

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:690
ANSWERED ON:27.07.2000
EC CONTROL ON STAFF ON ELECTION DUTY
CHANDRAKANT BHAURAO KHAIRE;SHYAMA SINGH

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

- (a) whether the Election Commission has asked the Government to concede its repeated demand for full administrative control over all staff deputed for poll duty;
- (b) if so, the reaction of the Government on such demand;
- (c) whether the Government had also assured the Supreme Court to resolve the issue with the Election Commission; and
- (d) if so, the steps taken to resolve the issue?

Answer

THE MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (INDEPENDENT CHARGE) (SHRI ARUN JAITLEY)

(a) Yes, sir;

(b) to (d) : The issue concerning grant of disciplinary jurisdiction to the Election Commission of India over the staff deputed for election work under section 28 A of the Representation of the People Act, 1951 and section 13CC of the Representation of the People Act, 1950 read with article 324 of the Constitution, is sub-judice before the Supreme Court in the Civil Writ Petition No.606/93 filed by the Election Commission of India against the Union of India & others. A joint application proposing a resolution of the issue has been made to the Supreme Court on 26.7.2000. The matter is listed for 27.7.2000 for directions of the Supreme Court.