

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001.

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No.ECI/PN/27/2009

Dated: 9<sup>th</sup> May, 2009

## PRESS NOTE

**Subject: General Election, 2009, deputation of ECI teams to Bihar.**

A delegation of National Democratic Alliance (NDA) consisting of representatives from BJP, JD(U) met the Commission today(09.05.09). The delegation submitted a memorandum in the context of six teams of the Commission's officials having been sent to the State of Bihar for looking into the complaints about the alleged malpractices in some of the constituencies at the poll, which took place on 16.04.09 and 30.04.09. They stated that the past practice has been to order repolls within a few days of the main poll primarily on the recommendation of the Observer and the Returning Officer and that this is first time that after a lapse of about 23 days, task forces have been constituted to consider repolls. In their memorandum, they also stated that the above action of the Commission gives rise to apprehension that the Commission is seeking to satisfy certain parties who are aware of their prospects in the already held polls.

The Commission assured the delegation that the decision to get the complaints enquired was a normal decision taken in the interest of free and fair elections. The Commission's decision to depute the teams of senior officials to Bihar has to be seen in the context of issues involved in phase-I polls that took place on 16.04.09. In Bihar, poll took place in 13 Parliamentary Constituencies in phase-I which included areas affected by *Naxal* problem. For this phase alone after considering the reports given by Returning Officers and Observers and the CEO, the Commission had taken decision to conduct repoll/adjourned poll in 145 polling stations on 23.04.09 itself and put that announcement on the Commission's Website. However, in view of the *Naxal* area sensitivity and as the police forces had to move from phase I areas to phase-II areas and then to subsequent phase areas, fresh additional Central Police Forces had to be mobilized for conducting repoll in the affected polling stations. For this purpose, 30 additional coys of CPF had to be brought from North East and the detailed planning had to be done for the repoll in Bihar. After taking all these into

consideration, it was decided to hold the repoll in two stages (75 polling stations on 05.05.09 and 70 polling station on 09.05.09). The repolls in phase-I area which are largely in *Naxal* affected areas and in large numbers, had to be staggered for the reasons stated above.

In the meanwhile, a large number of complaints were received from various political parties including BJP, BSP, JD(U), INC, RJD demanding repoll in constituencies mainly in the phase-I area. The Commission cannot ignore complaints that have been made to it and it is the normal practice of the Commission to get complaints enquired into either through its election officials available in the field or by deputing special teams. In this case, since the election observers had already left the constituencies after completion of their poll duty, the Commission decided to send teams from its own office in Delhi with one or more senior officers drawn from outside who have had the experience of actual conduct of elections in the field. In the past also, the Commission has been making such enquiries by deputing its officials on receipt of such complaints. However, it was decided not to send these teams earlier because the multi phase poll process was still under way in Bihar, including the repoll already announced in phase I area as that would have affected the administrative arrangement as well as the on going poll process during subsequent phase. It is relevant to note that the Commission's teams on 8<sup>th</sup> and 9<sup>th</sup> May, 2009 have visited the districts where repolls already w.r.t phase I have been completed on 05.05.09 and decided to visit Gaya district on 10.05.09 (i.e after the repoll is over in the entire district on 09.05.09).

The Commission's teams consist of experienced senior officials such as CEO Madhya Pradesh, CEO Gujarat, former CEO Manipur, former CEO Himachal Pradesh and 5 of the senior officials of the Commission. Six teams have been deputed so as to complete the enquiry within a short span available and the teams have been asked to do the enquiry in a totally transparent manner and in the presence of candidates or their agents. The entire process of enquiry has been directed to be videographed. The Commission will take appropriate decision on receipt of the reports of the teams.

**(R.K. SRIVASTAVA)**  
SECRETARY