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Report on the Talk:
"Covid-19 and Electoral Reforms"

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Live Event on ZOOM/MMA Facebook/ Live IBC/YouTube

Under the 'Leaders Speak Series' on the theme

Covid-19 and Electoral Reforms

By

Mr T S Krishnamurthy

Former Chief Election Commissioner of India

Held on Wednesday, 3rd June 2020 at 6.00 pm

PARTNERS:

NEXT GEN POLITICAL LEADERS
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ORF OBSERVER RESEARCH FOUNDATION

Covid-19 and Electoral Reforms

Wednesday, 3rd June 2020

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Leaders Speak

You are cordially invited to Watch Live on ZOOM/MMA Facebook/Live IBC/Youtube under the 'Leaders Speak Series' on the theme

Covid19 and Electoral Reforms

by

Mr T S Krishnamurthy

Former Chief Election Commissioner of India

at **6.00 pm Wednesday, 3 June 2020**

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The Context

The unprecedented Covid pandemic has left no walk of public life untouched. In India, the world's largest democracy, the post-pandemic public perception of governance may have changed as never before. From the decision on imposition, enforcement and phased withdrawal of nation-wide lockdown, to the problems of migrant labour and management, loss and re-creation of jobs and family incomes, all are going to have a short and medium term impact on the voter psyche. It is not unlikely that the voter may dictate the political and electoral manifestos, hence the nation's agenda, rather than the other way round. What does it all mean for our political system and electoral scheme?

In conducting elections in the post-Covid era, there are challenges galore. Indian election scenario always throws up a festive atmosphere, with its high-octane, no-holds-barred election campaigns. Leaders of various parties travel far and wide, commuting by any and every mode of transport to meet people in person and entice them with tall promises. Can all these happen as before, in the post-Covid phase or will it be a new normal? What reforms have to happen to ensure that the massive machinery of Indian Election Commission rolls on smoothly?

With this context in background, a talk by Mr T S Krishnamurthy, former Chief Election Commissioner of India, was organised on the theme, "Covid-19 and Electoral Reforms."

Programme Overview

Madras Management Association(MMA) in collaboration with the India Office of the **Konrad-Adenauer-Stiftung** (KAS) presented a panel discussion under '**Leaders Speak**' series on the theme, "**Covid-19 and Electoral Reforms**" through webinar at 6 pm on Wednesday, **3 June 2020**. **ORF** and **NGPL** were the event partners. The expert talk was given by:

Mr T S Krishnamurthy, former Chief Election Commissioner (CEC) of India

Group Captain **R Vijayakumar** (Retd), VSM, Executive Director, MMA welcomed the participants and introduced **Mr Peter Rimmele** of KAS and the guest speaker **Mr T S Krishnamurthy**. **Mr Peter Rimmele**, Resident Representative to India of KAS delivered the introductory remarks. This was followed by the expert talk by **Mr T S Krishnamurthy**.

A Q & A session was scheduled where viewers could send in their questions through SMS/WhatsApp/Zoom. This was moderated by Group Captain R Vijayakumar (Retd), ED, MMA. **Mr T S Krishnamurthy** answered all the questions with ease, bringing all his knowledge and electoral and administrative experience to the table.

At the end of the Q&A session, **Group Captain R Vijayakumar** (Retd), VSM proposed the Vote of Thanks and the event concluded at 7.35 PM.

In view of the social distancing restrictions due to COVID – 19 and keeping in view the safety and well-being of our members, the event was conducted live on ZOOM and also livestreamed on MMA Webcast, YouTube and Facebook. The proceedings were watched live by 945 viewers.

Mr T S Krishnamurthy

Krishnamurthy started his career as an Indian Revenue Service officer. He served the government at various levels including as Secretary, Department of Company Affairs. He was the first Indian Revenue Service officer to become a Secretary to the Government of India as well as the Chief Election Commissioner of India.

As Secretary, Department of Company Affairs, he is credited with the setting up of Investor Education and Protection Fund set up from unclaimed dividends of companies.

Krishnamurthy started his career as a probationary officer at the Bank of India (prior to nationalisation) at the age of 19. He joined the Indian Revenue Service in the batch of 1963, subsequent to which he was posted as Income Tax Officer in Madras. Having served number of ministries in New Delhi including Shipping and Finance, he was deputed as a Deputy General Manager with the Hindustan Shipyard Limited in Visakhapatnam. One of the key jobs he has handled was that of Chief Commissioner of Income Tax in Bombay.

He also served as an IMF advisor in Ethiopia and Georgia. As Chief Election Commissioner, he was an observer to the elections in Zimbabwe and the US Presidential Elections in 2004. In 2005, Krishnamurthy was appointed by the Supreme Court of India to conduct the elections to the Board of Control for Cricket in India (BCCI) in order to ensure free and fair polls amidst the different factions within the BCCI.

Mr Peter Rimmele

Peter Rimmele is currently the Resident Representative to India of Konrad-Adenauer-Stiftung (KAS).

He has a First Law Degree from Freiburg University, as well as a Second Law Degree from the Ministry of Justice Baden-Württemberg, Germany and a M.A. in Geography.

After working as a jurist, judge and lecturer, he took public office as Ministerial rat, Head of Division at the State Ministry of the Interior in Saxony, Germany, from November 1991 on until 2000. There he first served in the Police and Security and later in the Local Government Department. On behalf of the German Foreign Ministry he served in East Timor as Registrar General, Head of Civil Registry and Notary Services (UNTAET), and became later the principal Advisor for Governance Reform for GIZ (German International Cooperation) to the Ministry of Administrative Reform and the Anti-Corruption-Commission of the Republic of Indonesia, where he served for 7 years. He then moved to Rwanda, also as Principal Advisor Good Governance/Justice Program. Earlier he was Resident Representative Lebanon, Director of Rule of Law Program, Middle East/North Africa, Konrad-Adenauer-Stiftung.

Report on the Talk under 'Leaders Speak Series' "Covid-19 and Electoral Reforms"

Key Statements

- India might have more in common with the Bundestag than with the House of Commons but we are yet to see a Grand Coalition in India - **Peter Rimmele**, Resident Representative to India of KAS

- Indian Constitution is perhaps one of the longest written constitutions in the world. Surprisingly, there is no reference to political parties in it - **T S Krishnamurthy,** former Chief Election Commissioner of India

- In German discourse, it is all about proportionality; having elected constituency MPs is more of an add-on. No one ever asks where Angela Merkel's constituency lies - **Peter Rimmele**, Resident Representative to India of KAS

- In my opinion, 'the first past the post' system has outlived its utility. It was all right at the beginning of independence. Now our literacy rate has gone high- **T S Krishnamurthy,** Former Chief Election Commissioner of India

- For internet voting, we may not be ready for the next two or three years for the simple reason that we do not have stable internet connectivity - **N Sathiya Moorthy**, ORF, Chennai

- Elections, as a tool, are critical for having a vibrant democracy. But when political parties ditch pre-poll alliances, does it not amount to a travesty, in the sense that the people who voted for the alliance are fooled? - **Pankaj Madan**, Head of Programs of KAS

Key Takeaways

From Mr Peter Rimmele's Address:

- Every country has its own political culture. There are those cultures that value inclusion, consensus-building and compromise and those that value local and regional representation, majority rule and one-party-governance. It is Proportionality versus Winner-takes-it-all.

- Germany finds itself very much on the consensus-end of the scale. The political culture of the Westminster-system is often characterized by a much more adversarial relationship between the parties. Coalitions are a lot less common.

- India might have more in common with the Bundestag than with the House of Commons but we are yet to see a Grand Coalition.

- German state and the federal parliament operate a mixed member proportional system.

- German system combines the advantages of 'first-past-the-post' with those of proportional voting system; no vote is wasted and all ideologies are represented according to their respective strengths.

- After the Second World War, the founders of modern Germany made out the weakness of German parties as one of the reasons for the demise of the first republic.

- To accord parties the independence necessary to fulfil their role, State funding is granted according to election results and based on a minimum vote share in European, federal or state elections.

- For every vote cast, a party receives a certain amount of money capped at the amount of money the party was able to acquire via other means.

- The "other means" include membership fees or donations as well as economic activity by the parties.

- Donations are encouraged in German system. They are tax-exempt.

- The parliamentary factions associated with parties are also reimbursed to safeguard their ability to function independently of the executive or outside influence.

- A unique feature of the German system is the political foundations like Konrad Adenauer Foundation. If political parties are returned to the Bundestag twice,

they are eligible for having their own foundations which are funded by the Ministry / Foreign Office.

♣ The German state encourages the establishment of strong political parties that represent broad ideologies.

♣ It discourages the existence of a splintered political system with multiple parties and instead encourages one party to represent one part of the society.

♣ To discourage frequent fall of governments due to political manipulation and loss of majority, there exists a 'Constructive Vote of No-Confidence' in the German Constitution wherein it is not possible to overthrow a Government if it loses majority, unless there is a party who can form a government by proving its majority.

♣ German political culture is based on consensus-building and the accommodation of minority interests.

♣ As the divide between votes cast and seats won continues to grow in India, introducing an element of proportionality might be an idea worth considering.

From Mr T S Krishnamurthy's Address:

♣ Covid-19 presents an ideal opportunity to introduce many electoral reforms.

♣ Instead of public meetings, digital / online meetings can take place. Apart from cost reduction, it can also minimize the social aspect of hatred and violence.

♣ Internet voting with due safeguards can be tried out for senior citizens, physically challenged persons, diplomats, armed forces and uniformed people.

♣ There is a need for a separate law for political parties so that the number of parties is reduced and they are not formed by the whims and fancies of individual lobbying groups.

♣ Mobile polling stations with electronic voting machines can be introduced to ensure social distancing and to access remote locations.

♣ The present ceiling on expenses incurred by a candidate in elections has loopholes. There is no ceiling on money spent by a political party. The funding arrangement need to be reformed.

♣ Public funding for political parties with 100% tax exemption can be introduced. This will bring transparency into the system.

♣ Electoral Bond system that exists now has to be done away with, as it encourages black money.

- ♣ It is worthwhile to delegate both financial and constitutional powers to the local self-governments rather than concentrating power at the Centre or State levels. This will make democracy vibrant and reduce corruption.

- ♣ Independents don't come under the purview of anti-defection law and they can create havoc. They should be subject to a party regulation. For state legislature, Election Commission can even disallow fielding independents.

- ♣ NOTA (None of the above) in elections has not served its purpose and needs to be relooked at.

- ♣ The first past the post system has outlived its utility.

- ♣ The winning member should have at least 33.33% of votes polled in a particular election.

- ♣ Electronic Voting Machines (EVMs) are tamper-proof and have been a big boon to our democracy. They should be continued with design improvements and additional features. Ballot paper is a dangerous choice in India.

- ♣ For NRIs, proxy voting can be allowed if it can be implemented effectively.

- ♣ Election Commission should be empowered to deal with hatred and violence in polls, like debarring a voter or disqualifying a candidate.

- ♣ For people on the move, voting in any constituency is not practically feasible because voting in India is based on residency and not citizenship.

- ♣ Parliament meetings too can happen digitally. This will save a lot of expenditure; discussions can be more productive.

- ♣ Elections can be held with social distancing norms in place.

- ♣ All migrant labour who returned to their home states should be included in the voter list and allowed to vote. This is a massive exercise.

- ♣ Postal voting can take place to tide over social distancing and overcrowding problems. But it should be time bound. Internet voting can be a better option.

- ♣ One Nation, One Vote is an attractive proposition. But it has many practical limitations. The law has to be amended to enable fixed tenure of parliament and state legislatures.

- ♣ Social media for election campaigns has to be monitored and regulated. Paid news should not be allowed. A person who has benefitted by paid news should be disqualified.

- ♣ Proportionality element, as in Germany, can be thought of in India.

- ♣ Pre-poll alliances between political parties should be subject to legally valid and binding contracts. Post-poll, if they are breached, the parties should go back to the people for new voting.
- ♣ We can introduce in election process new systems and improvements from other countries.
- ♣ Election process time should be reduced; Instead of conducting elections in 6 or 7 phases, EC must try to complete it in 3 phases.

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Welcome Address

Group Captain R Vijayakumar (Retd)

Group Captain R Vijayakumar (Retd), VSM**,** Executive Director, MMA initiated the online panel discussion organised through Zoom webinar and livestreamed on MMA website, YouTube and Facebook. He listed out the series of MMA activities planned over the next few days to keep the members intellectually engaged and provide the policy makers with inputs for decision making.

He extended a hearty welcome to the guest speaker **Mr T S Krishnamurthy**, former Chief Election Commissioner, **Mr Peter Rimmele**, who is the current Resident Representative to India of Konrad-Adenauer-Stiftung, **Mr Pankaj Madan**, Head of Programmes of KAS, **Mr Prime Point Srinivasan** of NGPL and **Mr Sathiya Moorthy** of ORF.

He welcomed the members of KAS, ORF and NGPL. He introduced Mr T S Krishnamurthy and Mr Peter Rimmele and requested Mr Peter Rimmele to deliver the introductory remarks.

Mr. Peter Rimmele, Resident Representative to India of Konrad-Adenauer-Stiftung (KAS)

Mr Peter Rimmele, Resident Representative to India of KAS delivered the introductory remarks and set the stage for an engaging discussion. He presented the German system of conducting elections and how it evolved after the Second World War, with valuable contributions from the founders of modern Germany like Mr. Konrad Adenauer.

He stated that every country has its own political culture and a matching electoral system. "Broadly speaking, there are those cultures that value inclusion, consensus-building and compromise and those that value local and regional representation, majority rule and one-party-governance. Germany finds itself very much on the consensus-end of the scale," he said.

Mr Peter Rimmele added that the German state and the federal parliament operate a mixed member proportional system. "The German system combines the principle of 'First past the post' where the winner-takes-it-all and that of proportional voting system in which, all country-wide ideologies are represented according to their respective strengths," he described.

He also spoke about the funding of German elections. "To accord parties the independence necessary to fulfil their role, the State takes part in their financing," he said and explained that State funding is granted according to election results and based on a minimum vote share formula. "The parties also acquire funds through

membership fees or donations as well as economic activity by the parties themselves. Donations are encouraged by the system and which are tax-exempt," he elaborated.

He highlighted how political foundations like Konrad Adenauer Foundation are allowed and encouraged in the German system. "If political parties are returned to the parliament twice, they are viewed as representing a durable political ideology and are eligible for having their own foundations. Such foundations are funded by the State as think-tanks," he remarked.

He continued, "To discourage frequent fall of governments due to political manipulation and loss of majority, there exists a 'Constructive Vote of No-Confidence' in the German Constitution wherein it is not possible to overthrow a Government if it loses majority, unless there is a party that can form a government by proving its majority."

On a concluding note, he said, that considering the size of Indian constituencies, adopting features of the German system might not be the best solution for India but introducing an element of proportionality might be an idea worth considering.

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Mr T S Krishnamurthy dealt in his address with the compelling need for introducing several reforms in the Indian electoral scene, especially in the post Covid-19 phase.

He said that the need for electoral reforms is often talked about but rarely do the ideas that are expressed get implemented. "Covid-19 has given us an opportunity to take up many reforms. The upcoming election schedule in November 2020 in Bihar will give a good platform to introduce Covid related reforms," he stated.

Contending that no democracy in the world is perfect, he pointed out mature democracies like Germany, Australia, UK and US, despite having problems, are able to resolve issues by discussion and debate and not though violence. He stressed that electoral reforms must happen in Asia and Africa.

Digital Meetings:

He listed out India's main problems in elections as political corruptions, intolerance, hatred and criminality. One way of bringing them down would be to have more of digital meetings and use of social media in a responsible way, rather than meeting people in person. This will also help in checking the spread of Covid-19.

State Funding:

While he appreciated the German system of State funding of elections, he suggested public funding for India with 100% tax exemption. This, he argued, would bring in transparency and discipline and curb black money. The limits now imposed on expenditure of a candidate is flawed in the absence of any limit for spending by the parties, he pointed out. He was firm in denouncing the electoral bond scheme now in

place, citing total lack of transparency. "Though they are routed through banks, the source of money is not questioned."

Law for Political Parties:

Though Indian Constitution is one of the longest, Mr Krishnamurthy highlighted the glaring omission of reference to political parties in the constitution. While acknowledging that at the time of independence, this could have been acceptable whereas now, we definitely need laws to regulate political parties. The recognised parties should be limited to a few serious contenders. The frivolous and non-serious parties, formed with ulterior motives should be de-recognised, he argued.

Checks on Independents:

In the same vein, he also said that independents are not covered under the anti-defection law and they wreak havoc by forming unholy alliances and toppling governments. He strongly made a pitch for barring independents in state legislatures and introducing laws to regulate them in parliamentary elections.

Devolution of Power:

"Democracy survives only when the power is devolved," he said and recommended that local self-governments with adequate powers to manage themselves and raise resources should become a reality. This, according to him, will prevent concentration of power either at the Centre or with State governments and vastly bring down corruption.

NOTA:

At present, there exists an option called NOTA – 'None of the above' in voting where the voter can reject all the candidates. Though this was introduced with the positive intention of encouraging parties to nominate good candidates, this has not served its purpose, according to a study, he pointed out and suggested that continuation of NOTA needs to be reviewed.

Internet & Mobile Voting:

In the post-Covid phase, due to social distancing and other restrictions, he recommended to opt for internet voting in a limited way, for certain categories of people including NRIs, senior citizens, physically challenged, diplomats and people from armed forces. He also suggested introducing mobile polling booths so that voters, especially senior citizens need not commute to vote, exposing them to the virus in the process.

Electronic Voting Machines (EVM):

He made a strong pitch for continuance of EVMs saying they are the pride of the nation and that they are completely tamper-proof. "Even many foreign countries have come and seen the robustness of the machines," he said and regretted that when a politician or a party loses power, EVM becomes the scapegoat.

One Nation, One Voting:

"This is very attractive," said Mr Krishnamurthy and added, "Unless the constitution is amended such that the Parliament and State Legislatures have fixed tenures, this is not possible."

Election Duration:

He strongly recommended that national elections should be completed within 3 weeks, except for J&K and some sensitive states and that they should be limited to three phases by deploying adequate manpower and paramilitary forces. "The last elections in West Bengal were conducted in 6 or 7 phases and this is totally unacceptable," he said.

Social Media and Paid News:

Strongly denouncing paid news and lack of regulations on social media, he pitched both of them as serious flaws in our election system. "Paid news should not at all be allowed. If a candidate has benefitted from paid news, he should be disqualified and a

law has to be framed for this," he suggested referring to a Supreme Court recommendation made in a case. He also said that social media has to channelized and used effectively and there has to be a monitoring and regulatory mechanisms to check its misuse.

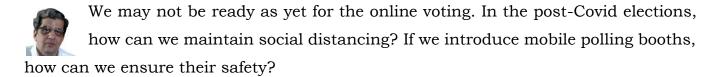**Deserting Pre-Poll Alliances**:

Observing with regret that it has become a practice among parties to form an alliance before poll, win the elections and after winning, ditch the alliance and form new alliances of convenience, he strongly made a case for discouraging this practice through law. "People who voted for the alliance are being fooled by political parties," he said. To arrest this, he suggested that the parties should face an election should they decide to drop out of pre-election alliance.

Mr Krishnamurthy also answered a range of questions on several facets of Indian elections and his responses are given under the Q&A section.

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Q &A :Mr T S Krishnamurthy's Answers in Q&A Session

Mr Krishnamurthy answered questions posed by the event partners-KAS, ORF and NGPL and the viewers on a range of topics.

Questions by Mr Sathiya Moorthy, ORF, Chennai

We may not be ready as yet for the online voting. In the post-Covid elections, how can we maintain social distancing? If we introduce mobile polling booths, how can we ensure their safety?

A: I suggested internet voting only for a limited category of people - senior citizens, physically disabled, diplomats and people from armed forces. They have to be identified and given a proper identity. It is definitely workable. It is worthwhile to start, see our teething difficulties and then look at the changes we have to bring about. For mobile polling booth, the same electronic voting machine will be used. They have solar batteries. There is no need for conventional electricity. If we can maintain social distancing in restaurants, shops, etc, we can as well maintain for elections. If necessary, we may have to increase the number of booths.

Q: Do you think that because of the Covid fear, poll percentage will come down?

A: In fact, it will increase in some states like Bihar and UP because of the large contingent of migrant labour who returned home. Other than these two states, I do not envisage a big change in the voting percentage.

Question by Mr Peter Rimmele, KAS

I like the idea of digital voting. Email has replaced the physical letter. So why should not the postal ballot be replaced by e-voting, if necessary, safeguards are there? From the experience of other countries and other elections, can you not incorporate certain best practices into Indian system?

A: I agree that the experiences of other countries certainly provide opportunities for us to learn a few things. Also, there are things which can be learned from

India. We can certainly turn a leaf out of how the political parties are regulated in western countries. In Australia and Singapore, they have compulsory voting. It is very difficult to introduce it in India because in Australia, by nature, 90% of the people vote and the number of absentees are less. If you introduce compulsory voting in India and if about 70% percent of the people vote, can we go and chase the remaining 30% for their absence? Internet voting cannot be introduced overnight. We have to do it in phases.

Question by Mr Prime Point Srinivasan, NGPL

Recently, there are serious talks about one nation, one election. Is it feasible in the post Covid situation?

A: Theoretically, 'one nation, one election' is very attractive. But there are practical problems. The Constitution needs to be amended so that the Central and State governments have fixed tenure. Our constitution, rightly or wrongly, is based on the Westminster style whereby the Government can be voted out any time. Till 1962, the elections were conducted simultaneously both for the States and the Centre. Post 1962, there were so many defections and fall of many governments and that is when the trouble started.

Question by Mr Pankaj Madan, KAS

Elections as a tool, are critical for having a vibrant democracy. Recently in Maharashtra, the pre-election coalition alliance did not form the government. One of the parties has formed a government of convenience joining hands with the opposition. That's basically a travesty, in a sense that they have fooled the voters. How can we prevent these?

A: I wholeheartedly agree with you. In my book, 'The Miracle of Democracy,' I have mentioned that there should be a legally pre-arranged alliance. It should not be allowed to be broken and if it is broken, then fresh elections should be held. It is very unfortunate we have no legal mechanism now to question it.

Questions by Online Viewers:

Q: You said that in Mexico, no public meeting is permitted because of the pandemic. In a country like India, can we enforce this?

A: In Mexico, it is not statutorily banned, but I think it is agreed by all political parties. So may be, we have to call an all-party meeting and make them agree that in each constituency they can have one or two meetings, but others should be done electronically. It is possible to arrive at a consensus. You cannot ban the meetings statutorily.

Q: You mentioned that independents should not be allowed to contest. How can we bring in such a rule?

A: When the constitution was formulated, to ensure a smooth functioning of the political system, there was no ban on the independents contesting elections. If two or three independent legislators can cross over and topple the government, it is not a desirable thing. It is a public purpose for which you can certainly regulate and say that the independents cannot contest. Constitutionally there may not be any obstacle to bring in a law.

Q: In Bavaria in Germany, postal voting mechanism has been introduced which completely excludes in-person voting to mitigate the health risk from Covid-19. New Zealand also put similar measures which was quite successful. Do you think it is possible in India to do this, at least in some metro cities?

A: I recommend that. But there will be delays in postal ballots. Results have to be announced within a time frame. In Indonesia, they take several months to count and announce election results. We announce it in three to four hours. So there may be practical difficulties. I prefer internet voting to postal ballot.

Q: Can we have a system wherein a citizen of India living in any part of the country is able to vote from any location?

A: It is not possible because in India the voting is given on the basis of ordinary place of residence and not on the basis of citizenship. The primary requirement is that the voter should be a resident in that constituency. He can vote only for a particular constituency. It is impossible, unless and until we bring about a lot of changes.

Q: You are an advocate of State funding of political parties for elections. How can it work in Indian conditions? Will state funding be adequate to meet the expenses?

A: If you give 100% tax exemption for public donations to elections, it will work in India too. Many of the corporates now give donations to political parties- party in cash and partly in other legal forms. They have practical difficulties because they cannot disclose how much they have given to a particular political party except what is paid by cheque or banking instruments. That is why they brought electoral bonds–which hurt transparency. Even if the donations in a particular election are less, the difference should be contributed by the state. Within a period of 10 years, we will be able to muster enough funds to conduct parliamentary elections.

Q: Will the social media be the new normal for politics considering covid-19?

A: Social media will definitely be a very important ingredient in the conduct of elections in the country. It is very popular. Unfortunately, it is not regulated today and is subject to certain guidelines given by the courts. We do not have a separate law. We can have some kind of a monitoring authority and a regulation to that effect. Social media will have to be used in a channelized way for constructive purposes to conduct elections.

There is also the problem of paid news. In Ashok Chavan's case, the Supreme Court held that a person can be disqualified if he has managed the paid news in his favour. Paid news is a very dangerous development and needs to be controlled.

Q: Can we shorten the period for the election process?

A: In fact, it is one area where we have to do some rethinking. We take almost three weeks for the election process - for nomination, withdrawal and so on. Maybe we can reduce it by 4 or 5 days, not more since certain procedures have to be followed. But conducting elections in too many phases is not desirable and we should reduce it. When I was in the EC, we conducted the 2004 election in less than three phases, except Kashmir and UP. The last election in West Bengal was conducted in seven or eight phases, which is absolutely not justifiable. It is worthwhile to have a ceiling on the number of phases, except probably in Jammu and Kashmir and one or two sensitive states. If we have enough Central

paramilitary forces, the election time can be reduced to a maximum of two or three weeks.

In a fixed tenure of parliament, if the ruling party loses confidence of the house, political parties have to suggest a candidate who will be the next prime minister and an alternate form of government. If so, the five year tenure can be continued. If there is no such alternative available, the party which was sworn in earlier will have to continue till the end of the term. If this 'fixed tenure' amendment can be brought about, certainly it is possible to conduct simultaneous elections but the transition period is very important.

Q: Do you recommend total ban on social media once the elections are notified?

A: It is difficult to ban but it is possible to regulate it.

Q: The previous Chief Election Commissioners including Mr Seshan did phenomenal work in bringing reforms. What prevents the people who are holding power today to implement some of the suggestions that you recommend?

A: The Election Commission is a constitutional body and it has to act in accordance with the constitution and the representation of people's act. Mr Seshan did a commendable work but he had his own failings. The point is the election commission has a rich legacy. I have the greatest sympathy and admiration for the first Chief Election Commissioner because during his period, there was a ballot box for each candidate, in each constituency. What a mammoth effort it might have been. He organized it in a short period of time and there was no big opposition or criticism. I cannot do in 2020 what I did earlier. The media is now very powerful and people have become more intolerant. Times have changed and the election commission has many challenges. After all, it is a human institution and human aberrations will be there.

Q: There's a high level of speculation that EVMs can be tampered. What are your views?

A: I have no hesitation in saying that EVMs are a matter of national pride. These are invented by Indian engineers in ECIL and BEL; they are manufactured under very strict and security instructions. There are 10 to 15 inbuilt security safeguards in the machine and you will be surprised to know that many

countries have come and seen the robust nature of our machines. EVM is the easiest thing to blame in an election if a person gets defeated. The voting process we follow is foolproof. Experts can give suggestions on technical improvements. Certainly, the election commission will welcome them but do not opt for ballot box voting. It is more dangerous.

Q: Will you recommend directly elected presidential candidate model for India?

A: There are arguments both for and against it. If you have a right leader, whichever system we follow will work but to say that presidential system is an improvement over the parliamentary system is wrong. Any system will be effective depending upon the person who operates the system. We need good leaders. That is more important.

Q: You mentioned about proxy voting for NRIs. Is it not better to organize the voting through internet rather than proxies?

A: I support internet voting for this category. There is the unique identity number and it cannot be let known to other people. These safeguards are necessary. In a limited way, if we can introduce and get the confidence of the political parties and the people, it can be extended to all the people later.

Q: How can we help the migrant labour to vote in their home states?

A: The Election Commission has a massive job. They have to find out how many people have come back to their home states. They must be registered in the voter register. They must bring in special measures, then probably special booths and it may take a month's time to ensure that all of them are registered. Our Election Commission is capable of doing it.

Q:What are your views on enacting a law on the right to recall candidates?

A: I support the idea of a right to recall because it will bring in some discipline among the legislators. It is in vogue in Switzerland, Canada and a few other countries. But then, a minimum number of voters must initiate a recall measure. I think we should consider it, even if it is not going to be invoked in any constituency by voters.

Q: Do you think that the Electoral bonds that exist now are transparent?

A: It is not at all transparent. If we really want political parties to behave responsibly, it is one area where we must immediately amend the law to see that it is banned. It gives an opportunity for black money to be diverted into the political system. Though it was argued that the money comes through banking system, the source is still black money and I will not approve this at all.

Q: Does anti-defection law come in the way of 'One Nation, One Election?'

A: One nation, one election requires a fixed tenure of the house. Even here, people may defect. They have to elect a new leader who has to command the confidence of the house. So, there is no contradiction between anti-defection law and the fixed tenure. If the legislature is not dissolved, defections will, in fact, come down.

Q: Why should you object for change of alliance from the pre-election to post election scenario?

A: I do not object for change of alliance. People have voted a certain alliance to power. If they break it, let the parties contest an election again and not fool the people.

Q: Covid has shown that states with effective panchayat raj system like Kerala and Karnataka have fared well. Other states have not granted enough power to the local bodies.

A: I agree. If democracy has to survive in this country, it cannot be a centralised system of governance, either at the centre or state. Each district, corporation and panchayat must have enough power to raise resources so that the strain on the central government is less. The scope for corruption gets reduced. It will take a few years to implement but the sooner it is done, the better it is for our democracy.

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Vote of Thanks

Group Captain R Vijayakumar (Retd), VSM

Group Captain R Vijayakumar (Retd),VSM, Executive Director, MMA thanked the speaker **Mr T S Krishnamurthy**, former Chief Election Commissioner of India for his inspiring address, answering diligently all the questions posed by the viewers during Q&A session and for providing many valuable suggestions on reforming the election process. He expressed confidence that several reforms suggested in the forum would be taken up by the Election Commission and the political fraternity.

He thanked **Mr Peter Rimmele**, Resident Representative to India of KAS for his introductory remarks and great support extended to MMA. He had a special word of thanks for **Mr Pankaj Madan**, Head of Programmes of KAS who suggested the topic on Electoral Reforms for the webinar. He thanked **Mr Sathiya Moorthy** of ORF and Mr Prime Point Srinivasan of NGPL and all the online viewers before signing off.
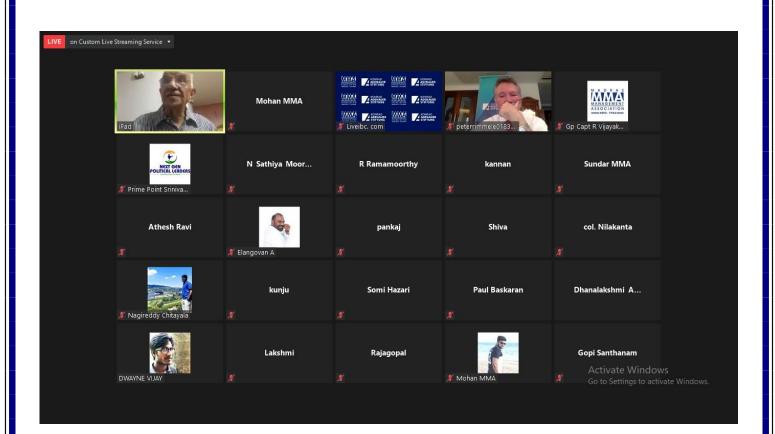
The event concluded at 7.35 PM.

Photos

Photographs taken during the Live Talk under the 'Leaders Speak Series' on the theme: "Covid-19 and Electoral Reforms"

Links for the Recording

Covid-19 and Electoral Reforms

We are pleased to share that the recording of the event is available for viewing pleasure through the links indicated below:

Website:
www.liveibc.com/mma/

YouTube:
https://www.youtube.com/watch?v=Bt8-NKTU7T8&t=191s

Facebook:
https://www.facebook.com/watch/?v=3370211806335715

The response to the event was excellent and we had larger number of viewers who logged in live through Zoom, MMA Live webinar, YouTube and Facebook.

Total Number of Participants:

Zoom: 90

YouTube: 110

Facebook: 498

MMA Webinar: 247

Total number of participants at the event - 945

The Partners – MMA, KAS and ORF

About Madras Management Association (MMA)

Madras Management Association (MMA) was established in 1956 with the prime objective of promoting management education, training and development activities in this part of the country. The vision of MMA is "To be the Fountainhead of World class Management Excellence in India".

Over the past six decades, MMA has striven for development and nurturing management expertise, combining Indian ethos with International Management thoughts and practices. MMA has contributed immensely to the enhancement of management capability in this part of the country, and in particular Tamil Nadu and Puducherry. MMA has over 7000 corporate houses, industries, professionals, academics and executives on its rolls as members. MMA annually organizes about 725 executive development activities, including seminars for top management with a total participation of fifty nine thousand executives and entrepreneurs.

MMA is the largest affiliate association of All India Management Association (AIMA) in the country and has been adjudged as the Best Management Association in India by AIMA for ten times in a row including the "National Excellence Award" for the year 2017-18.

The activities of MMA are planned to achieve managerial excellence in the functioning of industries and professional managers in Tamil Nadu and Puducherry. In this direction, MMA chapters have been established at various towns in Tamil Nadu mainly to cater to the needs of SMEs. Nine such MMA Local Chapters at Ambur, Attur, Erode, Hosur, Namakkal, Salem, Sri City, Trichy and Puducherry are functioning effectively.

Apart from corporate leaders, MMA has, in its Managing Committee, the Vice Chancellors of Madras University & Anna University, the Directors of IIT Madras and IFMR and the Chief Secretary, Government of Tamil Nadu, as members.

OUR VISION

To be the Fountainhead of World Class Management Excellence in India

OUR MISSION

- Synthesise Indian Ethos with international management thought

- Be a reservoir of expertise in management

- Inspire individuals to actualise their potential

- Nurture creativity and originality

About Konrad-Adenauer-Stiftung (KAS)

The Konrad-Adenauer-Stiftung (KAS) is a German political foundation, with a strong presence throughout Germany and all over the world. Freedom, justice and solidarity are the basic underlying principles of the work of the Konrad-Adenauer-Stiftung.

With more than 100 offices abroad and projects in over 120 countries, it makes a unique contribution to the promotion of democracy, the rule of law and social market economy. To foster peace and freedom KAS encourages a continuous dialogue at the national and international levels.

Human beings in their distinctive dignity and with their rights and responsibilities are at the heart of its work. KAS is guided by the conviction that human beings are the starting point in the effort to bring about social justice and democratic freedom while promoting sustainable economic activity. By bringing people together who embrace their responsibilities in society, KAS develops active networks in the political and economic spheres as well as in society itself. The guidance it provides on the basis of political know-how and knowledge helps to shape the globalisation process along more socially equitable, ecologically sustainable and economically efficient lines.

KAS cooperates with governmental institutions, political parties and civil society organizations building strong partnerships along the way. In particular, we seek to intensify political cooperation at the national and international levels on the foundations of our objectives and values. Together with our partners we contribute to the creation of an international order that enables every country to develop in freedom and under its own responsibility.

The Konrad-Adenauer-Stiftung has organised its program priorities in India into the following working areas:

1. Foreign and Security Policy

2. Economic and Energy Policy

3. Rule of Law and local Self-Government

4. Social and Political Training and Development

5. Indo-German Parliamentary Dialogue programmes

The Konrad-Adenauer-Stiftung's India office takes great pride in its cooperation with Indian partner organisations who implement jointly curated projects and programmes.

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About Observer Research Foundation (ORF)

The Beginning

ORF began its journey in 1990 at the juncture of ideation tempered by pragmatism. During the period of India's transition to a new engagement with the international economic order, several challenges emerged, evoking a need for an independent forum that could critically examine the problems facing the country and help develop coherent policy responses. ORF was thus formed, and brought together, for the first time, leading Indian economists and policymakers to present the agenda for India's economic reforms.

What We Are Today

Propelled by the process of reforms initiated in the 1990s, ORF, over the past 30 years of its existence, has effectively narrated and participated in India's story as the country has acquired an unmistakable global footprint. From primarily looking inward and engaging with domestic reforms, to gradually forging global partnerships, ORF today plays a seminal role in building political and policy consensus that enables India to interact with the world.

As new powers re-emerge onto the global stage, existing systems face challenges of agreeing on a new set of rules to control and regulate the new frontiers of space, the oceans, the internet and the human mind. The world continues, also, to navigate persisting concerns related to security and strategy, economy and development, energy and resources. As India begins to play a larger role in the 21st century, ORF continues to push normative boundaries, bring new ideas into the policy discourse and provide a platform to a new generation of thinkers. It is supported in its mission by leading intellectuals, academicians, policymakers, business leaders, institutions and civil society actors.

ORF's aim is to encourage voices from all quarters, geographies and gender, both those that fall in and those that question dominant narratives. It is this plurality of thought and voice — in a country of over a billion individuals — that ORF seeks to carry abroad, while simultaneously bringing contemporary global debates to India.

The Mandate

ORF seeks to lead and aid policy thinking towards building a strong and prosperous India in a fair and equitable world. It sees India as a country poised to play a leading role in the knowledge age — a role in which it shall be increasingly called upon to proactively ideate in order to shape global conversations, even as it sets course along its own trajectory of long-term sustainable growth.

ORF helps discover and inform India's choices. It carries Indian voices and ideas to forums shaping global debates. It provides non-partisan, independent, well-researched analyses and inputs to diverse decision-makers in governments, business communities, and academia and to civil society around the world.

Our mandate is to conduct in-depth research, provide inclusive platforms and invest in tomorrow's thought leaders today.