

## **Governance and the Poor: Delhi Assembly Elections 2008**

The much awaited election results of 5 states are out. Why did these state elections receive so much attention? First, because they came before the general elections expected to be held in early 2009. Second, they were the first states to go into elections after the historic Supreme Court judgement which enabled citizens to access background information about candidates prior to voting. Third, like every election in India, they were seen as an indicator for the voters' "mood swing". Despite the media labeling these elections as the semi finals to the General Elections, it should be clear that in 2003, after losing badly in 4 out of five states, the Congress wrested power at the centre from BJP in a dramatic reversal of fate. That the Congress has been able to retain Delhi this time and got back Rajasthan and Mizoram should be understood in this context.

But these elections did point out some changing trends in Indian electorate's behaviour, which may be of import to political parties. These elections were remarkable because there was a surge in voter turn out in all of them. Second, 3 of the 5 states went to vote under the shadow of Bombay incidents and two of them voted for the power at the centre. Third, in three states the campaign was fought on the image and performance of the Chief Ministers, and in each of them the incumbent regime survived. Governance was definitely an electoral issue.

The theoretical context for governance emerging as an electoral issue lies on two counter flowing premises. By constitutional mandate we have a representative democracy and the question arises about how *Democratic* is the representation and how *Representative* is the democracy? In answering the posers, we need to disentangle the principles of democracy and representation from their institutional moorings, and revisit them in the context of the changing preference of the voter.

India Development Foundation conducted a survey in Delhi between 18 October and 24 November prior to the assembly elections. (Delhi voted on 29 November 2008). 3000 House holds each from BPL and APL category (This means families holding BPL and APL cards) were surveyed across Delhi. The state was divided into 6 clusters according to the BPL and APL population in each district. Care was taken to keep the number of surveyed families from each group as close as possible in a particular cluster.

The idea of surveying these two categories was two fold. First, the economic and social positions of these categories of people made them dependent on the state subsidies to a large extent. And hence service delivery, systemic transparency, and good governance were a matter of day to day functioning for them. They were also bound to get affected by any glitch in the system of delivery. The second reason was to see whether amongst the APL and the BPL, there is any difference of priorities, preferences and perceptions regarding their elected representatives. The survey also aimed at gauging the level of awareness and participatory inclinations of the respondent categories. The questions were asked in Hindi.

- When asked whether they had voted in the previous assembly elections in 2003, 89.54% of BPL and 81.25% of APL families said 'yes'. It has been known that the poor vote in greater percentages than the middle class or the rich. This can be seen from polling station wise polling percentages across the country.
- In order to figure out how seriously they take the activity of voting, we asked whether they know that they cannot vote if their name does not figure in the voter list and whether they have checked their names in the recently published roll for their constituency. 81.43% of BPL and only 54.78% of APL said 'yes'. In Delhi, checking of voter rolls was done through Booth Level Officers which made it possible for many of the voters of this category to check their names in the list. But it does show that the poor take their voting seriously and may be as you go up in the economic ladder you can afford not to bother.
- We wished to find out name and party recognition among these categories of voters and here it was clear that they interact and access their MLA and are able to identify him/her. Among the BPL 89.71% and among the APL 85.96% could identify the incumbent MLA with his party affiliations. This is an interesting aspect about the competing nature of politics in an urban set up like Delhi. Here the MP, the councilor and the MLA, all endowed with the same amount of money for local development, compete for the voters' attention. But as the survey results unfold we would see whether they actually deliver.
- In order to know how well the voters are informed about the development process and procedure of their locality, we asked whether they knew that each MLA gets Rs 2 crore per year for local area development fund, the response was dismal. Only 31.66% of the BPL and 32.07% of APL families said that they did know about it.

Local area development fund is spent separately by MPs, MLAs and Municipal Councilors. In Delhi each of them gets Rs 2 crore per year. The MLAs are supposed to recommend works in their constituency with a cap of Rs70 lakh per work, to the urban development ministry. When an MLA wants to get a work done, s/he sends a request to the agency chosen for the job. The agency gets back with an estimate for the consent of the MLA. On obtaining the consent certificate from the MLA, the agency gets the money released from the Urban Development Department. If the work is worth Rs 2 lac and above, the agency is required to place a newspaper advertisement and conduct an open bid. The MLAs are also bound to recommend Rs1 crore worth of work to the Municipal Corporation of Delhi. In fact, the MCD had received 70% of the total MLA LAD funds allocated till September 2008. The unspent balance in each MLA's LAD quota is carried forward to the next year. Till September 2008, a month before the assembly elections, only 50% of the LAD funds were spent. It is a practice with MLAs to keep a substantial amount of money for the election year. Because in 2002-3 also only 50% of the fund was spent. But this defeats the purpose of local area development by not addressing the current needs of the constituents and, on the

other hand, usually gives an undue advantage to the incumbent representative during elections.

- When asked what in their view should be the age of the MLA in order to be effective, 64.04% of the APL and 77.58% of the BPL house holds responded by indicating their preference for the age group in the slab of 36-50. There was also a healthy preference for representatives in the 25-35 age group, as 26.15% of APL and 14.61% of the BPL opted for this category.

About 71.2% of Delhi's population is below 40 years and it is not difficult to understand that they prefer younger representatives with whom they can relate. Perhaps the political parties too gauged this of the electorate and hence we saw 74.3% of candidates contesting the elections in Delhi were below 50 years of age. But the results show a different picture. Only 40.57% of the winners were below 50 years of age and among the runner-ups only 51.42% were below 50. There seems to be a disconnect between the preferences of the poor and their actual voting behaviour. At the same time it should be borne in mind that the survey did not take into account the incumbency factor and only focused on the voters' preference.

- In order to gauge voter preferences, we asked what important quality they are looking for in an MLA candidate. Among both the categories there was a clear cut high preference for 'responsiveness to local issues' (38.64% APL and 47.98% BPL) and low preference for 'Accessibility' (4.98% of APL and 3.78% of BPL). In the APL segment, 'service delivery capability' (32.93%) and 'personal honesty' (23.45%) stood second and third preferences, while for the BPL category, it was the reverse, 'honesty' getting 25.50% preference and 'service delivery capability' 22.75%. This is a strange situation. In Delhi, the voter wishes its representative to be responsive to the immediate local issues, and does not bother whether he is accessible to the voter or not! More people in the APL category would prefer a 'capable to deliver' representative than an honest one! And more in the BPL category would prefer an honest representative than one who is capable of delivering. The results reflect that the BPL have been able to internalize to some extent the fact that corruption hits them worse than any other category. At the same time it should be understood that both the category of respondents would like their representative to be more hands on about day to day problems of the locality. The most astonishing factor is their low priority to accessibility of the MLA. Most MLAs or MLA aspirants work through political recruits in slums and JJ clusters. Most of the local population know who to approach if you need something done by the MLA, and hence may not be worried about accessibility. Or it could be that people in low income house holds do know the worth of their bargaining power through voting and can use it effectively to make the MLA behave! This is borne out by the results where 12 new faces entered the assembly in 2008 and 7 of them were from areas which had large population of APL and BPL voters.
- It was important for us to understand what in the view of the respondents was the actual and most important duty of the MLA, because, if there is a disconnect

between the electorate and the elected members resulting in lack of governance, it needed to be pointed out and rectified. Technically, the MLA in Delhi has a three fold duty, to legislate and raise issues pertaining to the constituency; to oversee various service delivery mechanisms for his constituency where he is a member of various committees; and, to ascertain and allocate funds for local area development. While 52.64% of APL said that it was Development of the local area; 46.83% among BPL said that it was consulting them and act accordingly. This could mean that the poor in Delhi are more vocal about demanding better and specific governance. Because, possibly, being the capital city, there are other means of highlighting one's grievances. Raising questions in assembly about your issues was the last category by both segments. Among the BPL, while the majority opted for being consulted before any work is undertaken, the second largest segment preferred development of the constituency (38.47%). It can be said that in both the categories people saw the MLA as an agent of development and a bridge between the bureaucracy and the people. Also there were about 76% of the total respondents who preferred to be consulted regularly so that their needs are assessed in a timely and frequent manner. This is an interesting sign in the times of competitive political solicitation of the poor. The agency and voice of the poor seems to be more assertive, probably because they are much more aware of the worth of their consolidated votes.

- When we asked who in your opinion is directly responsible for your condition and well being, 70.18% of the BPL and 45.58% of the APL said that it was the MLA. It is possible that their answers may have been tilted because the survey was being conducted prior to the assembly elections. But, on the other hand, if we look closely enough, it is the MLA who is the chairman of the Circle Advisory Committee, along with 7 of his nominated members, that decides who would get an APL or BPL card and who would be the beneficiary for Antodaya or Annapurna Yojana; s/he is also responsible for sanctioning water works in their locality out of the special fund of Rs 50 lakh per year kept with the Delhi Jal Board in each MLA's account, and especially, in a place like Delhi where many of the poor do not have residence identification cards sought by agencies in order to avail benefits of government schemes, the alternatives are an attestation by a gazetted officer, who invariably is out of reach for a poor person; or attestation by local MLA identifying the person as a resident of a locality in his constituency. For a person dependent on government subsidies in terms of food and energy on a day to day basis, the MLA is a very important contact point. This is also borne out by the fact that when asked who in their view was best suited to address their grievances, 72.81% of the BPL and 72.49% of the APL said that it was the MLA. The MPs got the lowest rating from both the categories.
- In the last 5 years, there have been various efforts undertaken by civil society organizations and the election commission to educate the voter. It is generally believed by political commentators that voters do resort to vote in lines of caste and religion and emotional appeal, without giving much credence to competence, capability, personal integrity, clean public image of the candidate. The Supreme Court of India, in a judgement of March 2003, held that it was the fundamental

right of the voter to know who s/he is voting for in order to fully exercise her fundamental right to freedom of expression, enshrined in article 19 of the constitution. Accordingly, the Court directed the Election Commission to make it mandatory for all those candidates contesting for legislative and parliamentary seats, to declare on affidavit their criminal, if any, financial and educational details. This affidavit is a public document and could be seen by voters prior to voting. One of the intentions underlying this judgement was that by knowing such details about the candidate, the voter would be able to make an informed choice.

Now background information about candidates is publicised widely by CSOs and media. We wished to find out whether such information has any relevance for the voter prior to voting and if yes, what is the information that the voter feels is important for her to know before she casts her vote. In the survey we asked the respondents to rank their preference in a scale of 1-5, where 1 is the top priority and 5 is the least. The options were criminal background information, assets, education, liability, and income tax PAN, in that order. A pattern emerges between APL and BPL respondents with the percentages varying. Among the top 3 priorities, the first place goes to education level of candidate (BPL-94.62; APL-90.33), 2nd to Crime Records (BPL-88.84; APL-80.93) and 3rd to Assets (BPL-58.36; APL-67.60). These are cumulative figures in percentages, which are the percentage of people who put education or crime or asset among their top 3 priorities. Liability information stood a close 4<sup>th</sup> with 57.96% of BPL and 60.82% of APL opting for it. Individually, among the BPL-- 60.86 put education as first choice, 28.06 as second choice and 5.71 as third. The corresponding figures for APL were 47.24; 30.62 and 12.48 respectively. For Criminal Background information, among the BPL—28.4 put it as their first preference, 50.02 as their second and 10.68 as their third. For the APL, in this category, the corresponding figures were 32.74; 32.04 and 16.15 respectively. In the category of assets, among the BPL, 4.57 put it as their first preference, 8.17 as their second and 45.62 as their third. Among the APL, it was 11.30, 16.27 and 40.04, respectively.

The interesting thing about the preferences was the overwhelming desire to know the educational achievement of the candidate, which surpassed the curiosity to know asset levels and criminal background information. Among the winners and runner ups in Delhi, 30 were graduates out of which 15 won, 10 professionals out of which 7 won, 23 post graduates of which 9 won, 10 under graduates of which 5 won and 8 law graduates of which 2 won. There were 21 who left their education column blank, of which 13 won and 31 with some schooling, from which 15 won. All the 3 illiterate candidates who managed to come within striking distance lost. Clearly, in a place like Delhi there is a preference for educated candidates. Further among the poor, educational qualification is seen to be an important indicator of capability of the candidate than any other. Here personal integrity or a crime free image plays a less important role in deciding who to vote for.

In case of assets, it is possible to ignore this aspect in a candidate because 63.29% of Delhi's population lives in self owned houses. (24.36% lives in rented

accommodation and 6.68% lives in employers' accommodation.) And given the property value in the NCT region any of them would be worth more than a million. But it is interesting to look at what relationship asset holding has to vote share in Delhi. According to the affidavits of the candidates, out of 875 candidates there were 388 who declared less than Rs 10 lakh worth of assets. Only 4 won and only one candidate got more than 40% of the vote share. One candidate among these winners had declared assets of less than Rs 1 lakh. In the Rs 10 lakh to Rs 1 crore category there were 285 candidates and 22 of them won. 18 of the winners had a vote share of more than 40%. In the Rs 1 crore to 10 crore category there were 159 candidates out of which 38 won. 30 out of these winners had a vote share of more than 40%. In the category of above Rs 10 crore, there were only 21 candidates and 4 won. 2 winners polled more than 40% votes cast in their constituencies. There is a positive correlation between increasing asset level and winners' vote share.

In this context it is interesting to know the scale of asset level possessed by the candidates of three major parties in Delhi election. A Congress candidate on an average had declared assets of Rs 91.98 lakh in 2003 and in 2008 it was Rs 320.96 lakh. An MLA from Congress party in 2003 had an average declared asset of Rs 83.46 lakh and in 2008, Rs 290.86. For a BJP candidate in 2003 the average was Rs 55.51 lakh and in 2008 it was Rs 299.55 lakh. For a BJP MLA the average asset in 2003 was Rs 58.06 lakh and in 2008, it was 352.86 lakh. For BSP, the average asset of a candidate in 2003 was Rs 28.43 lakh and there were no winners in 2003. In 2008 the average BSP candidate had Rs 808.45 lakh and an MLA had an average asset of Rs 203.34 lakh. The increase in scale of the BSP candidates' average asset is astounding. But the winners (BSP won 3 seats) were not the richest candidates. In case of BJP, it is the richer candidates who have won (BJP won 23 seats). We are only looking at the declared asset level of candidates and not counting the money spent by each of them, their party's spending and the black money used to buy voter loyalty. Money power plays an important role in the context of serious candidates. It is not necessary that the more money you have the more sure you are of a win, but if you don't have money, than your chances of winning are certainly bleak.

During the survey we also found out that almost all JJ clusters and colonies were supplied with liquor bottles and cash, in some places free food and snacks were served, and in most clusters the pradhan or mukhiya was approached with the bribe. This was practised by at least three national parties in Delhi.

In case of crime records, we found that people were interested to know the background of the candidate but criminal record was not necessarily a deterrent. There were 91 candidates with criminal charges against them and 15 of them won. Most of the winners were incumbents or runner ups in the previous election. There was some kind of ambivalence amongst the voters about criminal past of candidates. That among the BPL more than 50% opted for this information as necessary as a second option points to the fact that they do care but not as decisively as their first option, education. Perception among the poor about

criminal background of candidates is usually driven by two major considerations. First, that those who have money usually find a way around the law or punishment, and second, such a person might some times be able to deliver. The instances of scam tainted ministers in office and representatives in the parliament go a long way in reinforcing such perceptions among the poor.

- In order to gauge the local needs, we asked the respondents to prioritise from among a list of 7 issues and rank them from 1 to 7, where 1 stood for the most urgent and 7 for least. The options were Water; sanitation; electricity; PDS; roads; health; and physical security, numbered in that order. These options were chosen from a set of issues which came up across Delhi during pre election voter awareness campaigns prior to the survey. The order of priority among the BPL was Electricity (81.36%), Water (61.04%), Roads (42.51%), Sanitation (37.52%), Security (25.79%), Health (21.42%), and PDS (16.38%). The figures in parenthesis indicate percentage of respondents who put that particular problem in their top 3 rankings. Among the APL the rankings stood as, Electricity (59.05%), Water (49.16%), Health (49.04%), Sanitation (44.01%), Security (36.26%), Roads (35.92%), and PDS (31.16%). There is a convergence of priorities among the APL and BPL in the first, second, fourth, fifth and seventh categories. The difference comes in the third preference where, while the BPL opted for Roads, the APL chose health. Prioritising health over roads can be understood because most of the APL were residents of DDA colonies and the BPL of Jhuggi clusters. In this third choice of the BPL, it is baffling that most of these clusters are still in accessible by pukka roads, while 70% of MLA LAD funds are spent in Delhi up grading and laying roads. Are the roads laid where they are no longer needed? Or are they the easiest ruse to extend patronage? Water is a long standing issue with Delhites. It is worth noting that about 25% of the population does not get piped water. Where does the MLA fund with Delhi Jal Board (Rs 50 lakh) go?

To my mind the first and the last options of both the categories were striking. In Delhi, 92.86% of households have electricity connection. But power supply in these colonies and clusters are at best periodic. They all suffer long power cuts and load shedding even after Delhi's electricity has been in the hands of private operators for sometime now. The general perception of the residents was that they were being short changed despite paying for their consumption and are seldom considered at par with a well to do consumer while allocation during shortages take place. Prioritising electricity also means striving for a better quality of life, which they are ready to pay for. But often in the discourse on poverty, this is overshadowed by food, health care or education.

Both the category of respondents gave least priority to PDS. This is possible because in Delhi the system runs with a little more efficiency or after the enactment of RTI Act, the civil society intervention in this sector has made it more accountable. But a recent report by a committee appointed by the Supreme Court found that "large portions of food grains allocated for APL category were diverted to black market" and that there were many deserving who are excluded

from the ambit of PDS. So why does PDS stand last in their priority? That may be because, in a city, with high density of population in poor areas, there is a greater market penetration, where retailers compete with less margins for consumers and the PDS is more like a support rather than a necessity for survival.

Water and Sanitation are real issues in Delhi's poorer areas. According to the Delhi Government figures, 77.96% of house holds in Delhi have toilets. This is somehow a doubtful information. There are 1080 JJ clusters in Delhi and approximately 30 lakh population living in it. During the survey, there were localities like Bhalaswa, where the surveyors found it difficult to have their food. Some of the JJ clusters were actually located on open drains, where children falling to malaria were common. Yet the BPL give health a low priority. It is possible that the poor access the government facilities more than any other segment and as long as that is taken care of, like schooling, they would prefer electricity, water or roads.

- If these are the needs and priorities of the poor, why have the political parties not responded to it yet? Well, if they have, indeed through their manifestoes or programmes, we asked the respondents how many of them had seen a party manifesto or can tell the programmatic focus of a party, 73.93% of the BPL and 87.08% of the APL said they have not seen any nor can tell the programme focus. Then how do the political parties form their manifestoes? Or decide on what they are going to do? Mostly based on hearsay! Or by collecting information from political recruits? If there is no institutional way of gathering information of voter preferences, then how are development funds allocated? We know that 50% of their LAD funds had not been spent till a month before the elections this time. There was a massive uproar in the assembly when it was reported that Delhi MLAs worked for 60 hours per year. Repeatedly the CAG has pointed out that Delhi Government, especially MLAs, had paid Rs182 crore for old age pension between 2000-2005, without verifying the existence of the recipients, which has resulted in huge unimbursed deposits in post offices and banks. We know that budgets and bills are passed in minutes and the quorum bells keep ringing much longer than the prescribed time because members are absent. Members do not attend standing committee meetings, which prompted the speaker to terminate membership of a ruling party MLA from the Public Account Committee. Then what is it that the MLAs' do? Still this time round when we asked whether voters in the BPL and APL category were happy with the performance of their MLA, 48.87% of the BPL and 58.15% of the APL said yes, they were. This is an intriguing situation. We did not ask any questions pertaining to caste or religious affiliation of the candidates, because in most of the urban constituencies, the voter, over the last three elections, did not follow a pattern. Still, assuming that voters do know their interest best, we asked whether they would like to see two separate political outfits ruling at the state and centre 60.23% of the BPL and 49.98% of the APL said no. They have perhaps realised that an incompetent and under confident representative is a willing cow to be milked than one who is hands on in his approach.



According to official figures there are 3.82 lakh families in the BPL category and 22 lakh families in the APL category in Delhi. Officially 14.82% of Delhi's population is estimated to be below poverty line. Delhi is also one of the highest in terms of per capita income, per capita electricity consumption and literacy rates in the country. Their participation in elections is high. Issues of electricity, water, and sanitation still persist among the poor and development and quality of life indicators should be the focus of elected representatives. The discerning poor might just think twice before casting her vote next time round.

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