

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

UNSTARRED QUESTION NO:3989  
ANSWERED ON:21.03.2013  
EMPOWERMENT OF ELECTION COMMISSION  
Singh Kunwar Rewati Raman

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

- (a) whether the Election Commission is not fully empowered to investigate the veracity of the accounts of election expenses submitted by a candidate;
- (b) if so, the details thereof;
- (c) whether the Union Government proposes to grant wide ranging rights to the Election Commission in this regard;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

**Answer**

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

(a) to (e) The relevant provisions contained in sections 10A, 77, 78 and 123 of the Representation of the People Act, 1951 (43 of 1951) read with rules 86, 89 and 90 of the Conduct of Election Rules, 1961 deal with the expenses to be incurred by candidates in election to Parliament and Legislative Assembly and to maintain and lodge an account of such expenses. Whether the Election Commission of India has power to investigate the veracity of the accounts of election expenses is pending adjudication before the Hon'ble Supreme Court in Special Leave Petition, namely, SLP (C) No. 29882 of 2011 [Ashok Shankarrao Chavan Vs. Madhavrao Kinhalokar & Ors.]. Thus the matter is sub-judice.