मताधिकार फक्त लोकशाहीसाठी | ✅OTE **FOR DEMOCRACY**

Press Release

May 19, 2024

A six member delegation of citizens representing over three dozen people's organisations, minority groups and human rights platforms met with the Additional Chief Electoral Officer (CEO), Maharashtra, Mr Kiran Kulkarni on Saturday, May 18, 2024, two days before polling in Mumbai. At the meeting that lasted for 90 minutes, the delegation expressed serious concern over the string of hate speeches delivered in the state in the 5-phase 2024 Lok Sabha Poll, advertisements in violation of the Model Code of Conduct (MCC), and doubts and concerns of the absence of communication of voting percentage and voting figures countrywide.

The delegation presented a memorandum and detailed tabulation prepared by *Citizens for Justice and Peace (cjp.org.in)* that showcased ten specific cases of the most egregious violations of Section 123 (3A) "corrupt practice" under the Representation of People's Act, 1951. **(Table annexed to press note).** The table contains detailed analysis of hate speech violations on at least ten occasions in the state (two by BLP MLA from Ghoshamahal, Telangana, T Raja Singh, two by Navneet Rana, BLP MLA from Amravati, one by BJP's minority leader, Mazia Elahi Khan, Sanjay Sharma, one by Independent candidate from Dhule, one by UP chief minister, Ajay Bosht aka Adityanath and three by the Prime Minister, Narendra Modi.

The delegation consisted of Teesta Setalvad, secretary, Citizens for Justice and Peace & member, Vote for Democracy, Dolphy De'Souza, President, BombayCatholic Sabha & member Vote for Democracy, Ulka Mahajan, Bharat Jodo Abhiyan, Shakir Shaikh and Ashraf Khan, Maharashtra Democratic Forum and Father Frazer Mascarenhas, Vote for Democracy. The delegation is part of a collective of over 200 organisations under Nirdhaar Maharashtra.

In brief, the following points were raised in the discussion,

- Hate speeches, the complaints submitted in the accompanying memorandum in which immediate action including due cognizance of offences was needed, the action needed to be made public on the website of the Commission and the offenders barred from further campaigning;
- Serious concerns on the discrepancies on the Vote count of the first four phases of polls which have not been declared yet (the matter is now before the Supreme Court of India) were expressed by members of the delegation
- The deliberations and monitoring reports of the SEC should be made public. (The Addl SEC immediately accepted the delegation's suggestion that the weekly report on all abovementioned issues, including action taken on various points, sent by the SEC, Maharashtra to the CEC, India should be immediately **uploaded on the website)**
- The EC should have press conferences after every phase of voting.

- On the concerns expressed about the serious differences (interpreted as discrepancies) in voting percentages between the 11 p.m. Voting day figures and the final percentages released by the Returning Officers (ROs) 48 hours later, Mr Kulkarni explained that:
1) The Voter Turn Out APP by the ECI is available on the Google Playstore
https://play.google.com/store/apps/details?id=in.gov.eci.pollturnout&hl=en_IN&gl=US
https://apps.apple.com/in/app/voter-turnout-app/id1536366882

2) Release of figures are done Respective Returning Officers (ROs).
3) The Figures on the APP approximate and clearly mentioned as such on the app
4) The APP Data gets released every two hours on poll day
6) The Poll Day figures are approximate
8) It is the next day midnight figures that reflect proper collation after checking 17 C Forms and hence, reliable and in the public domain.
9) The Next Day midnight Data can be Tallied with Counting day Per Table EVM Vote Count and there will be no discrepancy
Note: The Voter Turn Out APP which any citizen can download) records *in real time* the updated figures by the Returning Officers in all booths collated from each booth, assembly constituency and then Parliamentary Constituency wise. The ROs record these on the APP every hour till polling day midnight in real time. It is the next day midnight figures that reflect proper cross-checking and collation after checking 17-C forms filled up by presiding officers in each booth.
He explained that the figures that the CEC then later releases may therefore have discrepancies with previous day's 11 p.m. figures that are approximate given they have been given from an approximation on the APP (without physical collation and checking with 17-C forms).
Suggestion: An exercise to cross-check and clarify this, we should as Volunteers compare and cross check above data in any one or two constituencies.

[[भारत निवडणूक आयोगाने झालेल्या मतदानाची टक्केवारी सर्वांना कळावी म्हणून "Voter Turnout App" तयार केलेले आहे. हे ॲप Google Play Store व Apple Store वर अथवा आयोगाच्या वेबसाईटवर सहज उपलब्ध आहे आणि कोणीही डाऊनलोड करुन त्याचा उपयोग करु शकतो. ह्यावर मतदानाच्या दिवशी सकाळी 9.00 नंतर दर 2 तासांनी झालेल्या मतदानाची अंदाजित टक्केवारी जाहीर करण्यात येते. त्यामुळे मतदानाची प्रत्यक्ष टक्केवारी आणि ॲपवर दिसत असलेली टक्केवारी यामध्ये थोडाफार फरक पडू शकतो, हे स्वाभाविक आहे. या ॲपवर राज्य, लोकसभा आणि विधानसभा मतदारसंघ यातील अंदाजित टक्केवारी उपलब्ध होते. हे ॲप डाऊनलोड करुन वापरण्याची लिंक सोबत जोडली आहे.

दर दोन तासांप्रमाणे मतदानाच्या दिवशी सायंकाळी 5.00 वाजताची अंदाजित टक्केवारी बघता येते. त्यानंतर संध्याकाळी 7.00 वा. बहुतेक ठिकाणचे मतदान संपत असल्यामुळे पुन्हा एकदा अंदाजित टक्केवारी उपलब्ध होते. परंतु काही मतदान केंद्रावर संध्याकाळी 6.00 वाजण्याच्या आत म्हणजे

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मतदानाची वेळ संपण्याच्या आत मतदान केंद्रांवर दाखल झालेल्या मतदारांना टोकन देऊन सर्वांचे मतदान पूर्ण होईपर्यंत मतदान चालू राहते. काही मतदान केंद्रावर अगदी रात्री 9.00 वाजेपर्यंत सुध्दा मतदान अशाप्रकारे चालू असण्याची उदाहरणे आहेत.—[[SEC Maharashtra Press Note Annexed]]

- Disenfranchisement especially of religious minorities, was discussed. In many ways minorities have experienced the differential treatment, some examples from Marathwada were discussed.

- Other important issues like Missing Voters especially of targeted community, persons from the same family being allotted different polling booths –often 5 kms apart—were discussed.
  C Voter APP
  (https://play.google.com/store/apps/details?id=com.eci.citizen&hl=en_IN&gl=US)

  Mr Kulkrani suggested that we can give such cases to highlight and for their review.

- Website for Deleted vote list: This site (https://ceoelection.maharashtra.gov.in/SearchInfo/SearchDeletedPDF.aspx) gives deleted voters list. If the voters find out on the voting day that their name is not there in the latest list. An extremely important point of information that arose out of the discussions related to the **cases of voters who's names may have been deleted from the present (current) voters list but who have voted before. The voters concerned can** approach the **Facility Centre** in every polling booth and check the ASD list **there and then on the website giving details name, EPIC number or address.** If their name appears in the deleted voters list (ASD list) then they can vote with help of an Identification Card. [[To cross-check and clarify this, we should as Volunteers compare and cross check above data in any one or two constituencies.]]

- The procedure of mock pole was discussed. He clarified that mock pole has to be conducted between 6 am to 7 am.
- Clarifications were also sought by the delegation on the Protest/Challenge/Tendered vote.
- Mr Kulkarni also shared his own articles on some of the issues raised in the meeting (Marathi and English). These are available with us and can be sought by any citizen)

In conclusion, the meeting with Additional CEO Mr. Kiran Kulkarni on May 18, 2024 lasted an hour and a half and resulted in an elaborate and fruitful exchange. We expressed our concerns on a number of issues and Mr. Kulkarni gave us a patient hearing and responded elaborately on each. Basically, he tried to convey that the Election Commission has elaborate and tested procedures and that these are being followed. He revealed that Maharashtra has received about 65 complaints of breach of the model code of conduct and that these are already being processed and action

recommended. The instances we brought before him, he felt, may already be under consideration and if not, they would be enquired into.

Mr Kulkarni also declared that the Commission expects a citizen to be an alert voter. Before every election, the voter should check her or his name in the Electoral Lists because the lists are verified some months before the election and there is every chance of a deletion taking place by error. In such a case, the voter must re-register within the time limit of 10 days before the date for the withdrawal of nominations. In case the voter discovers the name missing at the voting booth itself, then the deleted voters list should be demanded and if the name occurs there, the officer will allow such a person to vote.

For Inquiries: 9920204253/9136622099 (Vote for Democracy)

Ends

Annexure -1

Citizens for Justice and Peace Table

We have urged exemplary action under the law on the speeches listed below.

These are as follows:

S. No.	Name of the speaker	Party affiliated	Date of the speech	Place and event	Comments/ Acts in violation of law
1.	Prime Minister Narendra Modi	Bharatiya Janata Party	May 15	Election rallies at Nashik and Kalyan (Nashik & Kalyan Lok Sabha Constituencies)	*"The Congress regime at that time had wanted to spend 15% of the entire budget of India on Muslims only. They had to shelve the plan after strong opposition from me in my role as the Gujarat Chief Minister. But now they are bent on reintroducing their previous agendas."* *"If Congress is elected, it will make two budgets on the basis of religion. I will not allow the Budget to be divided as a 'Hindu budget' and 'Muslim budget' and will not allow quotas based on religion."* *"They had to create a nation in the name of religion and so they did. Congress was helpless and gave it. Now you will say 'Hindu budget,' 'Muslim budget.' Can this country have a separate budget for Hindus and Muslims?"* *"You can imagine how dangerous the thinking of dividing the budget this way is. For Congress, there is only one minority community — its dear vote bank."* Source: Hindustan Times (https://www.hindustantimes.com/cities/mumbai-

					news/congress-wanted-a-15-budget-allocated-for-muslims-pm-narendra-modi-in-kalyan-101715801073466.html)
2.	MLA T. Raja Singh	Bharatiya Janata Party from Ghoshamahal Assembly Constituency in Telangana	May 14	Event co-organized by Sakal Hindu Samaj in Nashik (Nashik Lok Sabha Constituency)	*"A storm is building and will come soon to finish the Hindu faith."* *"In our country only one type of law will be followed. This two-law system will be finished. We will not let Sharia law exist."* *"When UCC is brought in, this Waqf Board that had been established by Nehru will be removed and the 10-lakh acre land that the Waqf Board has fraudulently taken over will be released. Our PM Modi will then made Hindu temples and hospitals for Hindus here."* Source: Hindutva Watch **(**https://t.me/hindutvawatchin/403)
3.	MLA Nazia Elahi Khan	Bharatiya Janata Party Minority Leader	May 10	Event in Karad (Satara Lok Sabha Constituency)	*"I am warning my daughters and sisters to never befriend an Abdul.it is in the name of Jihad that Hindu daughters are being cut and killed and then kept in fridge."* *"He will give you triple talak and take away your honour in 4 seconds. I am a Muslim and I see what other Muslim women go through. They keep 4 women in their beds and force Nikal Halala on Muslim women. This is all happening under Islam."* Source: Hindutva Watch (https://t.me/hindutvawatchin/396)
4.	Candidate and MP Navneet Rana	Bharatiya Janata Party MP from Amravati	May 9	Election rallies in Raver and Jalgaon (Raver and Jalgaon Lok Sabha Constituencies)	During an election rally, Navneet Rana held a placard saying "Hindu Rashtra". While the rally passed a Mosque, Navneet Rana could be seen making a gesture of directing an arrow at the Mosque. Source: The Siasat Daily (https://www.siasat.com/after-madhavi-bjps-navneet-rana-repeats-arrow-gesture-at-mosque-in-maharashtra-3024921/)

5.	MLA T. Raja Singh	Bharatiya Janata Party from Ghoshamahal Lok Sabha Constituency in Telangana	May 3	Election rally for BJP Lok Sabha candidate Ram Vithal Satpute in Solapur (Solapur Lok Sabha Constituency)	*"PM Modi recently said that Muslims are now doing vote Jihad. He very correctly said that he had heard of Love Jihad and Land Jihad, now this new Vote Jihad is being called for. Let me tell you, you people used to do Jihad before, but now you do not have that audacity as Modi ji will get you shot if you do Jihad"* *"The young Hindu men will not leave these sons of Aurangzeb; they will kill them"* *"Rahul Gandhi was not ready to touch the statue of Shivaji Maharaj as he was worried about offending these illegal children of Aurangzeb."* *"Kerala has become a factory that is producing terrorists."* *"Those illegal immigrants who are hiding in the corners of India, they will be asked to leave once NRC is done. If they do not get out, there will be a shoot-out."* Source: The Siasat Daily (https://www.siasat.com/maharashtra-police-book-raja-singh-for-hate-speech-3021288/)
6.	Uttar Pradesh Chief Minister Yogi Adityanath	Bharatiya Janata Party, MLA from Gorakhpur in Uttar Pradesh	May 1	Election speech at Hatkanangale (Hatkanangale Constituency)	*"Congress wants to impose similar taxes on us and our inheritance today as Aurangzeb had done in his time. Will you accept this? These children of Aurangzeb are doing the work of rickshaw pullers in the current scenario and Congress wants to bring in inheritance laws."* *"In the Congress Manifesto, these people have mentioned that they will let the minority communities eat as they please. What is it that the minorities cannot eat as the majority community does not let them? These Congress people want to allow cow slaughter in our Maharashtra, in our India."* *"By giving reservation to Muslims, the Congress party wants to Islamitise the country."* Source: The Wire (https://thewire.in/government/unequal-watch-eci-issued-16-notices-over-mcc-violations-bjp-received-just-3)
7.	Prime Minister	Bharatiya Janata Party	April 30	Election speech at Latur (Latur Lok Sabha Constituency)	*"Congress will take away your wealth and distribute it to "vote bank"*

	Narendra Modi				"They will take away OBC reservation & give it to Muslims." "Their manifesto has the stamp of Muslim League." Source: Hindutva Watch (https://t.me/hindutvawatchin/330)
8.	Prime Minister Narendra Modi	Bharatiya Janata Party	April 27	Election speech at Kolhapur (Kolhapur Lok Sabha Constituency)	"In the land of Sambhaji Maharaj, they (opposition) are doing so much vote bank politics that they are collaborating those who believe in Aurangzeb." Source: Hindustan Times (https://www.hindustantimes.com/cities/mumbai-news/congress-and-allies-trying-to-break-southern-states-from-country-101714245719456.html)
9.	Candidate and leader Navneet Rana	Bharatiya Janata Party MP from Amravati	April 19	Election speech at Amravati (Amravati Lok Sabha Constituency)	"if you want to live in India, you have to say Jai Shree Ram. Every child of this country has become aware. The flag of Pakistan will no longer be tolerated here." "Those who have sympathy for Pakistan, they can go live there. Only our way of business will work here in India." Source: Hindutva Watch (https://t.me/hindutvawatchin/288)
10.	Candidate Sanjay Sharma	Independent candidate from Dhule, Maharashtra	April 14	Election speech at Dhule (Dhule Lok Sabha Constituency)	"Whose young daughter is being carried by a Jihadi in front of him who is hunting for love-jihad your blood doesn't boil then you are the child of a eunuch." "In Mohammadia Nagar, 50 to 60 cows are slaughtered daily in the same slaughterhouse and even after telling the police 50 times Police cannot raid." "But if after death the Lord asks, what did you do When all this was going on, dargahs of Pir Baba were standing everywhere., love jihad was going on everywhere, many kinds of jihad was going on in many places. Tell me what you were doing at that time. So, at that time I will not tell God that I was also hiding my black face like others. So, it has come to my mind that I will fight a Lok Sabha election." "But I tell you that if we don't fight, if we don't show these people their place, Hindutva will definitely be insulted, and Hindutva will fail. And Hindutva will suffer for 5 years. Not even a single village, Taluka has been spared from Love Jihad, Land Jihad. This is all happening everywhere." Source: Hindutva Watch (https://t.me/hindutvawatchin/262)

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Annexure-2

Press Note of State Election Commission, Maharashtra

मतदानाची टक्केवारी

डॉ.किरण कुलकर्णी,
अतिरिक्त मुख्य निवडणूक अधिकारी,
महाराष्ट्र राज्य.

भारत निवडणूक आयोगाने झालेल्या मतदानाची टक्केवारी सर्वांना कळावी म्हणून "Voter Turnout App" तयार केलेले आहे. हे ॲप Google Play Store व Apple Store वर अथवा आयोगाच्या वेबसाईटवर सहज उपलब्ध आहे आणि कोणीही डाऊनलोड करुन त्याचा उपयोग करु शकतो. ह्यावर मतदानाच्या दिवशी सकाळी 9.00 नंतर दर 2 तासांनी झालेल्या मतदानाची अंदाजित टक्केवारी जाहीर करण्यात येते. त्यामुळे मतदानाची प्रत्यक्ष टक्केवारी आणि ॲपवर दिसत असलेली टक्केवारी यामध्ये थोडाफार फरक पडू शकतो, हे स्वाभाविक आहे. या ॲपवर राज्य, लोकसभा आणि विधानसभा मतदारसंघ यातील अंदाजित टक्केवारी उपलब्ध होते. हे ॲप डाऊनलोड करुन वापरण्याची लिंक सोबत जोडली आहे.

https://play.google.com/store/apps/details?id=in.gov.eci.pollturnout&hl=en_IN

https://apps.apple.com/in/app/voter-turnout-app/id1536366882

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मतदान संपल्यानंतर सर्व मतदान पथके विधानसभेच्या मुख्यालय असलेल्या ठिकाणी येवून मतदान यंत्रे, केंद्राध्यक्षांची डायरी व इतर कागदपत्रे सादर करतात. काही मतदान केंद्रे दुर्गम भागात तसेच विधानसभा मुख्यालयापासून दूर असल्यामुळे तेथील मतदान पथकांना मुख्यालयी पोहोचण्यास उशिर होतो किंवा कधी कधी पाऊस अथवा वाहतुकीचा अडथळा यामुळे देखिल उशिर होवू शकतो. पूर्णपणे पोलीस बंदोबस्तामध्ये विधानसभा मुख्यालयात पोहोचल्यानंतर सर्व मतदान यंत्रे सुरक्षितरित्या क्रमवार एकत्र लावून लोकसभा मतदार संघाच्या मुख्यालय किंवा जिल्हा मुख्यालयामध्ये येण्यासाठी कडक पोलीस बंदोबस्त आणि व्हिडिओच्या निगराणीमध्ये सर्व राजकीय पक्ष आणि उमेदवार यांना सूचित केल्यानंतरच प्रवास चालू

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DEMOCRACY

करतात. अनेक ठिकाणी मतदान यंत्रे आणि संबंधित कागदपत्रे मतमोजणी केंद्राच्या शेजारी असलेल्या स्ट्राँगरुममध्ये पोहोचायला दुसऱ्या दिवशी सकाळ किंवा अगदी दुपार सुध्दा होते दरम्यानच्या काळात दूरध्वनी संदेशानुसार घेतलेल्या माहितीच्या अनुषंगाने मतदानाच्या दिवशी मध्यरात्री पर्यंत पुन्हा एकदा अंदाजित टक्केवारी निवडणूक निर्णय अधिकारी आणि सहाय्यक निवडणूक निर्णय अधिकारी "Voter Turnout App" वर जाहीर करतात. परंतु ही जाहीर करण्यात आलेली टक्केवारी "Close of Poll" म्हणजे मतदान संपल्यानंतरची अंदाजित टक्केवारी असते. केंद्राध्यक्षांची डायरी आणि इतर कागदपत्रांवरुन खात्री

करुन जाहीर करण्याची टक्केवारी मतदानाच्या दुसऱ्या दिवशी रात्रीपर्यंत तयार होते आणि लगेचच निवडणूक निर्णय अधिकारी आणि सहाय्यक निवडणूक निर्णय अधिकारी यांच्याकडून "Voter Turnout App" वर प्रविष्ट करण्यात येते. राज्याच्या मुख्य निवडणूक अधिकाऱ्यांनी संपूर्ण आकडेवारीची माहिती घेऊन खात्री केल्यावरच त्यावर शिक्कामोर्तब होवून मतदानाची अंतिम टक्केवारी "Voter Turnout App" वर प्रसारित होते. त्याला "end of poll" अंदाजित टक्केवारी म्हणतात. ह्यासाठी "मतदानाच्या दिवसाच्या दुसऱ्या दिवशी रात्री" ही अंतिम समय मर्यादा ठरवून देण्यात आलेली आहे.

म्हणजे मतदानाची अंतिम टक्केवारी सर्व अहवाल, कागदपत्रे तपासून आणि छाननी करुन मतदानाच्या दुसऱ्या दिवशी मध्यरात्री जाहीर होते. "Voter Turnout App" वर प्रसिध्द झालेली सर्व टक्केवारी अंदाजित असते. याचे कारण उघड आहे. प्रत्येक मतदान केंद्रावर जेव्हा मतदान संपते तेव्हा त्या मतदान केंद्रात झालेल्या मतदानाची संख्या आणि टक्केवारी केंद्राध्यक्षांकडे आणि प्रत्येक मतदान केंद्रात उपस्थित असलेल्या राजकीय पक्ष अथवा उमेदवारांच्या प्रतिनिधींकडे केंद्राध्यक्षांच्या स्वाक्षरीनिशी सूपूर्द केलेली असते. ती संख्या आणि टक्केवारी हा मूळ आधार असतो.

एखादया राजकीय पक्षाने आपणाकडून नियुक्ती केलेल्या सर्व मतदान केंद्रावरच्या प्रतिनिधींकडून केंद्राध्यक्षांच्या स्वाक्षरीनिशी प्राप्त झालेल्या मतदानाची संख्या आणि टक्केवारी याची तुलना केल्यास मतदानाच्या दुसऱ्या दिवशी मध्यरात्री जाहीर झालेल्या टक्केवारीशी बहुतांश निश्चितपणे जुळेल. तरी देखील "Voter Turnout App" मध्ये अंतिम टक्केवारीला Approximate असेच म्हटले आहे. त्याचे कारण असे की ही अंतिम टक्केवारी केंद्राध्यक्षांच्या डायरीशी आणि राजकीय अथवा उमेदवारांच्या मतदान केंद्रातील उपस्थित प्रतिनिधींकडे दिलेल्या संख्येशी जुळत असली तरी मतमोजणीच्या दिवशी त्यामध्ये पोस्टल बॅलेट (डाक मतपत्रिका) द्वारे झालेल्या मतदानाची संख्या समाविष्ट केली जाते. त्यामुळे मतदानानंतरची मतदानाची संख्या आणि एकूण टक्केवारी यांच्यात किंचीतशी वाढ दिसून येते. त्यामुळे "Voter Turnout App" वर मतदानाच्या दिवशीच्या दुसऱ्या दिवशी मध्यरात्री दिसणारी अंतिम टक्केवारी ही मतदान यंत्रावरील मतदानाची टक्केवारी असते. त्यामध्ये Election Duty Certificate (EDC) मतदारांची मतदान यंत्रात केलेल्या मतदानाची संख्या समाविष्ट असते. त्याबाबतची नोंद संबंधित केंद्राध्यक्षाने डायरीत घेवून त्याची माहिती मतदान केंद्रातील प्रतिनिधींना दिलेली असते.

ही सर्व रचना लक्षात घेतल्यास या रचनेमध्ये बारकाईने विचार करुन त्याचे काटेकोर असे कार्यवाहीचे टप्पे भारत निवडणूक आयोगाने   गेल्या लोकसभा निवडणूकीपासूनच निश्चित केलेले आहेत. ही पध्दत आता चांगली प्रस्थापित झालेली असून पारदर्शकतेचे उत्तम उदाहरण आहे.

मतदानाच्या टक्केवारीत होणारे बदल याबाबत चर्चा करताना सर्वांनी ही प्रक्रिया नीट समजावून घेवून मगच त्यावर चर्चा करावी असे सुचवावेसे वाटते. अन्यथा एखादा गैरसमज, अफवा आणि अज्ञानाचे प्रदर्शन याशिवाय यातून काहीच हाती लागणार नाही.

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