescribed under Rule 90 of the Conduct of the Election Rules, 1961.

The ECI has further informed that to keep Legal expenditure within the permissible limit, maintaining a truthful account and to check illegal expenditure, the Commission has issued detailed instructions on Election Expenditure Monitoring. The Commission has been appointing Expenditure Observers to observe election expenses of the candidates, Assistant Expenditure Observers (AEOs) to assist the Expenditure Observers and forms Flying Squads and Static Surveillance Teams (FS and SST) to seize unaccounted money in elections, Video

Surveillance Teams (VST), Video Viewing Team (VVT), Accounting Team to keep watch on election expenses associated with rallies/meetings and to maintain Shadow Observation Register (SOR) for election expenses, Excise team to control the menace of illicit liquor, and Media Certification and Monitoring Committee (MCMC) to keep close watch on advertisement and paid news. The Commission has also asked the candidates to open a separate bank account for election expenditure purpose before filing their nomination and to incur their election expenses beyond Rs. 10,000/- through cheque, Demand Draft, Real Time Gross Settlement, Electronic mode associated with the separate bank account.

Under Section 78 of the R. P. Act, 1951, contesting candidates are required to lodge their account of election expenses with District Electoral Officers concerned within 30 days of declaration of results. Along with the account of election expenses, candidates are also required to submit Abstract Statement of election expenses in a prescribed format. DEOs are required to upload the part of registers of accounts of election expenses inspected by Expenditure Observers up to date of each inspection and Abstract Statement of candidates' election expenses on their website with a link provided to CEO's website.

(d): No proposal for funding of political parties through the ECI is under consideration of the Government.

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