

year 'strategic plan' and based on that yearly 'action plan' has been taken in hand to address major issues as this book has put up as suggestions and recommendations.

The study has proved that political will and the Election Commission's firm stand has turned negatives to positives. The study as a whole, particularly the holding of national elections to the 9th Parliament and other local elections, provided the answer to the question, intended and unintended impacts of the reform'. Electoral reform of 2007-2008 has added a new vista in electoral culture of the country.

Annexure

National Assembly Elections 1973-2008

Annexure A

Election date	Number of polling stations	Number of polling officials
7 Mar 1973	15,084	192,423
28 Feb 1979	21,905	223,355
7 May 1986	23,279	292,727
3 Mar 1988	N/A	283,237
27 Feb 1991	24,154	360,985
15 Feb 1996	21,106	314,480
12 Jun 1996	25,957	370,204
1 Oct 2001	29,978	477,842
29 Dec 2008	35,263	567,196

List of the C E C and E Cs
CECs

Annexure B

Name of CEC	From	To	Duration
1 Justice M. Idris	07-07-1972	07-07-1977	05 years
2 Justice A K M Nurul Islam	08-07-1977	17-02-1985	07 years 07 days 09 days
3 Justice Chowdhury A T M Masud	17-02-1985	17-02-1990	05 years
4 Justice Sultan Hussain Khan	17-02-1990	24-12-1990	10 months 07 days
5 Justice Md. Abdur Rouf	25-12-1990	18-04-1995	04 years 29 days
6 Justice A K M Sadeq	27-04-1995	06-04-1996	11 months 09 days
7 Mr, Mohammad Abu Hena	09-04-1996	08-05-2000	04 years 29 days
8 Mr. M A Syed	23-05-2000	22-05-2005	05 years
9 Justice M A Aziz	23-05-2005	21-01-2007	01 year 07 months 27 days
10 Dr. A T M Shamsul Huda	05-02-2007	05-02-2012	5years

List of the E Cs

Name of Election Commissioner	From	To	Duration
1 Nur Mohammad Khan	7-Jul-72	7-Jul-77	5 years
2 Abdul Mumit Chowdhury	20-Oct-78	31-Dec-86	8 years 2 months
3 Justice Sultan Hossain Khan	11-Jan-87	16-Feb-90	3 years 1 month
4 Justice Naimuddin Ahmed	16-Dec-90	4-Apr-91	3 months 15 days
5 Justice Amin-ur-Rahman Khan	16-Dec-90	25-Dec-90	9 days
6 Justice Syed Misbah Uddin Hossain	28-Dec-90	10-Feb-94	3 years 1 month 12 days
7 Justice Mohammad Abdul Jalil	7-May-94	9-Apr-96	2 years 1 month 2 days
8 Abider Rahman	16-Apr-96	16-Apr-01	5 years
9 Mushtak Ahmed Chowdhury	16-Apr-96	16-Apr-01	5 years
10 Md. Safiur Rahman	25-Jun-00	25-Jun-05	5 years
11 Justice M Munsef Ali	19-Apr-01	19-Apr-06	5 years
12 Justice Mohammad Ali	19-Apr-01	19-Apr-06	5 years
13 Justice Mahfuzur Rahman	16-Jan-06	31-Jan-07	1 year 15 days
14 S M Zakaria	16-Jan-06	31-Jan-07	1 year 15 days
15 Mahmud Hasan Mansur	4-Sep-06	31-Jan-07	4 months 27 days
16 Mothabbir Hossain Chowdhury	27-Nov-06	31-Jan-07	2 months 4 days
17 Md. Saiful Alam	27-Nov-06	31-Jan-07	2 months 4 days
18 Muhammed Sohul Hossain	5-Feb-07	5-Feb-12	5 years
19 M. Sakhawat Hussain	14-Feb-07	14-Feb-12	5 years

Annexure C

Delimitation Conducted Since 1972

SI No	Delimitation of the Constituencies (Done in Year)	Remarks (methodology)
1	1973	Complete by visiting Constituency
	1979	Partial by visit
	1984	Complete by Visit
	1991	Partial (selected constituencies only)
	1995	n certificate only by BEC
	2008	300 Constituencies (by use of GPS system)

Annexure D

Brief Overview of Relevant Laws, Rules and Regulations on the Election Commission and Electoral Process'

Title	Content	
Law		
1	The Constitution of the People's Republic of Bangladesh, 1972, Part VII (Article 118 to Article 126)	Establishment, formation, authority and functions
2	The Bangladesh Special (Remuneration and Privileges) Order, 1972	Salary, allowances and privileges of the CEC and Election Commissioner(s)
3	The Chief Election Commissioner and Election Commissioners (Remuneration and Privileges Ordinance, 1983)	Remuneration and privileges of the CEC and Election Commissioner(s)
	Delimitation and Constituencies Ordinance 1976	Definition of constituency for parliamentary election, validity and procedure
5	The Electoral Rolls Ordinance 1982 * The Electoral Rolls Act, 2009, dt: 24-2-2009	Procedure of preparation of electoral rolls, amendment, correction, and revision of electoral rolls, issuance of identity card, punishment for false declaration
6	The Members of Parliament (Determination of Dispute) Act 1981	Procedure of hearing and determination of dispute raised after a parliament election, extent of EC authority
7	The Representation of People (Seats for Women Members) Order, 1973 * জাতীয় সংসদ (সংরক্ষিত মহিলা আসন) নির্বাচন আইন, ২০০৪ dt: ৪-১২-২০০৪	Criteria, disqualification, procedure of nomination and electing women MPs
8	The Representation of the People Order, 1972 * The Representation of the People Order (Amendment) Act, 2009	Formation and functions of the EC, candidature, election organising and management, election expenses, election disputes, offences, penalty and procedure, registration of political parties and extent of EC authority

Title	Content
Law	
9	President Election Act, 1991 Procedure of electing the President by the MPs in the parliament
10	Referendum, 1991 Procedure of holding a referendum
11	Election Officer (Special Provisions) Act, 1991 Appointment, control, disciplinary actions, and punishment of election officials
Rules and Regulations	
1	The Conduct of Election Rules, 1972 * The Conduct of Election Rules, 2008 detail procedures of conducting elections
2	Election Commission (Officers and staffs) Rules, 1979 Officer and staff recruitment, promotion and transfer
	* Election Commission (Officers and staffs) Rules, 2009
3	The Electoral Roll Rules, 1982 * The Electoral Roll Rules, 2008 Preparation and publication of draft electoral rolls, procedure of amendment and correction of electoral roll, revision of electoral roll
4	Election Commission (Political Party Registration) Rules, 2001 * রাজনৈতিক দল নিবন্ধন বিধিমালা, ২০০৮ dt: 26-8-2008 Procedure of registration for political parties
5	Code of Conduct Rules, 1996 * সংসদ নির্বাচনে রাজনৈতিক দল ও প্রার্থীর আচরণ বিধিমালা, ২০০৮ Set of rules for the contending political parties and individuals during election

Annexure E

ECI Proposal for Electoral Reform- 2004**PART-I Proposals for Electoral Reforms**

1. Affidavits to be filled by Candidates on Criminal Antecedents, Assets, etc.
2. Need to Increase the Security Deposit of Candidates
3. Criminalisation of Politics
4. Restriction on the Number of Seats from which One May Contest
5. Exit Polls and Opinion Polls
6. Prohibition of Surrogate Advertisements in Print Media
7. Negative / Neutral Voting
8. Appointment of Appellate Authority in Districts against Orders of Electoral Registration Officers
9. Compulsory Maintenance of Accounts by Political Parties and Audit thereof
10. Government Sponsored Advertisements
11. Political Advertisements on Television and Cable Network
12. Composition of Election Commission and Constitutional Protection of all Members of the Commission and Independent Secretariat for the Commission
13. Expenses of Election Commission to be Treated as. Charged.
14. Ban on Transfers of Election Officers on the Eve of Elections
15. All Officials Appointed in Connection with Conduct of Elections to be included in Clause (7) of Section

PART-II Pending (Since 1998) Proposals

1. Anti-Defection Law
2. Use of Common Electoral Rolls at Elections Conducted by the

- Election Commission and the State Election Commissions
3. Simplification of Procedure for Disqualification of a Person Found Guilty of Corrupt Practice
 4. Same Number of Proposers for all Contesting Candidates - Amendment of Section 33 of the Representation of the People Act, 1951
 5. Making of False Declaration in Connection with Election to be an Offence
 6. Rule Making Authority to be vested in Election Commission
 7. Registration and De-registration of Political Parties
Strengthening of Existing Provisions

Appendix F

Mandatory Disclosure by Candidate (India) – A case study

In 1999 Delhi based NGO Association for Democratic Reforms (ADR) filed a case with Delhi High Court on a public litigation asking for a rule to establish voters right to know the important detail of candidates that he is to choose from. The writ filed by ADR requested court order of 5 point disclosure from the candidates in a sworn affidavit. Accordingly the court in a verdict on November 2, 2002 asked ECI to make it mandatory to obtain this information in an affidavit and disseminate same for public knowledge by means of media and any other manner. The court also directed ECI to use all available means to verify veracity of such information if need be. Since government was not made party to it the then government opined and pressed ECI to take time extension from the court so that government could appeal to revise 5 declarations to 4 but ECI declined to please the government of the day. Though most of the politicians had no objection to provide other information as asked for but were not ready to provide with their wealth statement.

On refusal of ECI to comply with the government request an appeal was made in the Appellate Division of the Supreme Court of India on January 2, 2002. On May 2, 2002 Supreme Court of India rejected the government appeal and upheld the High Court Verdict. Along with the verdict Supreme Court also gave a direction to ECI. It was mentioned that Article 324 of the Constitution of India ECI is empowered to ask for such information and the court opined that 'the ECI is directed to call for information on affidavit by issuing necessary orders in exercise of its power under Article 324 of the Constitution of India from each candidate, seeking election to the Parliament of state legislature as necessary part of his nomination paper, furnishing therein information on the (five) aspects in relation to his/her candidature..' Along with the direction time line for implementation by ECI was set to June 28, 2002.

Since ECI did not have the power to set rules it had to issue an order to this respect. Upon this order some unprecedented political commotion was created in which 21 political parties, including ruling coalition, brought pressure to the government to ask ECI not to proceed with the court order before amending the RPA in the parliament. Government on the other hand deleting the requirement of wealth statement prepared a draft bill with remaining 4 disclosures. Since parliament was on recess government moved an ordinance and placed it before the President to assent. The President was inclined to the request when the section of the civil society requested the President not to assent as he would contradict the court order. Upon the strong appeal in first instance the president reclined but under repeated pressure when president assented to issuance of the ordinance. Finding no other alternative the mater was brought to the notice of the Supreme Court. There were three different appeal was lying with the Supreme Court on the issue. Ultimately on March 13, 2003 the Supreme Court gave its ultimate verdict declaring the issuance of the ordinance as illegal and stated 'that earlier verdict of the court has attained finality' and therefore 'the court order is the law'. Ultimately the ECI's earlier decision was upheld. (Supreme Court (India) : 2003 in Writ Petitions No. 490, 509, & 515 of 2002)

Annexure G

Structure of some Selected EMBs of the Region

Among all the regional countries, may qualify as SAARC countries, India stands out to be the single country which had uninterrupted democracy and thus the growth of strong democratic institution. Much credit goes to founding fathers of that country with special mention to Mr. Jawahar Lal Nehru, the first Indian prim-minister. Therefore, it would be prudent to discuss the Indian experience on issues discussed above before other regional countries are touched.

The Indian Constitution is almost similar to the Constitution of Bangladesh in respect to the establishment of Election Commission. Article 324-329 of Indian Constitution and Article 118-126 of the Constitution of Bangladesh have striking resemblance though in review it was found in some respect these Articles of the Constitution of Bangladesh provides stronger base for Election Commission than India. Yet the fact remains that for many decades no regional Election Commission could be measured as effective and fiercely independent as Indian Election Commission is. However, as far as Bangladesh is concerned the reforms package that BEC had effected since 2007-08 has reversed some of the disparity that both country's electoral processes had.

Be it as it may, a brief review is made in following paragraph of few countries of the region in relation to the above discussed issues as regards to BEC.

Methodology of study of the experiences: Most of the information are gathered as part of field study in India and Nepal and personal interaction between author of this book and ECs of India and Nepal during field study, election observation duty and rest as part of interaction during first ever SAARC Election Commission meeting organised by BEC held in Dhaka, Bangladesh.¹

1. Meeting on Cooperation between Election Commissions of South Asia Region was on May 29-30, 2010. This was first ever initiative in South Asia of such forum initiated by BEC to form a South Asia Forum of Election Commissions to share experiences of each country as regards to the Electoral Management System and System Implementation. The meeting was attended by seven SAARC countries except Sri Lanka. The Election Commission of South Africa was special invitee. All the CECs of the participant countries and others attended this two days moot.

This study also took some secondary information from books and publications of the respective Election Commissions and experts.

Indian Election Commission

Background. ECI was established in 1950 with a senior bureaucrat, Mr. Sukumar Sen, then Chief Secretary of Bengal as first CEC in March 21, 1950. He was a serving ICS officer who was entrusted to establish ECI, and hold the first ever democratic elections in India as soon as it was possible. Thus ECI was established with one member, being the CEC, alone. There were numerous tasks that Mr. Sukumar Sen as first CEC had to fulfill before first ever democratic election could be held in the region after British left the sub-continent. First ever electoral roll had to be prepared on the basis of the age of 21 and above. At most 180 million voters were listed in first ever electoral roll prepared in independent India. Entire India had to be demarcated into over 500 constituencies and distributed on the basis of population within 26 states of that time. It was huge task. Mr. Sukumar Sen was assisted with handful of staff and another assistant to him. Mr. Sukumar Sen remained as CEC for long eight years before he retired in his native state of West Bengal.

Structure of the Commission: Since first appointment of CEC till 1989 India had one member Election Commission. In 1989 for the first time two more Commissioners were appointed and they were terminated in 1990 after the elections were over. But then it was felt that Election Commission needed a regular Commission as the complexity of the electioneering and the system increased. Owing to the fact that a regular multiple member Commission is needed an amendment was brought in 1991 in the Constitution under which two more Commissioners were added and were appointed with the status of the Constitutional post since 1993.

The term of the Election Commissioners is six years from the appointment or 65 years of age of the members including CEC or whichever is earlier. The big anomaly and the weakness that the ECI suffers from is the conditionality of the removal of the Commissioners. As per the Constitution, CEC can only be removed

by impeachment or at own accord but no such Constitutional guarantee is given for other Commissioners. Apart from CEC president may remove any of the Commissioners with the recommendations of the CEC.

Appointment of the CEC and Commissioners: Almost akin to the current appointing process of BEC, it is the Indian President who appoints the CEC and other two Commissioners of the ECI. Though the Commissioners appointment had been envisaged in the constitution but their job security is at the hand of CEC and the President. CEC can request the president for removal of any EC even on non-specific grounds.

Functions of the Commission: As per the Indian Constitution ECI have following main function:

- Preparation, maintaining and updating electoral rolls
- Election to the Parliament
- Election to the State Legislative Assembly
- Election to the office of the President and the Vice-President,
- Preparation and Maintenance of electoral roll for such election

Note that ECI is not responsible for Local body elections which is state subject and dealt by State Election Commission. ECI renders technical help if requested.

The Field Structure of ECI: Unlike Bangladesh ECI does not have its own officers at the field level rather the field level set up is made up by the government officers. The government of India deposes its officers in consultation with ECI in various capacity as required by the Election Commission.

ECI is represented at state level by a CEO (Chief Election Officer) who is deputed by the government in consultation with the Commission. CEO of a State is responsible to hold election for the Parliament and State Assembly under the supervision of ECI. He is also responsible, under the law, supervises the preparation, revision and correction of all electoral rolls of the State. (RPA 1950:1956: Ar. 13A)²

2. RPA 1950 as amended in 1956 Article 13A (2)

Under the law ECI, in consultation with the government appoints an officer of the government in the post of District Election Officer (DEO). There could be more than one DEO in a single District if the Election Commission is satisfied that it is difficult to cover one district by a single DEO. Apart from organising and conducting elections under the supervision of CEO, DEO's also responsible to supervise the preparation, revision, correction electoral roll prepared for the constituencies under his district. He is also to perform all other tasks and such other functions under the law as may be entrusted upon him by Election Commission (RPA. 1950: 1996: Ar.13AA)³ In practice in most cases it is District Collector and Magistrate (DC&M, equivalent DC in Bangladesh, are appointed as DEO.

Returning Officers: ECI appoints RO through CEO. Normally the DEO is appointed as RO for the District assisted by ARO. There could be more than one RO if need be. If need be ECI can appoint one Returning Officer each to the constituencies. RO under the law is responsible for the operational level conduct of the election. The functions of the RO are almost similar to Bangladeshi RO appointed under RPO1972.

Presiding Officer: Presiding officers and assistant presiding officers are employed out of government officers or from the teaching staff of government or semi-government schools and colleges. Unlike Bangladesh, ECI employs one presiding officers each for each polling booth of a polling center assisted by assistant and number of polling officers.

Observers: Unlike Bangladesh, ECI does not allow any NGO, be it foreign or domestic, to observe, monitor or report on any election activities. But ECI deploys observers under their own control to monitor, report and to take action whenever needed on any irregularities that may occur during the entire campaign period and on the Election Day or days. These observers, per every

3. RPA 1950 (amended) by act 47 of 1996 Article 13AA

constituency, are drawn from local or government officers who remains deputed to the ECI for such period. They are required to send every day's activity summary to respective CEO. Observers are also required to monitor campaign expenditure by the candidates.

Booth Level Observer (BLO): Under each observer there are BLOs at every polling center, one for every booth to assist the voters as well assist the observers in observing irregularities, at booth level on the Election Day. These are drawn mainly from personal earlier employed as enumerator during preparation or updating electoral roll. They also facilitate voter identification if need be.

Electronic Observation: ECI deploys thousands of Video and still camera under the observers to monitor the entire campaign period of candidates and to monitor 'high risk' polling centers on Election Day. These are then made admissible as evidence against any wrong doing by the candidates.

Voting System: India, like many other countries in the world including Bangladesh practices simple majority system i.e. FPTP since independence though of late debate is raging to change the system to PR but not politically supported. Therefore, FPTP would remain as the voting system for long time to come.

Conduct of Election: Due to vastness of the country, geographic difficulties, enormous number of voters and mobilisation of colossal amount logistics ECI conducts a staggered election that runs over few weeks. But declaration of result is made in single day from various counting centers on a given date. Separate appointments are made and notified earlier for vote counting officers for each counting centers where ballot boxes are kept secured for the period under the joint surveillance of ECI and the respective candidates.

Electoral Registration Officer: Akin to the BEC Law, Indian RPA 1950 (amended 1951) Article 13B provides authority for the appointment of the Electoral Registration Officers who in turn is given power to appoint such number of officers required for preparation, revision and correction of the electoral roll for the purpose that he is appointed for. Election Commission in

consultation with the government appoints such officer from the officers of the government or local authority, except for. In Jammu and Kashmir or Union territory where Legislative Assembly do not exist the appointment of such officers are Parliamentary constituency based.

Assistant Electoral Registration Officers: As per RPA - 1950 (amended 1951) Article 13C ECI may appoint any number of Assistant Electoral Registration Officers as required who would not only assist Electoral Registration Officer but should also be able to perform the task of the Electoral registration officers if need be.

Legal Structure the ECI: First ever election in India was held in 1951 under The Representation of the People Act 1950 (RPA) that came into being from May 10, 1950. The Act dealt in large part allocation of the seats based on the population, delimitation and voters qualification etc. This Act in fact came into being under Indian Constitution Article 81 and 170. Article 81 fixes the maximum number of seats in the Parliament and 170 fixes maximum number seats for the Legislative Assembly of States. The RPA of 1950 was enacted mainly for the distribution of the seats under these Articles in accordance with the census reports with proper delimitation within 26 states as existed. It validated the actions taken by the ECI in relation to the preparation of the voter roll.

Be it as it may, RPA had gone through several amendments as many other Articles were included for conducting free and fair election. First amendment was then brought in 1951 as The Representation of the People Act 1951 as the law now known. This amendment brought in the most tangible laws dealing with the candidate disqualification for Parliament and State Legislature and all other aspect of holding general Elections. RPA 1951 went through another amendment in 1959 where Parliament (Prevention Disqualification) Act, 1959 was added. It also added the provision for maximum limit of election expenditure for both Parliamentary and Assembly constituencies.

The latest amendment was brought in 2009 which forms part of the main act as The RPA (amendment) Act 2009 which prohibits exit

polls without notification from ECI. This was enacted as ECI conducts staggered election over a period and results are declared in one time. It was necessary that ECI felt that the exit poll and dissemination results before entire election is over could influence remaining poll and its results. The amendment also prohibits print and electronic media from carrying out and dissemination of such polls and result (Field Study ECI: 2010).

Delimitation of the Constituencies Act: Unlike Bangladesh delimitation of the constituencies are made under separate Commission set up by the act passed by the Parliament taking into account of census report under Article 327 and 328 of Indian Constitution. The last act was enacted in 2002 as Delimitation Act of 2002. Under the Constitutional provision of Article 82 readjustment to the seats are made after every census. Readjustment can be made any time but existing house of Parliament would not be affected by such readjustments. Delimitation of the Constituencies in India is complicated because of the reservation for the schedule cast etc which takes enormous time to complete. Delimitation commission however, works in consultation and with the help of the ECI. Point to note that last delimitation was made in 1975 and current delimitation is based 2001 census and has been undertaken after 30 years (Singh Kuldip: 2008: 1).

Preparation of Electoral Roll and Voter Identity Card: India started with the preparation of the electoral roll with door to door enumeration as has been the tradition and had experienced all most similar anomalies that Bangladesh electoral roll had until 2006 and was accused of, 'distortion'. Much has been debated and discussed by experts to remove these distortions of the voter list till the beginning of the 21st century though ECI had introduced Voter Identity Card but that could not even cover half of the total electorate. The efforts taken by the ECI could not silence the critique. In this regard Dr. Jayprakash Narayan in his paper 'Distorted Verdict' having examined the basic flaws of the system that led to the polling irregularities, highlighted various associated problems but basic problem that he pointed out was the distortion in the voter list. Dr. Narayan having carried out a sample study in

Andhra Pradesh states that 21.7 percent votes polled was false and doubtful and there exists error in electoral rolls to tune of 15 percent in rural and 40 percent in urban areas of the state (Anjoo Sharan: 2000).

It was not only Dr. Narayan who had to come out strongly against the electoral system that was followed but there was a general discontentment among the candidates of various political parties and intelligentsia. This forced ECI to introduce Voter Identity Card but could not cover more than 50% of the total voters up to 2005 when voter number rose to over 700 million. According to the ECI over 300 million voters only were holding Voter Identity Cards or Elector Photo Identity Card (EPIC). Even issuance of the cards did not resolve problems. Therefore ECI introduced Photo Voter Rolls in 2005 through a pilot project and took 4 more years to bring 80% of total 714 million voters enrolled for 15th Lok Sabha Election held in May 2009. The latest Photo Voter Roll were first ever used nationwide in 2009 Lok Sabha election that has reduced the spurious voters, as well brought transparency in the identification of the voters (observation of 15th Lok Sabha election, India: 2009).

Rules and Rule Making Power: Apart from RPA, ECI is guided in its function by other Acts and Rules akin to Bangladesh. The main rule which concerns all other aspect of the elections is the RPA (Rules). However, unlike BEC, the ECI dose not have the rule making power which rests with the government.

Model Code of Conduct: ECI evolved a 'Model Code of Conduct for the Guidance of Political Parties and Candidates' after consultation with the political parties and stipulated some 'guide line' for conduct during the election period and the for the polling day in 2009. (Model Code of Conduct: 2009). This is regarded as 'gentleman agreement' without any statute. However, ECI now wants government to convert into rule to provide legal backing to the 'Code'

Indian Judiciary and ECI: In an interview with present CEC Dr. SY Quershi, during the field visit, informed that over the years Indian superior courts have supported ECI by interpreting the

constitutional provision in support of ECI. In most cases various High Courts, especially Delhi High Court had interpreted the Acts and Constitutional provision as sue motto decision. Whenever, challenged Supreme Court of India has in most cases upheld such interpreted verdict.

Few years earlier the Supreme Court, having interpreted Article of the Indian Constitution 324, stopped writ petition against Election Commission's decision on electoral issues until the election process was over. This has strengthen the ECI and the election processes are completed without legal interference as BEC experienced prior to 2008 National Assembly election.

However, due to the stand of the Indian Higher judiciary system, ECI could exercise its total independence in dealing with politically hyper sensitive matters.

The Organisation of the ECI Secretariat. The ECI has a separate secretariat at the capital New Delhi with 310 officials and staff. It is hierarchical organisation. The secretariat is under the Commission and CEC chairs the meeting. All Commissioners have equal Voting right. Most of the officers are IAS (Indian Administrative Service) officers deputed to ECI. In most cases the Commissioners including CEC of ECI are drawn from IAS (Lok Shabha Election Observation 2009).

The secretariat is compartmented and mainly has four compartment including judiciary and ICT. These are headed by IAS and other service officers of the rank of Union joint secretary. They are deputed by the government to ECI and appointed as Deputy Election Commissioners (DEC). Under the DECs there are directors and equivalent principal secretary. There are two directors and two principle secretaries under them are the secretaries (Secretaries are not equivalent to Bangladeshi government secretary).

Each secretary heads a division which includes, planning, coordination, judicial, media, delimitation, electoral rolls, computerisation and others. Secretaries are supported by under-

secretaries who are also branch officers. Under-secretaries are responsible for one or more section.

Territorially all 35 States and Union Territories are grouped into 4 zone each is under a secretary. The zones are North, South, East and West. The ECI secretariat outline structure is at appendix 5 (Lok Sabha Election Observation 2009).

Registration of the Political Parties: Under the RPA Article 29A it is mandatory for political parties to be registered with the ECI for participating in elections. The criterion is simple yet parties registered have to follow other conditions that the Part IV A of the Act envisages. Parties are also recognised as 'state' and 'national party' fulfilling requisite requirements and their symbols remain reserved.

However to be registered with ECI there are some conditions laid. Constitution of the Party containing a specific provision as required under sub-section (5) of Section 29A of the Representation of the People Act, 1951 in the exact terms, which reads " (party) shall bear true faith and allegiance to the constitution of India as by law established, and to the principles of socialism, secularism and democracy and would uphold the sovereignty, unity and integrity of India". The above mandatory provision must be included in the text of party constitution and any subsidiary rules or regulations thereof. Party constitution must contain a detail of regular party election to ensure inner party democracy and the financial discipline. Apart from constitution provision to be registered a political party has to meet the other conditions under the law.

Not that all the parties registered with the ECI are recognised for whom the symbol is reserved, only 17 parties out of 650 parties registered are recognised. Point to note that only 150 parties, both regional and national, participated in 15th Lok Sabha election in 2009. Once a party is registered unless dissolved by itself or prohibited by law ECI has no power to deregister any party from its list. ECI feels this is one of the major shortcomings of the Law.

Nevertheless, to be a recognised party it has to fulfill any of the following conditions;

that such party - has been engaged in political activity for a continuous period of five years; and has, at the last general election in that State to the House of the People, or, as the case may be, to the Legislative Assembly of the State, returned- either (i) at least one member to the House of the People for every twenty-five members of that House or any fraction of that number from that State;

or (ii) at least one member to the Legislative Assembly of that State for every thirty members of that Assembly or any fraction of that number;

(B) that the total number of valid votes polled by all the contesting candidates set up by such party at the last general election in the State to the House of the People, or as the case may be, to the Legislative Assembly of the State, is not less than six per cent of the total number of valid votes polled by all the contesting candidates at such general election in the State.

The conditions in Clause (A) or Clause (B) above shall not be deemed to have been fulfilled by a political party, if a member of the House of the People or the Legislative Assembly of the State becomes a member of that political party after his election to that House or, as the case may be, that Assembly.

'State' includes the National Capital Territory of Delhi and the Union Territory of Pondicherry.

If a political party is treated as a recognised political party in four or more States, it shall be known as a 'National Party' throughout the whole of India, but only so long as that political party continues to fulfill thereafter the conditions for recognition in four or more States on the results of any subsequent general election either to the House of the People or to the Legislative Assembly of any State.

If a political party is treated as a recognised political party in less than four States, it should be known as a 'State Party' in the State or States in which it is so recognised, but only so long as that political party continues to fulfill thereafter the conditions for recognition on the results of any subsequent general election to the House of the People or, as the case may be, to the Legislative Assembly of the State, in the said State or States.

Election Commission, Nepal

Background: Nepal, another major regional country under monarchy till 2008, had its first ever election in 1959 but, as claimed, first multi-party democratic Parliament was established in 1990 and thereafter three successive elections were held in 1991, 1994 and 1999 under Election Commission appointed by the then king. Once again in 2003 last Election Commission was established under monarchy by the last monarch, king Gyanendra, which conducted municipal elections in 2006 which was boycotted by major parties with allegation of massive 'electoral fraud' under hand picked Election Commission. The then Election Commission came under pressure from all political parties and warring Maoist insurgent group. Ultimately the then Election Commission, Nepal was forced to resign in mid-2006 (Post-Conflict Election Management in Nepal, Election Commission, Nepal 2008)

Meanwhile 20 years old Maoist insurgency ceased in 2006 as part of negotiation to establish a Constituent Assembly (CA) to enact a new Constitution for a Republican Nepal abolishing monarchy. All stakeholders agreed to a CA election to be held as early as possible. A Constitutional Council (CC) was set up to facilitate the election under new law and Election Commission established under Constituent Assembly Act 2007 (2063) of Interim Constitution. The council had representation from all parties including the ex-insurgent group, Maoist.

Appointment of Election Commission, Nepal under CC: The Constitution Council (CC) received names for CEC and ECs, scrutinised, recommended and sent to government. These names then became subject to both, Parliamentary and public hearing before being returned to the government for appointment by the interim Prim Minister. Thus the current Election Commission was set up as an independent body by the end of 2006. The appointment procedures and functions, duties and powers of the Election Commission were included in the Interim Constitution which was promulgated on January 15, 2007. Nepal Election Commission is comprised of five EC including one appointed as CEC.

Tenure and Removal: Each EC including CEC is appointed for the tenure of 6 years with no age limit and can only be removed through impeachment in the Parliament by two-third majority. Thus removal of EC and CEC becomes difficult unless term is expired or voluntary resignation.

As far as the appointment of the ECs are concerned Nepal has the best procedure in comparison to Bangladesh and India though like both of these countries there is no qualification is set for the appointment of ECs.

The Structure of Election Commission: The Commission is supported by a secretariat with total manpower of 600 permanent staff with 75 District Election Officers posted in all Districts of Nepal. However, like Bangladesh and India Election Commission, Nepal, has to employ government officers as returning, presiding and polling officers. For example in first Constituent Assembly (CA) elections on April 10, 2008 the Election Commission, Nepal, had to master 240,000 polling officials for 108,000 polling centers along with 150,000 security personnel.

The Legal Structure: The legal structural strength for the Election Commission is provided by the laws, rules and regulations. The Election Commission, Nepal, suggests the law through the channel to the parliament. Like Bangladesh the Election Commission, Nepal has the power to make the rules. Be it as it may, the acts and rules those are discussed subsequently made under the legislative assembly prior to the election of the CA to facilitate the election 2008. Once Nepal's new constitution is framed these all Acts and Rules may go under changes or larger amendments.

Regulation to the Election to Members of Constituent Assembly (CA) 2064 (2007): Since Nepal is yet to form a permanent Constitution for the country, CA election 2008 was conducted under this main Act no-1 and 2 which was the mother law to provide Election Commission with legal powers to hold a free, fair and credible election. This law is almost similar to RPA (India) and RPO (Bangladesh).

Electoral Roll Act, 2063 (2006): The Act Relating to preparation procedure, correction, final printing and reservation Electoral Rolls, is envisioned in the Act. The process of the roll was traditional method of enumerating the voters visiting door to door. Nevertheless, for additional identification Voter Identity Cards were also issued to the maximum voters.

Election Commission Act, 2063 (2007): A Bill Made to amend and Consolidate Laws relating to functions, duties and powers of the Election Commission. It deals with the power of the Election Commission in relation to the party and the candidates contesting the election. It also makes it mandatory for parties to be registered with the Election Commission for participation in the election (Certification date: 2063/12/12: 2007)

Election (Offence and Punishment) Act, 2063: The Act is made to amend and Consolidate Prevailing Laws relating to Election Offences and Punishment thereof, by the competent court.

Political Party Registration Rules, 2063: In exercise of the power conferred by Section 44 of the Election Commission Act, 2063(2007), the Election Commission has framed the Rules for the registration of the political parties. This rule details out the procedure, sets condition for such registration and makes it mandatory for political parties to disclose its funding process. Nepal's political party registration rules have taken care of the class composition of the country and women empowerment in the political field.

Electoral Roll Rules, 2063 (2007): The Rules Relating to Electoral Rolls, 2063 (2007). In exercise of the powers conferred by Section 44 of the Act Relating to Electoral Rolls, 2063 (2007), the Election Commission has framed the Rules which gives detail procedure for preparation, correction, amendment and preservation of the electoral rolls. It is the first country in the region (SA) that makes obligatory for all political parties to include 33 percent of its member in all forum to be filled by the women. This was one of the negotiating points of the Maoist movement. 74 political parties were registered before CA election but 54 parties participated both system of voting-

Electoral System (Voting System): Nepal had adopted a mixed system of voting for the CA i.e. FPTP and PR. The system was first in the region when Nepal tested it in CA election 2008. The PR also had subdivision in 5 groups taking care of the proportion by the 3 major casts, backward region and others.

It was closed candidate list PR system that was followed, which meant the list of PR candidates had to be cleared by the Election Commission, Nepal. Out of 601 seats of CA, 240 were elected under FPTP system and 335 candidates were elected through PR system with the country having single Constituency Representation. Out of the seats allocated for PR 50 percent had to given to the women by each group. Rest of the seats were filled by the nomination made by the cabinet. It was to accommodate some constitutional experts and other technical candidates as exception for CA (CA Election in Nepal at a Glance: 2008)

Pakistan

Background and Functions: The Election Commission of Pakistan (ECP) was created on 23rd March 1956 under the Article 137 of the Constitution of 1956 with the Chief Election Commissioner as its head. The first Chief Election Commissioner was appointed on 25th June 1956. The Election Commission of Pakistan is an independent and autonomous constitutional body charged with the function of conducting transparent, free, fair and impartial elections to the National and Provincial Assemblies. The holding of elections to the office of the President and the Senate are, however, the functions of the Chief Election Commissioner. Under the existing laws the conduct of Local Government Elections is also the responsibility of the Chief Election Commissioner. Nevertheless, Article 137 was replaced by 1973 Constitution Article 218. ECP has experience of all types of elections in Pakistan since its inception. It is an independent constitutional body.

Functions: ECP is charged with preparation, annual revision and updating of electoral roll for both National and Provincial assemblies election; administer and conduct election to the Senate;

appointing election tribunal; administer and conduct elections to the National and Provincial Assemblies and the local government and such other function as may be specified by an act of Parliament. The article 218 (3) of 1973 Constitution puts the responsibility to guard against 'corrupt practices, as against the law. ECP, under the law, can also appoint Election Tribunal to adjudicate upon post-election disputes (**ECP-Handbook 'Five-Year Strategic Plan 2010-2014'**).

Composition of ECP: As per the Article 218(2) ECP consists of CEC and four members as EC to be appointed by the President till 18th amendment was brought. The 18th amendment brought the change in the appointment procedure. Since the said amendment CEC and members are now appointed by the recommendation of a Parliamentary Committee comprising members from both Treasury and Opposition Benches.

Unlike any other regional countries discussed, including Bangladesh, Article 213 of the Constitution specifies the qualification and the composition of the ECP. The CEC is appointed out of the serving or retired Judges of the Supreme Court or from serving or retired Judges of the High Court qualified enough to be appointed as Judge of the Supreme Court. Other four members or ECs are one each from High Court judges of each Province of Pakistan.

Structure of ECP: The Commission is supported by a secretariat consisting four wings each wings headed by a joint secretary. There are two directorates, information technology and public relation directorate, headed by Director General each. The secretariat officials and other staffs are mostly out of ECPs own manpower.

Field Structure: ECP has Provincial Election Commissioners (PEC) in each of its four Provinces. Under them are the Deputy Election Commissioners (DEC) in 26 revenue Divisions. DEC's are also appointed as registration officers for preparation of electoral rolls. The lowest tier of ECP is headed by Assistant Election Commissioners (AEC) at District level. There are 124 such District officers in each of the Pakistan's Districts. AECs are also tasked as registration officer for their respective District to maintain electoral roll.

Returning Officers, Presiding officers. These personnel required for conduct of election are appointed out of government officials as practiced in other regional countries.

Legal Structures: ECP is guided and strengthened by few Acts and Rules. Some of them were promulgated in 2002 as Orders under Chief Executive Officer (CEO) of Pakistan (General Musharraf's appointment before assuming office of the President). Some of the main Orders, Acts and Rules are:

The Representation of the People Act, 1976 (LXXXV of 1976): almost similar to RPA of India and RPO of Bangladesh. This lays down the process and procedures of election. The Conduct of the General Election Order 2002 (Chief Executive's Order No. 7 of 2002)

The Political Parties Order, 2002 (Chief Executive's Order No. 18 of 2002): This Order promulgated in 2002 is to monitor the financial aspect of the party and lays importance to inner party democracy. Each party in operation has to submit the yearly financial statement and a certificate of party elections. ECP has the power to confiscate the party fund if proved has been collected from unauthorised sources. Though registration is not mandatory but parties desirous to participate in election has to abide by the Order and Rules thereafter.

Delimitation of Constituencies Act, 1974: The constituencies of the National and Provincial Assemblies are demarcated in accordance with provision of the act after every census.

Apart from above mentioned Acts and Rules there are other Rules and Acts those are in vogue.

ECP, more like ECI had formulated 'Code of Conduct for Political Parties and Contesting Candidates-2002. Though the conduct guidelines do not have a legal backing but ECP claims to have formulated after ' formal and informal dialogue' with political parties.

The Electoral Rolls Act, 1974: The Act deals with preparation, annual revision, amendment and maintenance of the lists of voters electronically in central data base.

Electoral Rolls Rules, 1974: Rule deals with the procedure of preparation, revision and amendments also the duties of registration officers, enumerators and the procedure to store the list in Data base.

ECP is yet to decide whether the voter roll data base to be linked with National Database and Registration Authority (NADRA), who are responsible for civil registration and ultimately preparation of National Identity Card or NADRA data base to be linked with electoral rolls. In later cases electoral roll has to be more accurate than what it is now. There is proposal for photo electoral roll which would be more authentic and then NADRA data base could be linked with electoral roll. Pakistan is considering Bangladeshi model of photo electoral roll of 2008.* Point to note BEC had gone through same dilemma of how to link data base with ongoing national Birth and Death Registration.

Presidential Election Rules, 1988: Presidential Election is held under this Rule.

Voting System: Elections to the National and Provincial Assembly are based on FPTP system. On the other hand election to the reserved seats for women and technocrat are on party list and on party based PR system, much akin to Bangladesh. However, election to the Senate is conducted on the basis PR by means of single transferable vote (STV).

Sri-Lanka

Background: Sri-Lanka has a background of elections over seventy years in various form of the government. Like the Subcontinent Sri-Lanka had tested British colonial rule for 130 years but in 1931 then Ceylon had gone through election to the Members of State Council. First Parliamentary elections were held a year before independence in 1947 and first elections under the Constitution was held in 1947. The election was held on multiparty system. Election was held again in 1972 under first Republican Constitution President as head of the state to nominated by the prim-minister under Parliamentary system.

Sri-Lanka adopted Executive Presidency and a Parliamentary legislative in 1978.

Election Management Body (EMB): Unlike other regional countries Sri-Lanka has a government controlled EMB known as Department of Election headed by a Commissioner of Election and a Deputy Commissioner of Election and supported by secretariat. In no way the institution could be termed as independent. However, 17th amendment of the constitution, which is yet to be ratified by the president to turn it into law, had made the provision for establishing an Independent Election Commission.

Electoral Roll: It follows traditional method of preparing electoral rolls by door to door visit by the enumerators appointed out of the government officials under district administration officials appointed as registration officers.

Returning and Presiding Officers: District administrator (District Secretaries) is appointed as Returning Officer and Presiding Officers are appointed out of other District officials.

Election System: In Sri-Lanka Presidential Election and Referendum is conducted on the basis of direct vote. For this purpose of the system entire country is considered to be single electorate. Preferential voting system is practiced for Parliament election.

Counting of Votes: Returning Officers of the respective electoral areas (District Secretaries) manage the conduct of poll and the count of votes, with the assistance of Assistant Returning Officers and the subordinate staff. Local announcement of results are done by the Returning Officers only after the approval of the Commissioner of Elections. Announcement of Results to the Nation is done by the Commissioner through Radio and Television from his office. Counting is done at the separate counting center in three stages.

Political Parties Registration: Political parties in Sri-Lanka need to be registered for recognition by the Department of the Election.

* Discussed during first SAARC Election Commission forum meeting held in Dhaka on May 30, 2010

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Political Parties Registration: Political parties in Sri-Lanka need to be registered for recognition by the Department of the Election.

Annexure H

Roadmap to Election 2008: 9th Parliamentary Election

	Jan to Mar 2007	Apr to Jun 2007	Jul to Sep 2007	Oct to Dec 2007	Jan to Mar 2008	Apr to Jun 2008	Jul to Sep 2008	Oct to Dec 2008
Reconstitution of EC	█							
Appointment of commissioners	█							
Reconstitution of the secretariat	█							
Electoral Reform	█							
Consultations with society		█	█	█	█			
Consultations with media		█	█	█	█			
Dialogues with political parties		█	█	█	█			
Amendments to electoral laws		█	█	█	█			
Voter List Preparation	█							
Design methodology and technology		█	█	█	█	█	█	█
Pilot project		█	█	█	█	█	█	█
Procurement and deployment of equipment		█	█	█	█	█	█	█
Software development		█	█	█	█	█	█	█
Recruitment and deployment of staff		█	█	█	█	█	█	█
Enumeration and data entry		█	█	█	█	█	█	█
Printing, posting and correction of draft lists		█	█	█	█	█	█	█
Printing and distribution of final lists		█	█	█	█	█	█	█
Delimitation of Constituencies					█	█		
Delimitation					█	█		
Local Election					█	█	█	█
City corporation and municipal elections					█	█	█	█
Union parishad elections					█	█	█	█
Upazila parishad elections					█	█	█	█
Parliamentary Elections							█	█
Party registration							█	█
Declaration of schedule and elections							█	█

Annexure I

[34] CHAPTER VIA

REGISTRATION OF POLITICAL PARTIES WITH THE COMMISSION

90A. For the purpose of this Order, any political party may be registered with the Commission subject to the conditions laid down in Article 90B.

90B. (1) If any political party desires to be registered, it shall -

(a) fulfil one of the following conditions, namely-

(i) secured at least one seat with its electoral symbol in any parliamentary election held since the independence of Bangladesh; or

(ii) secured five percent of total votes cast in the constituencies in which its candidates took part in any of the aforesaid parliamentary elections; or

(iii) established a functional central office, by whatever name it may be called with a central committee (as a base for the organizing structure of the party in various administrative level of the country, effective) district offices in at least one-third administrative districts offices and at least one hundred Upazilas or Metropolitan Thana having a minimum number of two hundred voters as its members in each of them; and

(b) In addition to comply with the terms and conditions referred to in clause (1), political party desiring to be registered with the commission, shall have the following specific provisions in its constitution, namely-

(i) to elect the members of the committees at all levels including members of the central committee;

(ii) to fix the goal of reserving at least 33% of all committee positions for women including the central committee and successively achieving this goal by the year 2020;

3 Entire Chapter VIA was replaced by Representation of the People (Amendment) Ordinance, 2008.

4 Entire Chapter VIA was replaced by Representation of the People Order (Amendment) Act, 2009.

(iii) to prohibit formation of any organization or body as its affiliated or associated body consisting of the teachers or students of any educational institution or the employees or labourers of any financial, commercial or industrial institution or establishment or the members of any other profession :

Provided that nothing shall prevent them from organizing independently in their respective fields or forming association, society, trade union etc. and exercising all democratic and political rights, and individual, subject to the provisions of the existing laws, to be a member of any political party.

(iv) to finalize nomination of candidate by central parliamentary board of the party in consideration of panels prepared by members of the Ward, Union, Thana, Upazila or District committee, as the case may be, of concerned constituency.

(2) If an independent member of parliament joins any unregistered political party, the fact of his joining shall not qualify that party for registration with the commission.

90C. (1) A political party shall not be qualified for registration under this Chapter, if-

(a) the objectives laid down in its constitution are contrary to the Constitution of the People's Republic of Bangladesh ; or

(b) any discrimination regarding religion, race, caste, language or sex is apparent in its constitution ; or

(c) by name, flag, symbol or any other activity it threatens to destroy communal harmony or lead the country to cessation; or

(d) its constitution reflects the objectives of maintaining and nourishing party-less or one-party system; or

(e) there is any provision in its constitution for the establishment or operation of any office, branch or committee outside the territory of Bangladesh.

(2) No political party shall be registered under a name, under which another political party has already been registered :

Provided that where more than one party apply for registration with the same name and no party has already been registered under such name, the Commission may, after giving

the parties reasonable opportunity of being heard, register any of the parties with such name.

(3) Commission shall not register any political party banned by the Government.

90D. Any political party complying with the conditions laid down in Article 90A, Article 90B and not disqualified under Article 90C may apply for registration in the prescribed manner under the signature of its Chairman and General Secretary or any other person holding the equivalent rank :

Provided that the Commission may allow any political party to apply for registration which has a provisional constitution containing provisions as specified under sub-clauses (b)(i), (b)(ii), (b)(iii) and (b)(iv) of clauses (1) of Article 90B as well as complying with the provisions under Article 90C along with a resolution of the highest policy-making body of the party, by whatever name it may be called, to the effect that the party shall submit a ratified constitution ⁵[within twelve months] from the date of first sitting of ninth parliament failing which the registration of the party shall be cancelled.

90E. (1) The Commission shall, after taking a decision to register a political party, issue a registration certificate in the prescribed form and shall publish it in the Official Gazette.

(2) If the application for registration of a political party is rejected, the Commission shall, within seven working days, inform the concerned party of it in writing.

(3) The decision on registration by the Commission shall be final.

90F. (1) Subject to the provision of clause (2), a registered political party shall be entitled to-

(a) receive donation or grants from any person, company, group of

⁵ Substituted by Representation of the People Order (Second Amendment) Act, 2009.

companies or non-government organization except the sources mentioned in clause (1) of Article 44CC :

Provided that such amount of donation or grants shall not exceed the following limits, in a calendar year-

(i) in the case of a person, taka five lakh or property or service equivalent to it;

(ii) in the case of a company or organization, taka twenty five lakh or property or service equivalent to it;

(b) one of the prescribed symbols for all the candidates set up by it in any election under this Order or rules according to the preference indicated by it and the symbols so allotted shall be kept reserved for it, unless it indicates its preference for any other prescribed symbol available;

(c) one set of election rolls in compact disk (CD) or digital versatile disk (DVD) or any other electronic format at free of cost;

(d) broadcasting and telecasting facilities in the state-owned media during the general election to Parliament according to the principles and guidelines prescribed by the Commission; and

(e) be consulted with by the Commission in respect of any matter relating to election, particularly problems of and measures for holding election fairly, peacefully and in accordance with this Order and rules.

(2) No registered political party shall receive any gift, donation, grant or money from any other country, or non-government organization assisted by foreign aid or from any person who is not a Bangladeshi by birth or any organization established or maintained by such person.

90G. A registered political party shall inform the Commission in the prescribed manner about the compliance of the provisions in ⁶[clause (1)(b) of Article 90B].

90H. (1) The registration of a political party may be cancelled for the

6 Substituted by Representation of the People Order (Second Amendment) Act, 2009.

following reasons, namely-

(a) if the party is declared dissolved according to the constitution of the party by the highest decision making body, by whichever name it is called, or an application is made to the Commission along with the minute for dissolution of the party under the signature of the chairman and general secretary of the party or any other person holding equivalent rank;

(b) if the political party is declared banned by the Government;

(c) if the political party fails to provide any information under this Order and rules to the Commission ⁷[for three consecutive years];

(d) if the political party violates the provision ⁸[of clause (1)(b) of Article 90B];

(e) if the political party does not participate in the parliamentary elections for two consecutive terms ⁹[; or

(f) if the political party fails to submit a ratified constitution within the stipulated period as mentioned in the proviso of article 90D.]

(2) The Commission shall, prior to cancellation of registration under ¹⁰[sub-clauses (c), (d), (e) and (f),] give the concerned political party an opportunity of being heard in the prescribed manner.

(3) No political party shall be registered in the name of a political party which has been declared dissolved.

(4) The name of the dissolved and cancelled political parties shall be published in the Official Gazette.

90I. If a registered political party is aggrieved by an order of cancellation of registration by the Commission, it may prefer an appeal to the High Court Division.]]]

9 Substituted by Representation of the People Order (Second Amendment) Act, 2009.

10 Substituted by Representation of the People Order (Second Amendment) Act, 2009.

11 Substituted and inserted by Representation of the People Order (Second Amendment) Act, 2009.

12 Substituted by Representation of the People Order (Second Amendment) Act, 2009.

Bangladesh Election Commission Field Offices (Manpower-2370)

Anex L

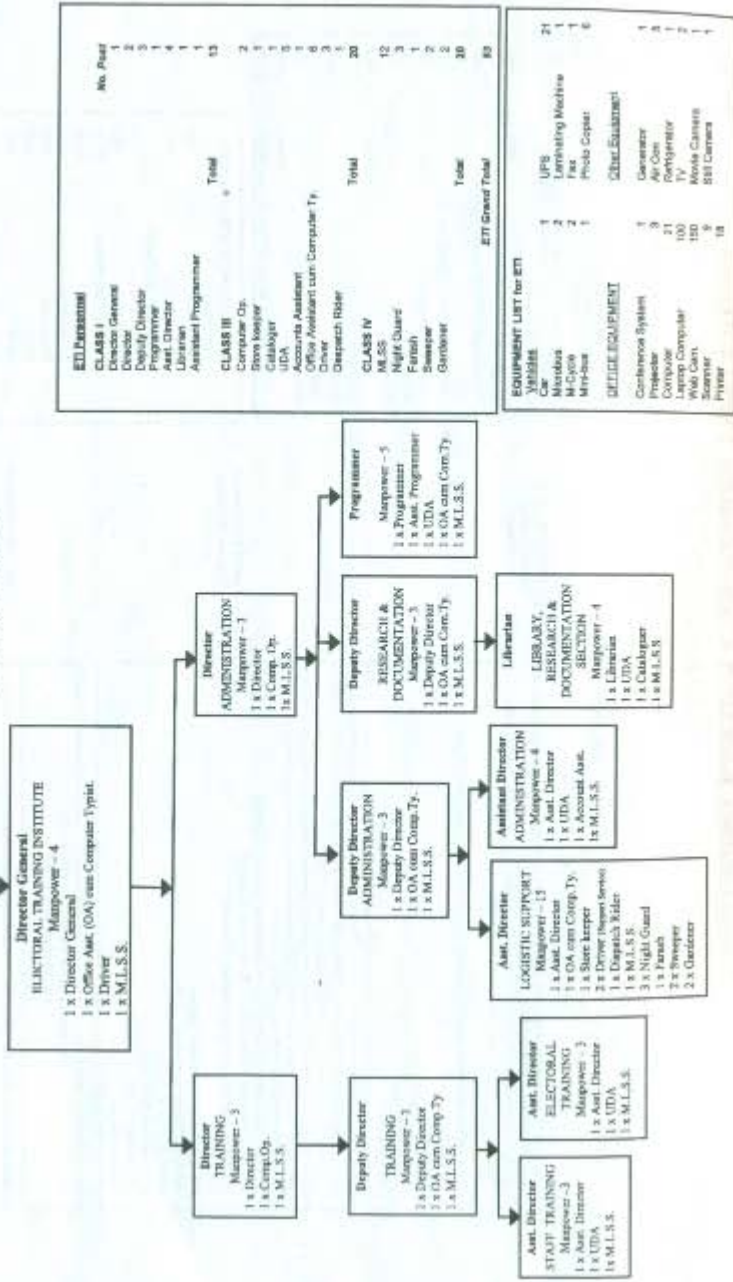
ORGANIZATIONAL STRUCTURE OF THE FIELD OFFICES OF THE ELECTION COMMISSION SECRETARIATE

<p>DHAKA / CHITTAGONG / KHULNA / RAJSHAHI / BARISHAL / SYLHET / COMILLA / MYMENSINGH / RANGPUR / FARIDPUR Chief Election Officer: 10 Total Manpower: 130</p>
<p>10 x Regional Election Officer (REO) 20 x Additional Regional Election Officer (AREO) (2 for each Regional Office) 10 x Steno-grapher cum Computer Operator 10 x UDA 10 x Office Assistant cum Computer Typist (OA cum Computer Typist) 10 x Driver 10 x Dafdari 30 x M.L.S.S. 10 x Night Guard 10 x Sweeper</p>
<p>Sr. District Election Officer/ District Election Officer: 64 Total Manpower: 716</p>
<p>19 x Sr. Dist. Election Officer (SDEO) 45 x Dist. Election Officer (DEO) 19 x 2 x Election Officer (EO) for previous greater districts 45 x 1 x Election Officer (EO) for smaller districts 19 x Steno-grapher cum Computer Operator 64 x UDA 128 x OA cum Computer Typist 64 x Accounts Assistant 19 x Driver 147 x M.L.S.S. 64 x Night Guard 64 x Sweeper</p>
<p>Upazilla/Thana Election Officer: 508 Total Manpower: 1524</p>
<p>508 x 1/1/1 F.O. for Upazilla or Thana 508 x OA cum Computer Typist 508 x M.L.S.S.</p>

Total 10 Offices of
Chief Election
OfficersTotal 64 Offices of
District Election
OfficersTotal 508 Offices of
Thana/Upazilla
Election Officers

FIELD OFFICE PERSONNEL	
CLASS I	No. Post
Regional Election Officer (REO)	10
Sr. Dist. Election Officer	19
Dist. Election Officer	45
Additional Regional Election Officer (AREO)	20
Election Officer/Upazilla Election Officer/Thana Election Officer	508
Total	602
CLASS III	
Steno-grapher cum Computer Operator	29
UDA	74
Office Assistant cum Computer Ty.	646
Accounts Assistant	64
Driver	29
Dafdari	10
Total	852
CLASS IV	
M.L.S.S.	665
Night Guard	74
Sweeper	74
Total	813
Field Offices Grand Total	2370

FIELD OFFICE EQUIPMENT	
Vehicles:	
Jeep	29
Motor Cycle	582
Office Equipment:	
Projector	10
Computer	685
Laptop Computer	3778
Web Cam	5524
Finger Print Scanner	9800
Scanner	582
Printer	685
UPS	685
Laminating Machine	582
Fax	92
Photocopier	499



CLASS	No. Post
ED. Personnel	
Director General	1
Director	2
Deputy Director	3
Programmer	4
Asst. Director	1
Asst. Director	1
Asst. Director	1
Asst. Director	1
Asst. Director	1
Total	13
CLASS III	
Comptroller. Op.	2
Store Keeper	1
Galaxyker	1
UDA	1
Accounts Assistant cum Computer Ty.	1
Driver	2
Driver/Assistant cum Computer Ty.	2
Dispatch Rider	1
Total	20
CLASS IV	
M.L.S.S.	12
Night Guard	3
Paruh	1
Sweeper	2
Gardener	2
Total	20
ETI Grand Total	63

EQUIPMENT LIST for ETI	
Vehicle	21
Car	1
Motorola	1
M. Cycl	1
Motorola	1
OFFICE EQUIPMENT	
Conference System	1
Projector	3
Computer	01
Web Cam	120
Scanner	9
Printer	18
UPS	
Luminising Machine	1
Fax	1
Photo Copier	1
Other Equipment	
Generator	1
Air Con	1
Refrigerator	1
Mobile Camera	1
810 Camera	1

A comparison between ECI and BEC after 2008 reforms

S.No	Characteristics Election Commission	India	Bangladesh
1.	Method of appointing Election Commission	By President	By President
2.	Considered to be Impartial and Efficient Commissioners	Appointments have remained mostly un challenged by political parties except Mr. Navin B Chawla	Most of the appointments been challenged by political parties
3.	Age limit for appointment of Commissioners	65 years of age	No restriction
4.	Period of tenure	6 years or age bar	5 years no age bar
5.	Removal of EC	Election Commissionres appointment does not have Constitutional guarantee. can be removed with CEC's recommendation	has the Constitutional gurantee as like CEC and can not be removed except prescribed rule.
6.	Rule making power	With the government	With BEC
7.	Code of Conduct for Candidates	Is not supported by rule	Is a separate rule
8.	Registration political of Parties	Mandatory. Loose regime	Mandatory. Strict regime
9.	Power to cancel political party registration upon non compliance	None	Article empowers to cancel
10.	Own field staff	Does not have own field staff	Own field staff up to Upa-zilla level
11.	Access to candidates information	With 5 declaration	With 8 declaration
12.	Reform activities	Complicated methodology	Easy methodology