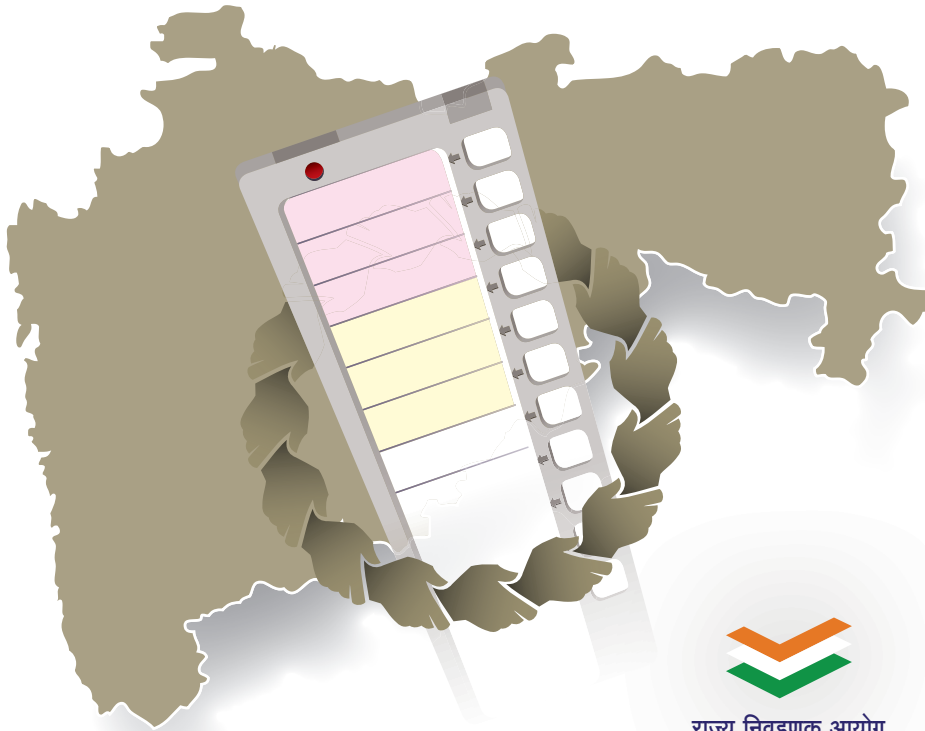




STATE ELECTION COMMISSION



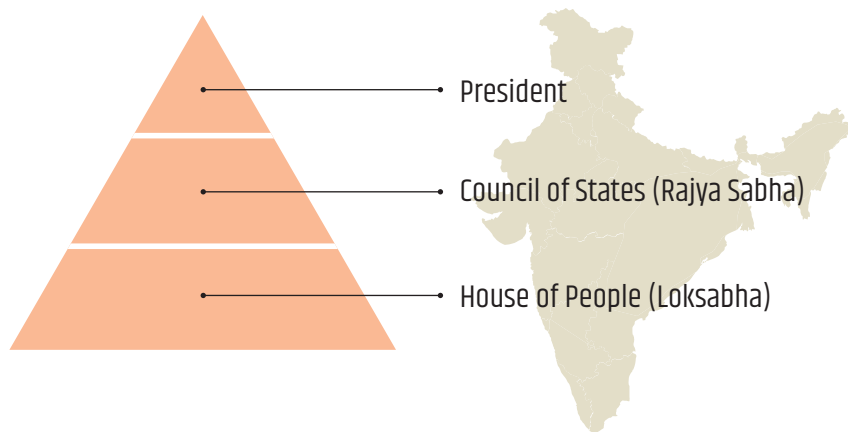
राज्य निवडणूक आयोग
महाराष्ट्र

MAHARASHTRA

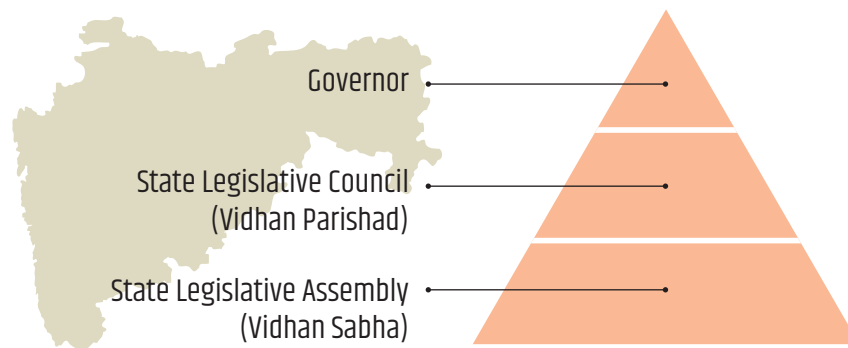
STATE ELECTION COMMISSION

- **India.** i.e. Bharat is a Union of States. It is a **Sovereign Socialist Secular Democratic Republic** with a parliamentary system of government. The Republic is governed in terms of the Constitution of India which was adopted by the Constituent Assembly on 26th November 1949 and came into force on 26th January 1950.
- The Constitution provides for a Parliamentary form of government which is federal in structure with certain unitary features.

Union Government

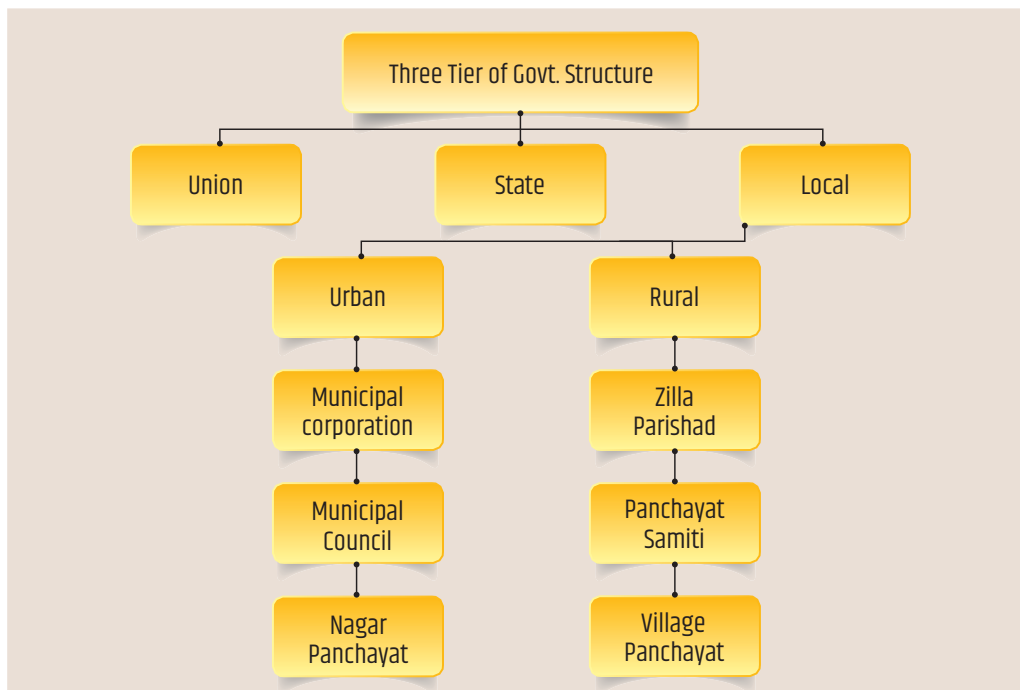


State Government



People of India elect their government at all levels

Three Tier Government Structure :



- For ensuring free, fair & transparent elections, constitution provides Independent Bodies for conducting Elections.

Election Commission of India (ECI)

- Constituted on 25th January 1950.
- Article 324 of Constitution

“The superintendence, direction and control of electoral roll & conduct of elections for all parliament, State Legislative Assembly & Council, election vests in Election Commission of India”

STATE ELECTION COMMISSION

State Election Commission (SEC)

Article 243 (K) & Article 243 (ZA) of Constitution

“The superintendence, direction and control of the preparation of electoral roll for and the conduct of, all elections to the Panchayats & Municipalities vests in the State Election Commission (SEC)”

In Maharashtra, SEC has been established on 26th April 1994.

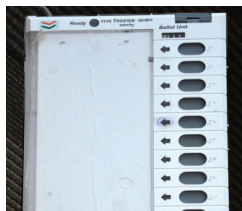
Landmark Judgments of Hon'ble Supreme Court

Kishansing Tomar V/s Municipal Corporation, Ahmadabad
(civil appeal no.5756/2005 Dtd.19th Octo.2006) :

- SEC is a Constitutional body
- SEC enjoys the same status, powers & authority as ECI.
- SEC is Independent of the Government.
- State government shall abide by the directions of the SEC & shall provide staff, finance etc. as per its assessment
- It will be open to the SEC to approach the High Courts and thereafter the Supreme Court for a Writ of Mandamus etc.

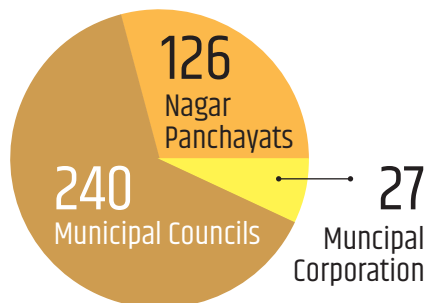
M.S Gill v/s Chief Election Commissioner

- Provisions of Article 243 K are pari-materia to those of Article 324.
- SEC enjoys the plenary powers like ECI. SEC is empowered to cope with situations that may not be provided in the enacted laws & rules.

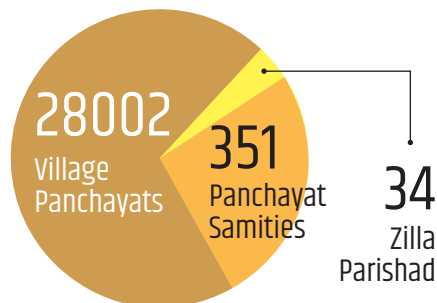


Domain of SEC, Maharashtra (Approx. 28532 local bodies)

Urban Local Bodies (393)



Rural Local Bodies (28387)



Numbers of Elected Representatives (Approx. 3 lakhs)

- Multi member system for Village panchayats, Municipal Councils, Nagar Panchayats and Municipal Corporation (Expt Greater Mumbai) while Single member for all others.
- Direct election for the post of Sarpanch of Gram Panchayat and President of Municipal Councils and Nagar Panchayats
- Variation in the maximum and minimum number of representatives to be elected from each local body e.g.

| Local Body | Minimum Seats | Maximum Seats |
|--|---------------------------|---------------------|
| Municipal Corporation | 65 (Parbhani) | 227 (Mumbai) |
| Municipal Council | 17 (Panhala) | 65 (Ichalkarangi) |
| Nagar Panchayats | 17 (Fixed) | |
| Zilla Parishads | 50 (Sindhudurg) | 73 (Ahamad Nagar) |
| Panchayat Samitis for each Electoral College of Z.P. | At least 2 representative | |
| Village Panchayaties | 8 | 18 |

STATE ELECTION COMMISSION

Challenges before SEC, Maharashtra

Large number of Seats

- Conducts elections for nearly **3 lakhs** seats in approx. 28,780 local bodies every five years (as against 48 seats in Parliament and 288 seats in State Assembly)

Large number of Returning Officers

- More than 20,000 ROs are used (as against 48 for Parliament and 288 for Assembly elections) leading to issues of training, co-ordination, communication, reporting and implementing model code of conduct etc.

Large number of Acts

- Elections are conducted under five different State Acts (as against one i.e. Representation of the Peoples Act 1950 and 1951 for Parliament and Assembly elections)

Delimitation of Constituencies

- Done by SEC for every general elections i.e. every 5 years (as against by a separate Delimitation Commission for Parliament and Assembly elections after every 30 years)

Large number of vacant reserved seats

- Many of the Reserved Posts (Women 50%, BCC 27%, SC & ST as per population) Remain vacant due to social taboos, hurdles, lack of awareness, etc.

Urban Apathy

- In spite of rapid Urbanization in Maharashtra, voting percentage is extremely low in urban areas (Municipal Corporations -less than 58%)

Little understanding of dynamics of local body elections

- Very little research has been done to understand local dynamics of these elections.
- Large variation in population represented by each representative (Minimum 700 in Village Panchayats and 40,000 in Municipal Corporations) and other issues make

Local body elections totally different from that of Parliamentary and Assembly.

Frequency of elections

- Authorities find it difficult to pay the same attention since elections to some or other local bodies are held every 3 to 4 months in each district (as against once in 5 years in Parliament and Assembly elections)

Elections During Year 2015 to 2019

| Local Body | 2015 | 2016 | 2017 | 2018 | 2019 | Total |
|---------------------------------------|--------------|-------------|-------------|-------------|-------------|--------------|
| Municipal Corporation | 5 | | 18 | 4 | | 27 |
| Municipal Council/ Nagar Panchayat | 80 | 224 | 31 | 21 | 10 | 366 |
| Zilla Parishads | 4 | | 26 | 4 | | 34 |
| Panchayat Samitis | 28 | | 297 | 23 | 3 | 351 |
| Village Panchayats | 14374 | 1753 | 7866 | 2217 | 1792 | 28002 |
| Total | 14491 | 1977 | 8238 | 2269 | 1805 | 28780 |

Steps to control misuse of Money and Muscle Power

Candidates -

- Upper ceiling limit prescribed for expenditure timely submission by candidates (daily & cumulative) compulsory - otherwise disqualification.
- Includes Expenses incurred by candidate himself, by party and by others including friends, relatives, well-wishers etc.
- Expenditure details of candidate to be in public domain.

STATE ELECTION COMMISSION

- Use of discretionary grants by local representatives banned 3 months prior to the expiry date.

Political Parties

- Political parties to submit LSG-wise expenditure details within 6 months - otherwise deregistration.

Others

- Surveillance by Income Tax & Sales Tax Officers besides static surveillance team and flying squad etc.
- Monitoring Committees under Municipal Commissioner / Collector to keep a vigil.

Election Expenditure (In Rs.)

| Local Body | Expenditure Limit For Candidates |
|-------------------------------------|--|
| Municipal Corporation | 5 lakhs to 10 lakhs |
| Municipal Council / Nagar Panchayat | 1.5 lakhs to 3 lakhs for mebers 5 lakhs to 10 lakhs for president |
| Zilla Parishads | 4 lakhs to 6 lakhs |
| Panchayat Samitis | 3 lakhs to 4 lakhs |
| Village Panchayat | 25,000 to 50,000 for Members 50,000 to 1.75 lachs for Sarpanch |



On Republic Day 26 January 2017, SECM prepared float for Republic Day Parade at Shivaji Park in Mumbai, celebrating 25 Years of 73rd & 74th Constitutional Amendments and creating awareness amongst voters in the state

Major Initiatives in Last Four Years

Deregistration of Political Parties :

- No contesting candidate in 5 consecutive years. Non-submission of expenditure details within 6 months. Non-disclosure about work done against manifesto. Non-adherence to the discipline of SEC.
- Deregistered 220 Political Parties between 2015-17 for non-submission of I.T. Returns & audited statement of accounts

For Candidates :

- Online submission of Nomination papers & Affidavits.
- Compulsory disclosure of sources of income & contract details and “Constituency Development Plan” in Affidavit. Public display of declared criminal background and assets outside polling stations & main crossings of city

Use of Technology :

- Google / Cadastral maps for ward formation. Preparation of booth-wise voters list.
- Mobile App : True Voter - name search, identifying Booth, filing of election expenses
- COP – Mobile App - real time filing of complaints of violation of MCC.

Youth Empowerment :

- First year University Students – Inclusion of following oath in the Admission Form: “Will register my name as voter on attaining the age of 18 years.” Compulsory module on ‘Democracy, Elections and Good Governance’. Exposure Visit to the local bodies.

Others :

- Established ‘Institute of Democracy & Elections for Good Governance’ as a wing of SEC
- Signed a Memorandum of Understanding (MOU) with CLGF
- Co-ordination with various stakeholders e.g. Universities, CSOs, Corporates, Media etc.
- Use of social media e.g. Facebook, Twitter, YouTube, blogs etc.
- Research through reputed Institutes/NGOs

STATE ELECTION COMMISSION

Mass Interaction

- Communications through Video Conference, website, emails with election personnel
- Wide publicity to SEC's orders, circulars, election programmes through Press Releases
- Dialogue with political parties, candidates, voters etc. through mass media.
- Use of Social Media for Coordination with News Papers, TV Channels etc. and Voter Awareness
- Biannual newsletter 'Nivadnuk Vaarta' publishing since 2015

Possible areas for National / International cooperation

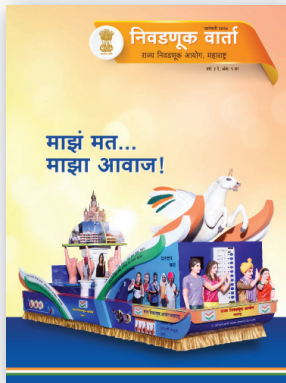
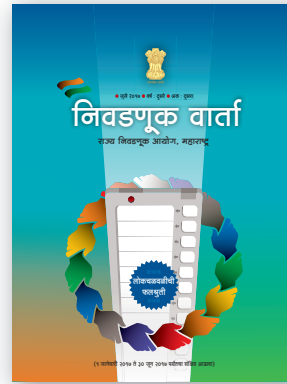
- Understanding and sharing best practices.
- Strategies for higher voters' registration and voters' turnout.
- Understanding dynamics of elections.
- Strengthening the Institute of Democracy & Elections for Good Governance.



At SECM's office, Hon. SECM Shri. J.S. Saharia and Secretary General Dr. Greg Munro during the signing of Memorandum of Understanding (MOU) between SECM and CLGF on 26 September 2018. Also present were Principal Sec., Rural Development Dpt, Shri. Aseem Gupta and Project Officer, Asia Region, CLGF Smt. Anuya Kuwar.

Milestones

- 26.04.1994** SEC, Maharashtra established
- 29.01.1996** Adopted Assembly electoral rolls
- 29.03.2004** Introduced Electronic Voting Machines with features like multi-member setting, detachable memory
- 20.11.2004** Started registration of political parties for LSGs Elections
- 27.03.2011** Use of Marker pen Introduced instead of ink bottle in bye election of Ahmednagar Municipal Corporation
- 12.11.2013** NOTA introduced in EVMs
- 23.12.2014** Filling of nomination on website as a pilot project
- 02.02.2015** Ward formation through software as a pilot project in Mu. Corp.
- 4.6.2015** Order issued to Political Parties for submission of pending documents
- 1.7.2015** Published four books on FAQs
- 25.4.2016** First biannual newsletter 'Nivadnuk Vaarta' published
- 22.9.2016** Compiled first Research and Survey done of Local Body Elections
- 27.11.2016** Use of True Voter mobile application
- 19.1.2017** Citizen on Patrol a mobile application was inaugurated at the hands of Hon. Governor of Maharashtra and Use of Voter Awareness Chat Bot
- 26.1.2017** SECM presented a float for creating voter awareness on Republic Day
- 11.11.2017** Use of VVPAT on Experimental bases at Nanded - Waghala Municipal Corporation election.
- 26.11.2017** National Conference Celebrating 25 Years of 73rd & 74th Constitutional Amendments in Mumbai
- 6.1.2018** Began Celebrating Democracy Fortnight for the first-time from 26 January – 10 February
- 9.2.2018:** Governor Conclave for completion of first Democracy Fortnight



State Election Commission

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Website- <https://mahasec.maharashtra.gov.in> Blog : <https://mahasecnews.blogspot.in>