

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:3287
ANSWERED ON:07.12.2007
CHECK ON EXCESS EXPENDITURE IN ELECTION
Deshmukh Shri Subhash Sureshchandra

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government has received any proposal to make amendments in the Representation of the People Act in order to check the excess expenditure incurred by the candidates during the elections; and

(b) if so, the details thereof and action taken by the Government thereon?

Answer

MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ)

(a) and (b): The provisions of sections 77 and 78 read with section 10A of the Representation of the People Act, 1951 relating to election expenses by candidates provide for maintaining correct account in the prescribed manner which is not to exceed the prescribed limit and that account is to be lodged with the district election officer within thirty days of elections. While rule 90 of Conduct of Election Rules, 1961 prescribes maximum limit of election expenses, the other rules of Part VIII of Conduct of Election Rules, 1961, regarding 'Election Expenses' along with above said provisions of the Representation of the People Act, 1951 are the present set of provisions of law to check any excess expenditure incurred by the candidates during the elections. There is no proposal to amend the abovesaid provisions of the Act or rules

However, there is a proposal from the Election Commission to bring elections to the Legislative Councils from the Teachers' and Graduates' Constituencies within the ambit of existing provisions, to check any excess expenditure incurred by candidate, which are at present applicable only to the Elections to the House of the People and to the Legislative Assembly of a State.