

# Elections to Lok Sabha from Tamil Nadu 2009

## Introduction

The first General Election in India, also the first to be held on the basis of adult franchise, to elect the first House of the People was held in 1951-52. This was a simultaneous election for the Lok Sabha and all the State Legislative Assemblies. The second General Election held in 1957 was also a simultaneous election. From the third General Election in 1962 onwards, elections to the Lok Sabha gradually went out of step with the elections to the State Assemblies.

In Tamil Nadu simultaneous elections were held till 1971 (i.e., the fifth General Elections). From the sixth General Elections in 1977 onwards the elections to the Lok Sabha did not synchronise with the elections to the State Legislative Assembly in Tamil Nadu.

The years in which the General Elections to Lok Sabha were held, the electorate size and the poll percentage for Tamil Nadu are set out in the table below:

**Table 1: Electorate, Number & Percentage of Voters in LS Elections from Tamil Nadu**

Year of General Elections	Electorate	No. of electors who voted	Percentage of electors who voted
1952	26980956	15620228	57.89
1957	17514993	8356337	47.71
1962	18675436	12843984	68.77
1967	20797325	15928296	76.59
1971	23064985	16566514	71.83
1977	27185924	18254144	67.14
1980	28113893	18767818	66.76

1984	30957439	22591943	73.09
1989	40027212	26764812	66.87
1991	39917777	25514736	63.92
1996	42486212	28438929	66.94
1998	45577323	26412069	57.95
1999	47733623	27676543	57.98
2004	47252275	28732954	60.81
2009	41641299	30390960	72.98

The elections to the 15<sup>th</sup> Lok Sabha 2009 were held in 5 phases in the country during April – May, 2009. For Tamil Nadu the elections were in a single phase, i.e., in the 5<sup>th</sup> phase, on 13<sup>th</sup> May 2009. With the announcement of the elections by the Election Commission of India on 2<sup>nd</sup> March 2009, the Model Code of Conduct came into force. The Notification for the elections in Tamil Nadu was issued on 17<sup>th</sup> of April, 2009. The EVMs were ordered to be used in all the 39 Parliamentary Constituencies.

There were 52,175 polling booths set up in this State. The total number of personnel on election related duty was more than 3 lakhs (including Zonal parties, Reception Staff, Village Officers etc).

The total number of contesting candidates for the Lok Sabha elections from Tamil Nadu was 823 as against 571 during 2004. The maximum number was in Chennai South Parliamentary Constituency, viz., 43, followed by 38 in Karur Parliamentary Constituency and 37 in Chennai Central Parliamentary Constituency. The minimum number of contestants was 7 in Nagapattinam Parliamentary Constituency.

The total electorate in Tamil Nadu at the time of General Elections to Lok Sabha 2009 was 4,16,41,299 out of which 3,03,90,960 electors exercised their franchise (3,03,56,539 votes polled through EVM &

40,598 votes polled through postal ballot papers). The percentage of poll worked out overall to 72.98 as against 60.81 in the General Elections to Lok Sabha for Tamil Nadu in 2004. It was the 3<sup>rd</sup> highest, next only to the Lok Sabha Elections in 1967 (76.59) and 1984 (73.09).

94 Companies of CPF were deployed bringing the total strength of forces deployed for security to 90,261.

The General Elections to the Lok Sabha 2009 from Tamil Nadu went off peacefully and without any major incident.

### **Delimitation and Electoral Landscape**

Tamil Nadu has a population of 62.406 millions according to Census 2001. Earlier the last delimitation exercise had been carried out based on the Census of 1971 and the Constituencies notified in 1976. The State is divided into 39 Parliamentary and 234 Assembly Constituencies. Gross inequalities had arisen in the span of 30 years in the population size of the constituencies in 2001 resulting in negation of the concept of "one man, one vote, one value".

The exercise for the delimitation of Parliamentary and Assembly Constituencies in Tamil Nadu commenced in the year 2002 following the enactment of the Delimitation Act, 2002 by the Parliament in pursuance to the amendment made to the Constitution by the 84th Amendment Act, 2001. The exercise which was started in 2002 had to be stopped temporarily in between due to intervention of General Elections to Lok Sabha held in 2004 and again in 2006.

On completion of the delimitation exercise, the Delimitation Commission issued an Order dated 10<sup>th</sup> August 2007 setting out the extent of the Parliamentary Constituencies and Assembly Constituencies and those which are reserved for SCs & STs. The Parliamentary Constituencies which are reserved for SCs are Nilgiris in the Western Region, Tenkasi in the Southern Region, Tiruvallur and Kancheepuram

in the Northern Region and Chidambaram and Nagapattinam in the Central/ Eastern Region.

While the total number of seats as allocated to various States in the House of People and the State Legislative Assemblies earlier on the basis of 1971 Census remained unaltered in the delimitation carried out based on the 2001 Census population data, a near uniform distribution of population among the Parliamentary and Assembly Constituencies was ensured. The total number of SC seats increased from 42 to 44, while the total number seats reserved for ST which was 3 as per 1976 delimitation got reduced to 2.

The Order of the President of India specifying the date (19<sup>th</sup> Feb. 2008) on which the readjustments notified by the Delimitation Commission shall have effect was published in the Gazette of Government of India on the 19<sup>th</sup> Feb. 2008.

### **Election Machinery**

The elections to 15<sup>th</sup> Lok Sabha 2009 was held through out the country in 5 phases during April-May 2009. The Lok Sabha elections in Tamil Nadu was held in 5<sup>th</sup> phase on 13<sup>th</sup> May 2009. During the initial period, that is the first phase of the Lok Sabha elections in the country, the elections were held under the guidance of Thiru N.Gopaldaswamy, Chief Election Commissioner, Thiru Navin B.Chawla and Dr. S. Y. Quraishi, Election Commissioners. On Thiru N. Gopaldaswamy, Chief Election Commissioner demitting office on superannuation, Thiru Navin B.Chawla assumed charge as Chief Election Commissioner on 20.04.2009. Thiru V.S. Sampath was appointed as Election Commissioner on 20.4.2009. The full Commission conducted a separate meeting at Raj Bhavan with District Election Officers and Police Officers on 5.5.2009. The Headquarters Observers of all the 39 Parliamentary Constituencies were invited to attend the above meeting. The Full Commission held a meeting with recognized National and State Parties

on the same day. This meeting was conducted by the Full Commission to sensitize the entire election machinery and to review the preparedness for the elections so as to ensure a smooth, fair and free election.

In Tamil Nadu, the election machinery is headed by the Chief Electoral Officer who is assisted by two Joint Chief Electoral Officers in the cadre of Joint Secretary/Deputy Secretary.

The District Collectors have been notified under Section 13AA of the Representation of the People Act, 1950 as District Election Officers in all the Districts except Chennai to assist the Chief Electoral Officer in the electoral administration. The Commissioner, Corporation of Chennai has been notified as the District Election Officer for the Chennai District. For preparation and updation of the electoral rolls for each Assembly Constituency, Electoral Registration Officers have been notified. They publish the electoral roll on the date stipulated by the Election Commission for the purpose.

### **Polling Stations**

After the Delimitation of Parliamentary and Assembly Constituencies, the reorganization of Polling Stations was taken up along with the re-alignment of the electoral rolls. The draft list of Polling Stations was published in June, 2008 and the final list in July, 2008 taking the limit on number of electors attached to a polling station as 1200 in rural and 1350 in urban areas.

Following the annual Summary Revision with 1<sup>st</sup> January 2009 as qualifying date, another reorganization of the polling stations was taken up before the elections. In respect of The Nilgiris District alone, no change was proposed. After approval of the proposals for the other 30 districts by the Election Commission, the District Election Officers were instructed to update the Control Tables Data Base (CTDB) & to give wide publicity for the relocation of Polling Stations. During the General

Elections to Tamilnadu Legislative Assembly, 2006, there were 51,604 polling stations. By re-organising the polling stations, the number of polling stations (including the auxiliary and new polling stations) increased to 52,170 for the General Elections to Lok Sabha, 2009.

### **Electors Photo Identity Cards (EPICs) Coverage and Photo Rolls**

The image coverage of electors was 99.35% at the time of General Elections to Lok Sabha 2009. The percentage of EPIC coverage of electors was 99.54%.

### **Election Schedule**

The elections to the 15<sup>th</sup> Lok Sabha 2009 were held in 5 phases in the country during April – May, 2009. For Tamil Nadu the elections were in a single phase, i.e., in the 5<sup>th</sup> phase, on 13<sup>th</sup> May 2009. While the announcement of the elections was made by the Election Commission of India on 2<sup>nd</sup> March 2009, the Notification for the elections in Tamil Nadu was issued on 17<sup>th</sup> of April, 2009.

The poll schedule was as follows:

Date of issue of Notification	:	17.4.2009
Last date for making nominations	:	24.4.2009
Date of scrutiny of nominations	:	25.4.2009
Last date for withdrawal of candidature	:	27.4.2009
Date of poll	:	13.5.2009
Date of counting	:	16.5.2009
Date before which election shall be completed	:	28.5.2009

### **Human Resources Management**

In order to cope with the additional work, three additional sections were created in the CEO's Office up to 31.5.2009 in addition to the six permanent sections already in existence. To assist the Chief Electoral Officer in the conduct of elections, the Commission appointed Dr.K.Satyagopal, I.A.S. as Additional Chief Electoral Officer to function under the overall control of the Chief Electoral Officer.

**Transfer of officers-** The Election Commission of India, in the interest of free and fair election, directed that the officers who were connected in conduct of election directly or indirectly do not serve in the home district or districts where they have completed 3 years of service during the last 4 years.

**Appointment of Returning Officers and Assistant Returning Officers-** Consequent on the delimitation of the Parliamentary and Assembly Constituencies in Tamil Nadu, the Election Commission of India, in supersession of the earlier Notification, designated in consultation with the State Government, Officers in the cadre of District Collectors and District Revenue Officers as Returning Officers for all the Parliamentary Constituencies and Deputy Collectors as Assistant Returning Officers of Parliamentary Constituencies. Initially, the Commissioner, Corporation of Chennai who is the District Election Officer was designated as the Returning Officer, Chennai Central but later the Deputy Commissioner (Health), Corporation of Chennai has been designated as the Returning Officer for Chennai Central Parliamentary Constituency.

**Polling Personnel-** Under Section 26 of the Representation of People Act 1951, the District Election Officer is the appointing authority for Presiding Officer and Polling Officers for the polling stations. Normally, a polling party will consist of 1 Presiding Officer and 3 Polling Officers. For the Polling Stations where the number of electors is more than 1,000, an extra polling officer will be provided who shall share the

duty of 2<sup>nd</sup> Polling Officer. The total number of polling personnel deployed during the Lok Sabha Election 2009 was 2,73,108.

An additional person viz. VAO or other local official is provided for each polling station to verify whether electors standing in the queue to cast vote are carrying proper identification documents such as EPIC or other alternative documents permitted by the ECI and that no one else in the queue.

All the District Election Officers were requested to create a **database** containing the information on the polling personnel including Micro Observers covering all eligible Government employees both from the Central and State Government (including Banks) etc., in the database along with telephone numbers including mobile numbers if any. The details of all the personnel who could be appointed were incorporated in the database by the District Election Officers. Those (i) whose native place is in the Assembly segment, or (ii) who reside in the Assembly segment, or (iii) who are working in the Assembly segment, were not appointed for poll duty in that Assembly segment, in accordance with the instructions of the Election Commission.

Once the process of data entry was completed, the selection and allotment of polling personnel to AC segments and polling stations was carried out by a 3-step **randomization** process using the software supplied to the District Election Officers by the CEO's office.

**Zonal Officers-** The Zonal or Sector Officers are responsible for election management from the day of announcement of schedule till the completion of the election process. Each Zonal party was assigned the task of managing around 10 to 20 polling stations depending upon the topography of the Assembly Constituency segment. The total number of Zonal and Assistant Zonal Officers appointed was 4,503 and 4403 respectively.



On the pre-poll day, the Zonal Officers collected and handed over all the election materials intended to the polling stations to the polling parties. Each Zonal Party carried some reserve materials like EVMs, Batteries, few phials of indelible ink, green paper seal, etc. for facility of distribution to the polling stations in case of necessity. After the close of the poll, the Zonal and Mobile Parties collected the polled materials and handed it over at the reception centre (i.e. counting centre).

**Election Observers-** The Observers act as the 'eyes and ears' of the Commission during the period of the election and provide direct inputs to the Commission from the field. During the General Elections to Lok Sabha, 2009 in May, 2009 the Election Commission of India appointed 116 Election Observers for 39 Parliamentary Constituencies in Tamil Nadu. Further, the Election Commission of India appointed later one expenditure Observer exclusively for Madurai Parliamentary Constituency and one additional Observer for Arakkonam Parliamentary Constituency. The Election Commission of India allotted the Assembly Constituency Segments to the Observers.

The Election Commission of India created an Observer portal for making entries of the mobile numbers of Observers and Liaison Officer and other details of the Observers. The Observers generally reached the Constituencies before or by the time of scrutiny of nominations, i.e., 25.4.2009 and stayed in their Parliamentary Constituencies till the completion of the counting of votes, i.e., 16.5.2009. A full Commission meeting was conducted in Chennai on 5.5.2009 with the Head Quarters Observers of 39 Parliamentary Constituencies.

The Election Commission of India did not appoint Expenditure Observers separately. The three Observers appointed to each Parliamentary Constituency were also to monitor the expenditure incurred by the candidates and political parties.

**Micro Observers-** To strengthen the system of observation, the Election Commission introduced the system of deploying Micro Observers wherever necessary. They would work under and report to the Observers of the Election Commission. They were deployed in hyper-sensitive/ sensitive/ critical polling stations. Nearly 6,863 Micro Observers were deployed in 39 Parliamentary Constituencies.

**Training of Election Officers and Staff** - The Election Commission had indicated that training of polling staff is a key management issue and reiterated the need to standardise the training and learning material. Apart from the training Handbooks received from the Election Commission, the Chief Electoral Officer's office prepared centrally the Handbooks for Training of Polling Officers (Tamil & English), Training on EVMs, Training of DEOs /ROs on the entire election process (3 Volumes) in a simplified manner. The highlight of the General Elections, 2009 was the production of films for training of the electoral machinery in the entire election process and the live demonstration of the operation of EVMs.

The Model Check Lists prepared & supplied by the Election Commission of India for DEO, Sector (Zonal) Officer, Returning Officer, Returning Officer and Assistant Returning Officer, Presiding Officer and Micro Observer was sent by e-mail and in the form of CD to all the District Election Officers with instructions to print and supply the relevant Check List to the election functionaries.

The first round of training of District Election Officers /Returning Officers/ Police Officers was done in the first week of March, and the 2<sup>nd</sup> round of training was held on 8<sup>th</sup> & 9<sup>th</sup> April, 2009 in Chennai & Madurai respectively. These Master Trainers in turn trained their district Trainers, who in turn trained the Polling personnel.

### **Procurement of Election Materials**

The assessment of availability of the election materials was made with the District Election Officers and procurement made sufficiently in advance for the additional requirement. This included Brass Metal Seals, Arrow Cross Mark Rubber Stamps, Voting Compartments, Green Paper Seals, Outer Paper Strip Seals, Indelible Ink, Paper for Ballot Papers, Polythene Sheets, Drawing Pins, Self Inking Stamp Pads and Ink Bottles, Rubber Stamps Bearing 'Rejected Votes', Stationery Articles, Statutory/ Non Statutory Forms & Covers etc.

There were 7 National Parties, 4 State Parties and 59 free symbols at the time of the Elections. The Government Central Press, Chennai printed the symbols by utilizing the symbol booklet made available by the Election Commission of India.

As a result of the advance action taken by the electoral machinery, no complaint was received from any quarter about dearth of any election material.

### **EVMs- Mobilisation and Logistics**

As in the General Elections held in Tamil Nadu in 1999, 2001, 2004, 2006 and in the Bye-Elections held during these periods, the Electronic Voting Machines were ordered to be used in the General Elections to Lok Sabha 2009.

In view of the large number of nominations filed for the General Elections to Lok Sabha, 2009 necessitating mobilization of a large number of EVMs from other States, the Election Commission of India ordered for diversion of 19,160 ECIL Machines from the States of Andhra Pradesh, Assam, Kerala and Madhya Pradesh, 13,500 BEL make EVMs from the States of Gujarat, Orissa, Karnataka and Maharashtra and 10,000 new BEL EVMs from the BEL Factory.

In the General Elections to Lok Sabha, 2009, in the 3 Parliamentary Constituencies of Chennai South, Chennai Central and

Karur there were more than 32 candidates in the fray, and in 23 Parliamentary Constituencies there were more than 16 candidates thereby necessitating the use of multiple Ballot Units in these Parliamentary Constituencies.

In general, electors in Tamil Nadu did not experience any difficulty in the use of Electronic Voting Machines during the Elections.

### **Election Process**

According to the schedule for the General Elections to Lok Sabha, 2009 from Tamil Nadu, the date of issue of Notification was 17.04.2009 and the last date for making nominations 24.04.2009. Accordingly, the filing of nominations commenced on 17.4.2009. 1,269 persons filed nominations up to 24.4.2009. On the day of scrutiny (25.4.2009), the nominations of 338 persons were rejected and 931 nominations were found valid. 107 nominations were withdrawn on the last date for withdrawal of candidatures leaving 823 candidates in the fray.

The number of contesting candidates PC-wise is given below.

<b>No. of candidates</b>	<b>No. of PCs</b>
1 - 16	13 PCs
17 - 32	23 PCs
33 - 48	3 PCs
Above 48	Nil

**Alternate Documents prescribed for identification-** During the General Elections to Lok Sabha, 2009, the orders of the Election Commission of India, prescribing 13 documents as alternate documents to be used by the electors for voting purpose if they do not possess EPIC were published in the State Extraordinary Gazette No. 106 dated 20.04.2009. Family (ration) card was not allowed as a document for voting purpose. However, on the day of elections, certain TV channels flashed news saying that Family Card can be used as one of the identity

documents for voting. It created a lot of confusion among the voters and also the polling personnel.

**Establishment of a Control Room-** Communication is vital for any event management and for the biggest event namely, the Lok Sabha Elections, 2009, it is imperative that a proper two-way communication is established and managed till the Elections process is completed. The Election Commission had set up a full-fledged Control Room operating round the clock and has asked the State CEOs to set up a Control Room in their offices. Also the Communication Plan as mandated by the Election Commission of India had the CEO's office as one of the tiers apart from the DEO's office, ARO's office and Polling Station level.

Accordingly, a Control Room was formed in CEO's office. Fifteen additional telephone lines were provided and a team of twenty members with four Senior Officers in the rank of District Revenue Officer, were positioned in the Control Room. Ten systems with the broad band connectivity were provided for updation of data.

The Control Room served a dual purpose, i.e., apart from collecting data from the districts, processing it and feeding the processed information to the Election Commission of India, the Control Room was also used by the public to give complaints before elections and on the poll day. As many as 300 phone calls were received on the pre poll day and poll day alone for which swift remedial action was taken.

Out of the total electorate of 4,16,41,299, 3,03,90,960 electors exercised their franchise (3,03,56,539 votes polled through EVM & 40,598 votes polled through postal ballot papers). The percentage of poll worked out overall to 72.98. The General Elections to the Lok Sabha 2009 from Tamil Nadu went off peacefully and without any major incident.

**Re-poll-** Repoll was ordered by the Election Commission in the case of only three polling stations- (1) PS no. 30 Melvallam in 42. Arcot

AC segment of 7. Arakkonam PC, (2) PS no. 41 Amani-kondalampatti in 91. Veerapandi AC segment of 15. Salem PC and (3) PS no. 32M in Thomilipalayam in 119 Thondamuthur in 21. Pollachi PC, and this was conducted on 15.5.2009.

**Counting of votes and declaration of results-** For the 39 Parliamentary Constituencies for the General Elections to Lok Sabha, 2009, 82 counting centres were set up across the State having regard to the availability of suitable buildings. Most of the counting centres were located in Colleges and Higher Secondary Schools. One Counting Supervisor and one Counting Assistant per table were appointed for counting of votes. The Election Commission of India had instructed that there should be one Government of India official on every counting table as Counting Micro Observer for counting purpose. The Election Commission of India had permitted the deployment by the Observer of an additional Micro Observer for each of the counting halls under the Observer to undertake the random parallel checking of any 2 EVMs per table in every round of the counting and to report to the observer. For the above purpose, 3454 Micro Observers were drafted.

After the closure of the poll on 13.5.2009, the polled EVMs and other materials of all the 39 PCs were brought to the respective counting centres with adequate armed security. Armed security guards were provided in the storage rooms, where the polled EVMs were stored till the commencement of counting on 16-5-2009.

The counting of postal ballots was taken up at 8.00 A.M. at the Returning Officer's table and after a gap of 15 minutes, the counting of votes in Electronic Voting Machine was taken up. The Observers of the ECI supervised the counting of votes.

Only in 9 Parliamentary Constituencies, mechanical failure of Electronic Voting Machine was reported during counting. Since the number of votes not retrievable from these EVMs were less than the

victory margin, the Election Commission of India permitted the Returning Officer to declare the results in these Parliamentary Constituencies.

**I-GENESYS-** The Election Commission of India put in place a web-based counting system called I-Genesys. Genesys software was given to each counting centre, by which the counting data was consolidated and transmitted to Election Commission of India and the results were there for everyone to see in the website! This Genesys greatly helped the Election Commission of India, the CEO's office, the media and the public at large to know the results, after every round.

**Declaration of results-** The election machinery at the district and state level worked untiringly to complete the counting process without any blemish and declared the results for all the 39 PCs by the afternoon of the day of counting. Their job came to an end only after handing over the official declaration of results in Form-21C and Return of Election in Form-21E to the candidates and sending a copy each of the above forms to the CEO for onward transmission to the ECI. The declaration of results in Form-21C and Return of Election in Form-21E were handed over to the Commission on 18.5.2009 by a special messenger.

Based on the declaration of results in Form-21C, the Due Constitution Notification of 15<sup>th</sup> Lok Sabha was published on 18-5-2009.

### **IEC activities**

With a view to sensitizing electors on the need for voting, an advertisement was published in the leading newspapers in English and Tamil on the day of poll. The advertisement contained simple messages/appeal to the elections. Separately, nearly 60,000 posters were affixed on the outside of the polling station buildings and in important locations. It was indicated in the advertisement and in the posters that voting is a sacred duty and that the vote is kept 'Secret' and, therefore, all electors

should exercise their vote without any fear or hesitation. Further if they did not want to exercise their vote in favour of anyone, their refusal to vote would be recorded in the Register of Voters and Form 17'A' with reference to the provisions of Rule 49 O of the Conduct of Election Rules 1961.

**Media Interface- Telecast/ Broadcast by political parties on Television/ All India Radio-** The facility for use of free air time in the regional Kendras of Doordarshan and All India Radio was made available to seven National Parties and four State Parties recognised under the Provisions of Elections Symbols (Reservation and Allotment) Order, 1968. Each party was given Time Vouchers of denominations of 5 minutes equal to the total time allotted to it for telecast on Doordarshan and broadcast on All India Radio. For a ten minutes slot, the parties were required to submit two time vouchers of five minutes each to Doordarshan / All India Radio.

### **Model Code of Conduct**

The Model Code of Conduct (MCC) came into force from 02.03.2009, the date of announcement of election schedule by the Commission. Consequent on this, consolidated instructions/ guidelines on the Model Code of Conduct and Do's and Don'ts to be followed in regard to the Model Code of Conduct were prepared separately for all recognised Political Parties/ all Secretaries/ HODs of Government/ Police Officers/ DEOs, etc. and communicated to them. This includes instructions on defacement of property with reference to the instructions of the Election Commission and the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 and Advertisements of political nature on TV channels, Cable Network and Radio.

The Chief Electoral Officer's office was flooded with references from Secretaries/ HODs/ DEOs seeking advice/clarifications on the Model



Code of Conduct and sometimes compliance by political parties/ Government Departments was slow or partial. Totally 1,565 cases were dealt with on MCC.

The District Election Officers were instructed to form Joint (MCC) Teams comprising Revenue and Police Officials at least at Taluk level/ Assembly Constituency segment level with a Videography Unit for enforcement of the Model Code of Conduct. In cities, the teams were to be at Zonal/Divisional level. Later, in the conference held at Chennai by the Full Commission on 05.05.2009 with the District Election Officers/ Returning Officers and the Police Officers, the Commission ordered that the number of Teams should be augmented to one for each Zone (Zone here refers to the compact area with 10 to 20 Polling Stations for transport of EVMs and other polling Stations and monitoring of poll).

In order to have a true, faithful and concurrent record of violations of election law and standing instructions of the Commission, the DEOs/ROs were instructed to videograph the critical events during the period of electioneering.

Whenever, violations were noticed, cases were registered after removing unauthorized hoardings, wall paintings, flags, banners, etc. Totally 8,598 cases were registered for violation of Model Code of Conduct.

**Certification of Political Advertisements on TV Channels & Cable Networks-** The advertising code of the Cable TV Networks Regulation Act/ Rules, prohibits the advertisements of political nature. In its historic judgement, the Hon'ble Supreme Court, in SLP Civil No.6679/2004 directed that every Registered National and State political party and contesting candidates proposing to issue advertisement on TV Channel and Cable Networks will have to apply to the Election Commission of India or the Designated Officers three days prior to telecast of such advertisements. It authorised the Election Commission

of India to constitute Committees for previewing, scrutinizing and certifying advertisements. Accordingly, two Committees were constituted including Committee to entertain complaints/ grievances of any political party or a candidate or any other person in regard to the decision to grant or refuse certification for an advertisement. At the district level the Returning Officers were declared as Designated Officers for entertaining applications for certification of an advertisement proposed to be issued on the cable networks or television channel by the candidates contesting the elections from their respective district.

All registered political parties having their headquarters in Tamil Nadu were required to submit their application for certification of any advertisements on Television Channel and Cable Networks not later than three days prior to the date of commencement of the telecast. Any other person or unregistered political parties could submit their applications not later than seven days prior to the date of telecast. The Committee received 30 applications in this regard and after many lengthy sittings as many as 21 certificates were issued to the political parties/ Associations for the election campaign over the TV Channel/ Cable networks, during the General Elections to Lok Sabha, 2009.

### **Security Management**

**Daily Law & Order Situation Reports-** The Commission directed the compilation of daily Law and Order Report for each district in format prescribed in proforma LOR – Form 1 and compilation of a consolidated report for the entire State in another format LOR – Form II and its submission by the Chief Election Officer daily to the Election Commission.

**Deployment of Ex-Servicemen, Home Guards, retired Police Personnel etc.-** In order to bridge the gap in man power requirement as against the availability of police forces, it was necessary to mobilize Ex-

Servicemen, retired Police personnel, retired Fire Service personnel and Home Guards.

The requirement of force was estimated at 90,218 against which the availability of State Police force was only 54,507. The deficit was made up by non-Police force to the tune of 26,244 [Home Guards- 8,327, Ex-Servicemen- 15,776, retired Policemen- 1046, Forest Department- 165, retired Fire Servicemen- 29 & NCC Cadets- 901] and 94 Companies of CPFs.

#### **Deployment of Senior Division NCC cadets for election duties-**

The Election Commission of India conveyed its decision regarding the deployment of Senior NCC Cadets for duties relating to the General Elections to Lok Sabha, 2009 at the polling stations like manning of queues etc. Accordingly, permission was accorded for the deployment of 1000 (842 numbers rounded to 1,000) Senior Division NCC cadets for election duties during the General Elections to Lok Sabha, 2009. Only boy cadets who had completed 18 years of age were to be deployed for the purpose. Further, this would be purely on voluntary basis and would also require parental consent.

There were totally 340 incidents of violence related to poll campaign, political rivalry etc. Only one person was killed while 415 persons were injured. The damage to property was estimated at Rs.3,48,075.

As a result of the effective supervision, monitoring of L & O, and deployment of the State forces, both Police and non-Police, and the CPFs, the poll went off peacefully.

#### **Vulnerability Mapping and Identification of Critical Polling Stations**

The Election Commission had issued detailed instructions regarding the measures to be taken to ensure free and fair elections and prevention of intimidation of the electors belonging to vulnerable sections

of society and mapping of vulnerability. The response protocol to be followed with reference to the vulnerable villages/ hamlets / electoral segments was also indicated by the Election Commission.

**Critical Polling Stations-** Certain special measures had to be taken also in all critical polling stations (PSs), the identification of which was based on an objective criteria, viz., (i) vulnerability mapping, (ii) analysis of PS-wise no. of voters without EPIC, (iii) survey of missing electors, (iv) % of votes recorded in previous elections, (v) history of repoll etc.

Totally 3603 Polling Stations were taken as hyper-sensitive, 13865 as sensitive and 3770 as critical and the number of Polling Stations in which CPF, Micro Observers or Cameras were deployed was 4744, 5616 and 9750 respectively.

### **Expenditure Monitoring**

According to Rule 90 of the Conduct of Election Rules 1961, the total of the expenditure of which account is to be kept under section 77 of the Representation of People Act 1951 and which is incurred or authorized in connection with election in Tamil Nadu shall not exceed Rs.25 lakhs for a Parliamentary Constituency.

Apart from the vehicle permits issued by the Chief Electoral Officer for the National & State leaders of the Political parties, the Candidates could apply for vehicle passes to the Returning Officer of the respective Constituencies. The vehicle permits so issued by the Returning Officer were to be displayed on the wind screen of vehicles.

In 2007, the Commission withdrawn the restrictions imposed on the number of vehicles moving in a convoy in the case of Political leaders availing themselves of exemption under Explanation (1) of Sec.77 of the Representation of the People Act, 1951. The Commission clarified during

the General Elections to Lok Sabha, 2009 that the restrictions would not apply to anyone.

Under Section 77 of the ROP Act, 1951, every candidate at an election to the House of the People or State Legislative Assembly is required to keep, either by himself or by his election agent, 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 result of the election, both dates inclusive. A "Register" in the standard proforma was issued to each candidate by the District Election Officers immediately after the filing of nomination for keeping the day to day accounts of election expenditure.

Under section 78 of the said Act, every contesting candidate has to lodge a true copy of the said account within 30 days from the date of declaration of result of the election, with the DEO.

If any complaint is received by the Election Commission of India or the Observers of the Election Commission or the CEO's office in regard to distribution of money or gifts, it is referred to the District Election Officer or the DGP for enquiry and report. It is a corrupt practice according to Section 123 of the Representation of People Act, 1951. The Model Code of Conduct provides that all parties and candidates shall avoid scrupulously all activities which are corrupt practices and offences under the Election Law, such as bribing of voters, intimidation and impersonation, canvassing within 100 meters of polling station, transport and conveyance of voters to and from polling stations. In case there is prima facie evidence, cases are registered by the Police under the provisions of the IPC and the ROP Act, 1951.

As per the direction of the Supreme Court in its Judgement dated 04-04-1996, in Common Cause Vs Union of India & Others (AIR 1996 SC 3081), the Election Commission of India has made it mandatory for the

Recognized Political Parties to submit statements of expenditure incurred at General Elections to the House of the People and State Legislative Assemblies, for its scrutiny in the format prescribed for this purpose, *within 45 days* after the date fixed for completion of the election concerned. The statement of accounts of political parties in connection with General Election will also be placed in public domain.

### **Use of Technology**

In this era of information technology, it is quite natural that the election processes are also technology driven. The Election Commission of India had used technology extensively during the General Elections to Lok Sabha, 2009 resulting in faster, better and efficient delivery systems.

The major new initiatives introduced by the Election Commission of India were the status in regard to accounts of election expenses of contesting candidates on the website for easy monitoring by Election Commission of India and **COMET** –Communication Plan. Communication plan helped to a great extent to establish the psychological presence of the Election Commission of India even in a remote, rural Polling Station.

Apart from these new initiatives, the Election Commission of India had also used **I-Genesys**, a modified version of the counting software. and hosted the affidavits of all the contesting candidates in its website for public viewing.

**Live Recording-** The DEOs were instructed to examine the possibility of installation in Polling Stations of laptops or PCs with webcam and obtaining connectivity for video-streaming of the live-recording and, if the cost was comparable to that for deployment of videography units, then this could be taken up in sensitive/ critical Polling Stations.

**In Kanniyakumari district** the polling process was monitored online and in real time at 70 polling booths spread over all the six assembly segments. The live video feed from the polling booths was webcast live on the internet. The trained computer teacher/operators from the schools were drafted for this duty to operate the laptops at the polling booths.

In **Chennai**, polling in 250 sensitive and hypersensitive booths in the city was beamed live to a control room situated in the office of the Chennai Corporation. Webcams installed at the booths were connected to five screens at the control room in the Chennai Corporation Headquarters. The broadband lines provided by the BSNL served as the backbone.

**In Madurai Parliamentary Constituency**, 50 sensitive Polling Stations were monitored live. The Software used provided for watching more than 10 Polling Booths at a time. It also provided for watching any Polling booth if a complaint was received from there. It also facilitated interaction with polling personnel located in Polling Station from the Office of the District Election Officer. It could be monitored from any where in India provided static IP Address of the Polling Booth was made available.

**Route Optimisation for transport of materials-** The Bharathidasan University generated route-optimisation maps for transport of election materials and EVMs for Chennai, Tiruvallur, Kancheepuram, Coimbatore, Madurai, Salem, Tiruchirappalli and Tirunelveli districts where GIS mapping of Polling Stations had been done.

### **Voters Friendly Initiatives**

The Supreme Court of India in W.P.(C)No.187 of 2004 advised the Election Commission to provide **ramp facilities** in all the Polling

Stations to enable the physically handicapped coming by wheelchair to enter the polling station to exercise their franchise. The District Election Officers were instructed to arrange for this facility through the (i) Public Works Department, (ii) local bodies and (iii) private institutions.

With a view to ensuring that senior citizens and physically challenged persons are able to vote without much difficulty, the Commission directed that there should be a **separate queue primarily for the physically challenged persons and senior citizens**. The ECI also directed that infirm voters and women voters with babies in arms should be given preference over other voters in queue.

In view of the polling being in hot summer, the voters were allowed to stand in queue in sheltered area, like verandah before the Polling Station. It was also instructed that **improvised roofings** be erected even if it entailed some additional expenditure.

As directed by the Election Commission of India, the **Braille Signage System** in the EVMs was introduced in all the 39 Parliamentary Constituencies for the facility of visually impaired electors. The EVMs had the numeric Braille Stickers which could be used to identify the contesting candidates by the visually impaired elector, after using the dummy ballot sheets in Braille. The visually impaired elector could opt for the traditional system of taking along a companion or use the Braille sheet or could use both the facilities. In general, the response of the visually impaired voter for the Braille Signage system was very low.

### Results of the Elections

No. & Name of PC	Winning Candidate & Party	Votes Polled
1.Thiruvallur (SC)	VENUGOPAL, P. (ADMK)	368294
2. Chennai North	ELANGO VAN, T.K.S. (DMK)	281055
3. Chennai South	RAJENDRAN, C (ADMK)	308567



4. Chennai Central	DAYANIDHI MARAN (DMK)	285783
5. Sriperumbudur	BAALU, T. R. (DMK)	352641
6. Kancheepuram (SC)	VISWANATHAN, P. (INC)	330237
7. Arakkonam	JAGATHRAKSHAKAN (DMK)	415041
8. Vellore	ABDULRAHMAN (DMK)	360474
9. Krishnagiri	SUGAVANAM, E.G. (DMK)	335977
10. Dharmapuri	THAMARASELVAN, R. (DMK)	365812
11. Tiruvannamalai	VENUGOPAL, D.(DMK)	436866
12. Arani	KRISHNASSWAMY, M. (INC)	396728
13. Villupuram (SC)	ANANDAN, M.(ADMK)	306826
14. Kallakurichi	SANKAR ADHI (DMK)	363601
15. Selam	SEMMALAI, S. (ADMK)	380460
16. Namakkal	GANDHISELVAN, S. (DMK)	371476
17. Erode	GANESHAMURTHI, A. (MDMK)	284148
18. Tiruppur	SIVASAMI, C. (ADMK)	295731
19. Nilgiris (SC)	RAJA, A. (DMK)	316802
20. Coimbatore	NATARAJAN, P.R. (CPI(M))	293165
21. Pollachi	SUGUMAR, K. (ADMK)	305935
22. Dindigul	CHITTAN, N.S.V. (INC)	361545
23. Karur	TAMBIDURAI, M. (ADMK)	380542
24. Tiruchirapalli	KUMAR, P. (ADMK)	298589
25. Perambalur	NAPOLEAN, D. (DMK)	398742
26. Cuddalore	ALAGIRI, S. (INC)	320473
27. Chidambaram (SC)	THIRUMAAVALAVAN. THOL (VCK)	428804
28. Mayiladuthurai	MANIAN, O.S (ADMK)	364089
29. Nagapattinam (SC)	VIJAYAN A. K. S. (DMK)	369915
30. Thanjavur	PALANIMANICKAM, S.S. (DMK)	408343
31. Sivaganga	CHIDAMBARAM, P. (INC)	334348
32. Madurai	ALAGIRI, M.K. (DMK)	431295
33. Theni	AARON RASHID, J.M. (INC)	340575

34. Virudhunagar	MANICKA TAGORE (INC)	307187
35. Ramanathapuram	SIVAKUMAR @ J.K. RITHEESH. K (DMK)	294945
36. Thoothukudi	JEYADURAI, S.R. (DMK)	311017
37. Tenkasi (SC)	LINGAM, P. (CPI)	281174
38. Tirunelveli	RAMASUBBU, S. (INC)	274932
39. Kanniyakumari	HELEN DAVIDSON, J. (DMK)	320161

Thus DMK bagged 18 seats, ADMK 9, INC 8, CPI(M) 1, CPI 1, MDMK 1 and VCK 1 seat.

### Election Petitions

According to the provisions of Section 81 of the Representation of the People Act 1951, an election petition may be presented within 45 days from the date of election of the returned candidate. There are seven Election Petitions filed in the High Court of Madras in connection with the General Elections to Lok Sabha, 2009 as follows:

S. No.	No. and name of Parliamentary Constituency	Name of the petitioner	Name of the Successful candidate whose election is challenged/ Respondent	Main ground for challenging the election
1	24.Thiruchirapalli	Charubala Thondaiman	P. Kumar	Recounting of votes refused
2.	32.Madurai	T. Mohan	M.K. Azhagiri	Corrupt practices
3.	35.Ramanathapuram	S. Sathyamoorthy	Sivakumar K. @ J.K.Ritheesh	-do-
4.	5.Sriperumpudur	A.K. Murthy	T.R. Balu	-do-
5.	31.Sivaganga	Rajakannappan	P. Chidambaram	i. Corrupt practices ii. Manipulation of votes iii. Misuse of power
6.	7.Arakkonam	Issac Jabakumar	Jagat Rakshagan	In the poster of contesting candidates, it was printed as 'electric lamp' instead of 'battery torch'.

				Aggrieved by this, the petitioner filed the case.
7.	197.Ilayankudi AC	K.Kalaimani	S.Mathiarasan	The petitioner has filed the case on the ground that the Returning Officer of Ilayankudi has rejected his nomination papers without communicating any order of rejection along with specific reason on the date of scrutiny.