

CHAPTER XVII

THE POLL

The law.

In the first general elections in 1951-52, a polling station often contained more than one polling booth located in the same premises. The same Presiding Officer was placed in charge of all the booths in the same polling station. This arrangement gave rise to confusion and misunderstanding at many polling stations and it was decided that what was originally described as a polling booth should be considered to be a full-fledged polling station although more than one such polling station might be located in the same premises and placed in charge of the same Presiding Officer. The law was amended accordingly. The provision permitting the setting up of more than one polling station in the same premises under the same Presiding Officer was made use of by the Returning Officers wherever the available number of suitable Presiding Officers was inadequate.

The law requires the Returning Officer to provide a sufficient number of polling stations in each constituency with the previous approval of the Election Commission. The preparation of the list of polling stations for the newly delimited constituencies was taken up towards the end of 1955.

Scheme of polling stations.

In order to make adequate arrangements for the taking of the poll of 193,646,069 electors at 220,478 polling stations it was necessary to harness practically the entire Governmental machinery and resources, and meticulous organisation and detailed planning in advance were called for.

While drawing up a scheme of polling stations, the Returning Officers were directed by the Election Commission to follow the following principles :—

- (i) not more than 1,000 voters should normally be assigned to any polling station;
- (ii) in an urban area, not more than 4 polling stations and in rural areas, not more than 2 polling stations should be located in the same building in order to avoid overcrowding and confusion and to facilitate the maintenance of order;
- (iii) where absolutely necessary, separate polling stations for men and for women voters should be provided;
- (iv) a voter should not ordinarily be required to travel more than three miles to reach his polling station;
- (v) no polling station should be located in a place of religious worship. As far as possible, polling

stations should be located in schools and Government buildings. Where such buildings are not available, private buildings should be requisitioned; otherwise, temporary structures should be erected; and

- (vi) no polling station should be located in any building belonging to any political party or known to belong to any prominent or active member of any of the political parties.

Every Returning Officer was required by the Commission to consult the political parties and the local members of the Legislatures before taking a final decision on the list of polling stations proposed for the constituency. This was done and valuable assistance was received from those consulted in arriving at the final decision. Naturally, much fewer complaints were received this time regarding the location and number of polling stations as compared to the first general elections.

Consultation with political parties and Legislators.

In all 18,379 private buildings were used as polling stations. Due to the absence of suitable buildings, recourse had to be taken in some areas to the erection of temporary structures to serve as polling stations. In all 27,985 temporary structures were erected at an approximate cost of Rs. 17,85,435. The temporary structures served the purpose well and in no case had the poll to be adjourned because any such structure proved unsuitable.

Availability of buildings for polling stations.

Central and State Governments now-a-days have an extensive programme of construction of school houses and other public buildings like community halls, panchayat ghars and so on. Periodical elections have become a normal and permanent feature of the nation's life. The Commission would suggest that every such public building which may be constructed in future years may be so planned that they may be conveniently used as polling stations at the time of elections. This would in course of time remove the acute shortage of suitable buildings for polling stations which is now felt in many areas and which occasions a good deal of avoidable public expenditure, as also, hardship and inconvenience to voters and the polling staff at the time of the poll.

Recommendation.

Men and women voters normally voted at the same polling station. As far as practicable, a woman was appointed at every polling station to assist the Presiding Officer. Wherever social customs and tradition made it difficult for women to vote at polling stations where men would also vote, separate polling stations were set up exclusively for them and as far as possible, women polling officers were employed at such polling stations.

Separate polling stations for women voters.

Manner of publication of the list of polling stations.

The Commission prescribed the manner in which the finally approved lists of polling stations were to be published in every constituency so that the contesting candidates and the voters could, without difficulty, know at which polling station each voter was required to cast his vote. The Commission also directed that every candidate should be supplied, free of cost, with two copies of the list of polling stations in his constituency. Similarly, each political party recognised or unrecognised, that participated in the election in a constituency was to be supplied with two copies of the list of the polling stations in the constituency.

The poll.

In 48 Assembly and 12 Parliamentary constituencies the election was uncontested and no poll was required to be taken. Poll was taken in all other constituencies. Except in some constituencies in the hilly regions of the State of Punjab and in the Union territory of Himachal Pradesh where parts of the constituencies were snow-bound and inaccessible at the time, the poll commenced in the rest of the country on the 24th February, 1957, and was completed everywhere by the 14th March, 1957. In the snow-bound areas, the poll had to be postponed and was taken in the months of June and July, 1957, as soon as each constituency was free from snow and it became feasible to send the polling parties there.

Staggering of the poll.

Due to the paucity of staff, lack of sufficient transport and the limited police force available for manning the polling stations whose number had increased to 220,478 as compared to 196,084 polling booths in the first general elections in 1951-52, it was physically impossible to take the poll in the entire country on one single day which, of course, would be the ideal. For reasons recorded in detail in the Report on the first general elections, the poll had to be spread over on that occasion between the 10th December, 1951, and the 21st February, 1952, leaving out of account the snow-bound constituencies which had gone to poll earlier. Such a long polling programme is undesirable and every effort was made in the second general elections to telescope the poll in the whole of the country to a fortnight. After long-drawn consultations with the Government of India, the State Governments and the All-India parties, the Commission decided that except for the snow-bound constituencies the poll would be completed in the whole country within a period of three weeks. As it was not possible to provide a separate polling party for every polling station, each such party was ordinarily required to take the poll in two, three or four polling stations on different days. These polling stations usually being widely separated from each other, an interval of two or three days had often to be provided for in between two dates of actual poll in order to

enable the polling party to move from one polling station to another. Except for the snow-bound constituencies in Himachal Pradesh and the Punjab hills, the poll was completed between the 24th February, 1957, and the 14th March, 1957. The period of the poll was thus reduced from 120 days in 1951-52 to 19 days in 1957, quite a notable and welcome improvement.

It should be possible to reduce the period of the poll still further in the future when a considerably larger polling personnel should be available from the fast expanding civil services of the numerous government departments. In fact, the Commission feels that the polling programme could have been reduced still further even for the second general elections if there had not been a strong reluctance on the part of many of the State Governments to stretch the police force further by reducing the strength of the Police component of the polling parties. The Election Commission is of the opinion that the poll should be staggered in a State only to such extent as is unavoidable by reason of the insufficiency in the number of Presiding and Polling Officers and that the available police force should be deployed to the best advantage so as to fit in with a shorter polling programme which can be thus achieved. In all but very rare instances, the Indian electorate have conducted themselves on every occasion with exemplary discipline and good humour in spite of long waits in queues and at times in trying and inhospitable climatic conditions. It is enough, therefore, to take elaborate police precautions only in such constituencies where the contest is specially keen and feelings run high and to dilute the strength of the police personnel detailed in other constituencies where the contest is not so keen or exciting. A sufficiently strong mobile police force may be stationed at convenient centres, as usual. If this be done, there would not be any real risk in departing from the orthodox scale of the police component of a polling party. Such a policy would in most cases make it possible for a considerably larger number of polling parties to operate on every day of the poll than has been hitherto considered as practicable. If in any rare case there is unfortunately any unexpected breach of peace or any real apprehension thereof, the Presiding Officer can always adjourn the poll.

Further reduction of the staggering of the poll.

Every day of poll in a constituency was declared a local holiday in the constituency by the Governments. Polling day a holiday.

Shortly before the commencement of the poll in the country, the Commission received an interesting suggestion as an aid to the authorities for preserving law and order on the polling day. It was suggested that the day on which an area goes to the poll should be declared a "dry" day in that area if the State has not already enforced prohibition and that so far as necessary for Polling day "dry" day.

achieving the purpose, any other neighbouring area not going to the poll on that day should also, go dry so that no alcoholic beverage might be available to the rowdy elements in the locality.

The Commission considered this to be a good suggestion and recommended it to the State Governments. Some of the States *e.g.*, Rajasthan and West Bengal did not consider the step necessary as they did not anticipate any threat to law and order from the sale of liquor. The States of Andhra Pradesh, Assam, Bihar, Mysore, Madhya Pradesh, Uttar Pradesh and Kerala issued orders closing all toddy and liquor shops not only in the constituency going to the polls on a particular day but in the neighbouring areas as well. Closure of all bars attached to restaurants was also ordered for the polling day. In the State of Bombay, in so far as the non-prohibition areas were concerned, the State Government issued orders banning the sale of intoxicating liquors on polling days. The Punjab Government considered that the suggestion had come too late for implementation.

The Commission would recommend the suggestion for adoption by all the States in future elections.

Facilities for individual voters to cast vote.

The Returning Officers were advised by the Commission to persuade the authorities of every commercial and industrial concern in their constituencies to allow their labourers and other employees leave of absence from duty for a reasonable period during the polling hours on the polling day so as to enable them to exercise their franchise.

The Commission also requested every State Government that the programme for the School and the University Examinations might be adjusted as necessary whenever the time-table for the general elections happened to clash with the same. No difficulty was reported in this regard from any State.

Vote by postal ballot.

Under the law the following categories of voters are entitled to vote by postal ballot :—

- (i) members of the Armed Forces of the Union;
- (ii) persons holding certain specified offices in India declared by the President to be an office to which the provisions of sub-section (4) of section 20 of the Representation of the People Act, 1950, apply; (The persons who have been so declared are the President, the Vice-President, the Governors, the Speaker and the Deputy Speaker of the House of the People, the Chairman of the Council of States, the members of the Central and State Cabinets and the like);

- (iii) persons employed under the Government of India in posts outside India;
- (iv) wives of the persons mentioned in items (i), (ii) and (iii) if they are ordinarily resident with their husbands;
- (v) persons subjected to preventive detention; and
- (vi) public servants on election duty and polling agents who are prevented by reason of their duties as polling agents from voting in person at the polling stations where they were normally entitled to vote, provided they applied in time for the facility of the postal ballot.

The Returning Officers despatched postal ballot papers to every voter entitled to vote by postal ballot. The day preceeding the date fixed for the counting of votes in the constituency was usually fixed as the last date for the receipt of the postal ballot papers from the electors.

It has been experienced that the bulk of the electors entitled to vote by post do not make use of the facility; obviously, the contesting candidates cannot, or do not, exert themselves to reach such voters in their election campaigns.

Due to the reorganisation of States which resulted in the transfer of a good number of employees from one State to another, some of the employees did not have the facility of exercising their franchise. Although the reorganisation of States is now over, such cases are bound to arise in the future also as a result of the transfer of Government officers within a State. A provision should be made in the Act extending the facility of postal ballot to transferred Government servants. Extension of postal ballot.

In consultation with the State Governments the Commission fixed the following hours of poll :—

8 hours poll in Andhra Pradesh, Madras, Mysore, West Bengal, Assam, Bihar, Bombay, Madhya Pradesh, Orissa, Punjab, Rajasthan, Uttar Pradesh, Delhi, Manipur and Tripura.

8½ hours poll in Kerala, and

9 hours poll in Himachal Pradesh.

The polling hours provided for an interval of one hour for lunch in Andhra Pradesh, Madras, Mysore, West Bengal and Tripura. In Kerala, the interval was half an hour only. The other States and Union territories managed without any break for lunch. The Commission feels that the practice should be uniform in this respect throughout the country and that the provision of a break for lunch in the midst of the poll should be Lunch interval.

discontinued everywhere. Such a break works hard on the voters waiting in the queue for long hours in order to cast their votes. Women voters, particularly those with babies in their arms, find it difficult to go on waiting in the middle of the day under the blazing sun for half an hour or one hour for the lunch interval with the queue standing still. The Commission has therefore consistently pressed the States for doing away with the lunch interval. The majority of the States and Union territories have now decided to do without the interval. The Commission hopes that it will be possible to do so in every State by the time the third general elections are held.

Percentage of the poll.

The percentage of poll varied widely from constituency to constituency. The maximum and minimum percentages occurred in the following constituencies:—

Parliamentary constituency	Percentage of polling	Assembly constituency	Percentage of polling
154-Kottayam (Kerala)	75.68	200-Karad North (Bombay)	83.20
263-Kangra (Punjab)	16.94	11-R. Udaigiri (Orissa)	11.62

Not a single vote was cast at the following polling stations:—

Name of the State or Union Territory	Name of the polling station	Name of the Parliamentary constituency
Andhra Pradesh ..	No. 3 Pentikota	1—Srikakulam
	No. 42 Mondemkhall	2—Parvathipuram
	No. 64 Rambilli	4—Golugonda
	No. 41 Yeruvanilanka	7—Narasapur
	Nos. 4, 5 & 6 (Gandrayi village).	10—Vijayawada
	No. 35 Unichintala	20—Anantapur
	No. 46 Thaticharla	23—Kurnool
Bihar	No. 113 Ghansadih Colliery	83—Dhanbad
Bombay	No. 56 Ugamana Bara	94—Halar
Madras ..	No. 3 Pappinaickenpatti	222—Namakkal
	No. 5 Pappinaickenpatti	222—Namakkal
	No. 45 Ramnaicken-palayam	222—Namakkal
	No. 47 Ramnaicken-palayam	222—Namakkal
	No. 22 Pudipalapatti	202—Chidambaram
	No. 62 Pottiam	202—Chidambaram
Kerala	No. 43 Aided Elementary School, Muliguddi	164—Kasergod
West Bengal ..	No. 42 Haldibari H.E. School	366—Cooch Behar
Rajasthan ..	No. 13 Bodamli	288—Banswara
Delhi	No. 415 Govt. High School for Boys, Tilak Nagar "B".	397—Outer Delhi

Apart from these exceptional cases, the polling stations where the highest and the lowest number of votes were polled were the following :—

Name of polling station	Total No. of voters	No. of voters who cast their votes
25-Padgal	821	821
49-Marpadga	685	685
16-Sreekanthapuram Moppila Elementary School	255	255
82-Marudur (Madras)	417	417
9-Kotabhavi (Mysore)	12	12
47-Munirabad Dam-site (Mysore)	1,269	1

Out of a total of 193,646,069 voters 92,064,682 cast their votes for elections to the Parliamentary constituencies. The percentage of the poll was 47.54% compared to 51.15% in the first general elections in 1951-52. As regards Assembly constituencies, the overall percentage of the poll was 48.23% in the second general elections.

During the first general elections there were 93 cases in the whole of India in which the poll had to be adjourned under section 57 of the Representation of the People Act, 1951, for the following reasons :—

- (i) interchange of ballot papers;
- (ii) non-supply of the electoral roll at the polling stations;
- (iii) breach of law and order;
- (iv) loss of ballot papers;
- (v) inclement weather;
- (vi) defective ballot boxes;
- (vii) defective indelible ink;
- (viii) mistake in pasting symbols on the ballot boxes;
- (ix) failure to provide a sufficient number of ballot boxes; and
- (x) tampering of ballot boxes or paper seals during poll.

The number of polling stations at which adjournment of poll was ordered was 34 only in the last general elections. The reasons for adjournment were as follows :—

Reasons for adjournment	No. of polling stations
(i) Breach of law and order	4
(ii) Defective ballot boxes	2
(iii) Inadequate space inside polling stations	2

Reasons for adjournment	No. of polling stations
(iv) Inclement weather	14
(v) Supply of wrong electoral rolls	1
(vi) Poll for one polling station held in another polling station due to mistake on account of identical name	1
(vii) Accidental fire	1
(viii) Interchange of ballot papers	2
(ix) Mistake in the issue of ballot papers in the serial order	1
(x) Interchange of ballot boxes	2
(xi) Mistake in pasting symbols on the ballot boxes	2
(xii) Wrong allotment of symbols	1
(xiii) Tampering of ballot boxes	1
TOTAL	34

Re-poll had to be ordered in the first general elections at 107 polling stations on account of ballot boxes having been found damaged at the time of counting. During the last general elections, however, fresh poll was ordered only in 31 cases. It is satisfactory to note that instances of adjourned poll and re-poll fell materially in the last general elections as compared to the first.

Recommendation. In fact, a strict interpretation of the law would have occasioned a larger number of repolls. The Commission, however, decided to do without a re-poll whenever it was found that it would make no difference to the result of the election in the constituency. The law should be amended so as to specifically vest in the Commission full discretion to decide whether a re-poll should be held in a polling station on account of an irregularity committed in conducting the poll.

Personation. As in the first general elections, the left forefinger of every voter was marked with indelible ink before any ballot paper was issued to him. With a view to reduce the chances of impersonation further, every voter at all polling stations in constituencies situated in big cities and towns like Calcutta, Bombay and Madras was also required to put his signature or thumb impression on his official identity slip.

These precautions cannot, however, completely remove the possibility of impersonation. In fact, impersonation is an evil which hardly occurs in a rural area where every voter is well known to all his neighbours and even to the polling agents present at the polling station. The evil exists to some extent in large urban areas and areas where the population consists largely of floating labour or displaced persons. The extent of the evil has been largely exaggerated in the Commission's view and the incidence of cases in which impersonation takes place cannot but be insignificant generally.

The Commission has been giving its earnest consideration to the problem of impersonation whatever its extent may be. It has already consulted the all-India Political Parties in an effort to find a suitable remedy for the evil where it exists. The Government of West Bengal has made a suggestion which would completely root out the evil if it can be successfully implemented. It is proposed to provide every voter in the constituencies in Calcutta and its industrial and other suburbs with an identity card bearing his photograph. The photograph would be taken during the annual revision of the electoral rolls when the enumerator visits the voter's house. One copy of the photograph would be retained by the election office and supplied to the Presiding Officer of the voter's polling station at the time of the poll. The voter would be required by law to produce his identity card when he goes to the polling station to vote and his identity would be checked by the polling staff with reference to his identity card. The entire cost of preparing the identity cards would be borne by the Government. It has been decided that this scheme would be tried in the first instance on an experimental basis only in two Assembly constituencies in the city of Calcutta so that the practicability of the scheme and the cost of implementing it may be ascertained accurately. The Representation of the People Act, 1950, and the Rules thereunder would have to be suitably amended, however, before the scheme can be given effect to. The necessary amendments are now under consideration. As soon as the law has been amended, the scheme will be given a trial in the two Assembly constituencies in Calcutta. If it proves effective and not too costly, it will be extended to the other constituencies in Calcutta and all other big cities and industrial areas from which complaints of impersonation on any considerable scale have been received in the past.

The law provides that any candidate or his agent may challenge in the prescribed manner the identity of a person claiming to be a particular voter. A Presiding Officer summarily enquires into such a challenge if the candidate or his agent deposits with him a sum of two rupees in cash. The amount of this deposit was rupees ten at the time of the first general elections in 1951-52 but has since been reduced. The deposit is forfeited to Government if the Presiding Officer decides that the challenge was frivolous or not made in good faith. Otherwise, it is refunded at the end of the poll.

A demand has sometimes been voiced that the deposit should be reduced still further to one rupee and that if it is refundable, the refund should be made immediately after the enquiry and not at the end of the poll. The Commission would not yet support any further reduction of the amount of the

deposit but considers it fair that where refundable, the deposit should be refunded immediately and not at the end of the poll. The present provision operates harshly in the sense that according to it a candidate would be compelled to provide his polling agents at every polling station with a fairly considerable sum of money to enable them to challenge the identity of a large number of voters if that becomes necessary. The Rules may, therefore, be suitably amended in this regard.

Tendered ballot paper.

A person is given a tendered ballot paper for recording his vote when he represents himself to be a particular elector and if another person has already voted in the ordinary way as such elector. The vote of such a person is not counted and is known as a tendered vote. There were 58,887 cases of tendered votes in the country during the first general elections in 1951-52. During the second general elections in 1957, the number of tendered votes was 43,422.

Irregularities committed at polling stations.

The poll was generally conducted smoothly and efficiently all over the country and cases of irregularities committed by the polling personnel were few and were not of a very serious nature. The polling staff had been intensively trained before the poll as already mentioned. Unfortunately, however, some mistakes were still committed. It is significant that most of these occurred on the earlier days of poll. This clearly shows that some of the polling staff either had not attended the rehearsals or were not serious enough in their training even if they had attended any.

The usual mistakes and irregularities committed by the polling staff can be conveniently classified under the following heads :—

- (i) interchange of ballot papers and ballot boxes for Parliamentary and Assembly elections;
- (ii) omission to stamp the official distinguishing mark on ballot papers before issue to the voters;
- (iii) issue of incorrect pairs of ballot papers to electors in two-member constituencies;
- (iv) issue of two ballot papers instead of one to an elector in a single-member constituency and *vice versa*;
- (v) use of ballot papers, green paper seals and other polling materials authorised for one polling station at another polling station;
- (vi) list of contesting candidates in one constituency displayed at a polling station of a different constituency;
- (vii) ballot boxes of candidates of one constituency placed in polling stations of another constituency;

- (viii) taking the signatures of voters on ballot papers;
- (ix) failure to sign the pink paper seal or get it signed by the polling agents;
- (x) interchange of symbols on ballot boxes allotted to different candidates;
- (xi) mixing up of Assembly and Parliamentary election papers at the time of preparing and sealing the packets at the end of the poll;
- (xii) mistakes in drawing up the paper seal and ballot paper accounts; and
- (xiii) setting up the polling station in a wrong village. (There was one such case only. There were two villages a mile away from each other which bore similar names, namely, Raghunathpur Madhuban and Raghunathpur Khurd. The polling station authorised for one of the villages was set up in the other village by mistake).

During the first general elections in 1951-52, there were 181 cases of interchange of ballot boxes and 692 cases of interchange of ballot papers. In 43 cases out of these, a re-poll was ordered and in the remaining cases re-poll was not considered necessary by the Commission.

During the last general elections, however, there were only 70 cases of interchange of ballot boxes and 265 cases of interchange of ballot papers. In 11 cases only out of these re-poll was ordered by the Commission.

The Election Commission examined the question as to what action, if any, should be taken against the Presiding and Polling Officers who were guilty of such mistakes and irregularities. These irregularities are never deliberately committed but arise from sheer carelessness or *bona fide* mistakes. In the past, the delinquents used to be usually warned and censured by way of penalty. The Commission felt that mere warning by itself had not been sufficiently effective in the past and could not be expected to be so in the future either. Except in rare cases where the irregularities committed were serious, deliberate or malafide, it would not, however, be proper to take any severe disciplinary action against the defaulting officers. Accordingly, the Commission suggested to every State Government that while dealing with the explanations submitted by the Presiding and Polling Officers at fault, a list should be prepared of their names and that apart from any warning that may be administered, an early opportunity should be availed of to give them further training and practical experience of the election law and procedure at subsequent bye-elections which would be held in the State. Only those officers who are found to have displayed the requisite degree

Penalties imposed
on defaulting
officers.

of proficiency in their polling duties at such bye-elections would have their names deleted from the list. This suggestion has been generally accepted and acted upon.

Electoral offences. During the general elections in 1951-52 the total number of electoral offences reported in connection with the poll was 1,250. They were of the following categories :—

- (i) disorderly conduct at election meetings;
- (ii) convening, holding or attending public meetings within the constituency on a polling day;
- (iii) illegal hiring or procuring of conveyances for the transport of voters;
- (iv) canvassing within one hundred yards of a polling station;
- (v) disorderly conduct in or near a polling station;
- (vi) misconduct at a polling station;
- (vii) impersonation of voters;
- (viii) fraudulent defacing, destroying or removal of a list or notice or other document at a polling station;
- (ix) fraudulent insertion into a ballot box of any object other than a ballot paper;
- (x) destroying, taking away or otherwise interfering with ballot boxes or ballot papers; and
- (xi) fraudulent taking of, or attempting to take, ballot papers out of a polling station.

The electoral offences during the last general elections in 1957 numbered 1,000. Having regard to the fact that 9.2 million voters actually voted, these figures may be regarded as negligible.

Co-operation of political parties and candidates.

As compared to the first general elections, the political parties and candidates generally displayed much greater trust in the impartiality and integrity of the officials responsible for the conduct of elections and generally extended their co-operation to the election authorities during every stage of the poll. The successful conclusion of the poll was in a large measure due to their co-operation as also the careful planning and the strictly impartial conduct of the polling personnel.

Law and order.

A peaceful atmosphere was a common feature at every polling station. Only a few minor incidents occurred here and there but these do not call for any serious or detailed notice. The following provisions of the law must be said to have contributed substantially to the smooth conduct of the poll :—

- (a) banning of public meetings within a polling area on the date of the poll in that area;

- (b) prohibition of canvassing in or near a polling station or in any public or private place within a distance of 100 yards of a polling station on the date of poll;
- (c) penalising disorderly conduct in or near a polling station; and
- (d) empowering the Presiding Officer and the police officer on duty to remove from a polling station any person who misbehaves or fails to obey the lawful directions of the Presiding Officer during the poll.

If a contesting candidate dies and a report of his death is received before the commencement of the poll, the Returning Officer immediately satisfies himself of the correctness of the report and if he is so satisfied, the Returning Officer countermands the poll and reports the facts to the Election Commission and the appropriate Government. The election has to be commenced anew in all respects thereafter as for a new election except that no fresh nomination is required to be filed by a person who was a contesting candidate at the time the poll was countermanded.

Death of a candidate before the poll.

There were only two cases in which a contesting candidate died before the commencement of the poll. The constituencies concerned were the Idar and Sangamner constituencies of the Bombay Legislative Assembly.

In Bihar, a candidate in the Sitamarhi Parliamentary constituency died after the commencement of the poll but before the termination thereof. It was not necessary under the law to countermand the poll in this case and the deceased candidate had to be treated as a contesting candidate for the purpose of the remaining stages of the poll. In another case from Bihar, a candidate in the Muzaffarpur Parliamentary constituency died after the completion of the poll while the counting of votes was in progress. At the conclusion of the counting the deceased candidate was found to have polled the largest number of votes and was declared duly elected. A bye-election had to be held in due course to fill the vacancy.

In the Mokokchung Assembly constituency of Assam, only one candidate filed his nomination paper, which was found valid on scrutiny. The candidate subsequently withdrew his candidature, however, and the election failed. The seat was thus unfiled. The Commission called upon the constituency later to elect a member. The subsequent election was uncontested.

Failure to nominate candidate.

The arrangements for the transport of the polling personnel and election materials were planned in advance by the States and proved satisfactory. Special arrangements were made for the

Transport.

speedy transport of ballot boxes after the poll from the polling stations to the headquarters of the Returning Officers. An idea of the magnitude of the task involved in arranging for the transport can be had from the following typical instance. In Mysore as many as 1,580 motor vehicles—627 buses and 953 trucks—had to be taken on hire by the State Government. In addition to these motor vehicles, 1,334 bullock carts were hired for the conveyance of the polling parties to polling stations in the interior. In one district alone (Bellary) 467 bullock carts were hired while in Chitaldurg district, the number was 302.

Police.

The police arrangements were also worked out in great detail. Apart from the police parties detailed for duty at the polling stations, additional mobile and reserve police parties at various centres were placed on duty. The strength of a police party posted for duty at a polling station varied according to local requirements and usually consisted of one head constable and two or three constables. A total of 2,73,762 policemen and 1,68,281 village chowkidars were deputed for polling duty at the second general elections.

Poll in difficult areas—the hilly areas of Punjab and Himachal Pradesh.

In a few States, a good deal of difficulty had to be surmounted in transporting polling parties and polling materials over snow-capped mountains, vast deserts, dense forests or other natural hurdles.

There were snow-bound areas in the Kangra Parliamentary constituency and the Kulu Assembly constituency of Punjab and in all the Parliamentary constituencies of the Union territory of Himachal Pradesh. In these areas the poll had to be postponed till June and July, 1957. ^a Under the law such postponement of poll and delayed completion of the elections in these constituencies did not affect the due constitution of the House of the People or the Punjab State Legislative Assembly, both of which assembled before members could be elected by the affected constituencies.

Due to the climatic conditions, there is no chance whatsoever of these affected areas going to the polls simultaneously with the rest of the country even in future. In order to remove all possible doubts as to whether the Houses of Legislature have been duly constituted or whether the election of the President and the Vice-President is constitutionally correct unless all constituencies have completed the election in a general election, the Commission has some suggestions to offer. These have been dealt with in chapter XXI on "Presidential and Vice-Presidential elections".

It was a tremendous task for the Governments to make the necessary arrangements for transporting the polling personnel and materials to and from the polling stations in time for holding the poll in these difficult constituencies on the notified dates.

The Spiti and Lahaul valleys in Punjab are particularly unapproachable and deserve special mention.

The average mean height of the Spiti valley is about 12,000 feet above sea level. The polling parties who proceeded to Spiti for the poll had to undertake an extremely arduous and hazardous task. They reached Spiti by the Hindustan—Tibet road and returned through Lahaul over the Rohtang Pass. The polling parties consisted of 43 persons including the wireless personnel. Apart from a journey by bus extending over nearly 500 miles, the parties had to cover about 325 miles on foot with a convoy of 112 mules and 20 donkeys which carried their kit and the election materials. The route lay over a very difficult mountainous terrain and the weather conditions were most unfavourable. They had to negotiate tracks and roads large portions of which had been washed away. On one occasion it took them as long as six hours to cross a river with the help of a single overhead cable. This particular operation lasted 2½ days. As many as six separate snow-covered passes 12,000 to 14,500 feet in height had to be crossed. The journey on foot extended over 6 weeks. Throughout this perilous journey, their only means of communication with the headquarters was by wireless.

Out of a total of 2,511 voters on the electoral rolls in the Spiti Valley area, those who cast their votes numbered 500 *i.e.*, about 20%. The number of women voters that turned up to cast their votes was quite reassuring for a very backward area like this, as also the percentage of the first poll ever. It may be said that the elections contributed materially towards making the local inhabitants politically conscious for the first time.

The polling parties which proceeded to the "Bara Bhangal" area in Punjab had to negotiate a pass over 15,000 feet high in addition to having to make a round trip of about 80 miles on foot over a most difficult terrain. In the Outer Seraj area in the same State, motor transport was feasible but the distances were too long and the driving of motor vehicles was exceedingly hazardous due to the treacherous nature of the roads. The winding hill roads were so narrow that at places the spare wheels and the foot-boards of the jeeps had to be dismantled to enable the vehicles to proceed further along the road or take the sharp turns.

The achievement of the polling parties who conducted the poll in these areas was indeed remarkable and they have good reason to be proud of themselves. The Commission expresses its admiration and gratitude to each individual member of the parties for the discipline, courage and unique devotion to duty

shown. The Commission has recommended that their services be suitably recognised.

It may be recalled that during the first general elections, due to similar difficulties faced by the State Government, these areas could not go to the polls at all in the normal way. Pangi and Chini Assembly constituencies in Himachal Pradesh which also get snow-bound later in the season went to the poll in the early part of October, 1951. In Punjab, however, an early poll could not be arranged in the constituencies which would get snow-bound. As a result, no polling party could physically reach any polling stations which were situated in these areas. The polling stations eventually set up for these areas were accordingly located in approachable localities within the constituency but outside the snow-bound areas. The polling stations were far away from the voters' homes. The voters naturally failed to reach these polling stations over the snows and their grievance that they had not been given a reasonable opportunity to vote was perfectly legitimate. The Commission is happy that these areas could be given full opportunity this time to exercise their franchise. The percentage of the poll in these areas was 43.66%.

A few photographs are inserted for giving an idea of the remarkable feats performed by the polling parties in reaching the polling stations in these inaccessible areas (See plates Nos. 8, 9, 10 and 11).