

**REPRESENTATION OF THE PEOPLE (ELECTION MANIFESTOS
REGULATION AMENDMENT) BILL, 2025**

By

WE, THE PEOPLE OF INDIA, THAT IS BHARAT

A

BILL

further to amend the Representation of the People Act, 1951.

*to regulate different aspects of election manifestos and promises during
all democratic elections to the legislatures across the country.*

*to build a logical framework making the election manifestos simple and
understandable.*

*to make political parties and all contesting candidates commit to the
fiscal realities of public finance and policymaking.*

BE it enacted by the Parliament in the Seventy-sixth Year of the Republic of
India as follows: —

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1. (1) This Act may be called the Representation of the People (Amendment to Regulate Election Manifestos) Act, 2025.

Short title and commencement.

(2) It extends to whole of India.

5 (3) It shall come into force on such date as the Union Government may, by notification in the Official Gazette, appoint.

2. In Part – IV of the Representation of the People Act, 1951, hereinafter referred to as principal Act, after section 19A, the following section shall be inserted, namely

Insertion of section 19B.

“

10 **19B. Election Manifestos Panel:** — (1) A new agency called Election Manifestos Panel, hereinafter referred to as EMP, for the purpose of verification and, or the subsequent review, approval, or rejection of election manifestos or certain specific programmes, schemes, measures of an election
15 manifesto shall be constituted under the organizational structure of Election Commission of India as per the provisions of this Act.

(2) The EMP shall accept, reject, approve, disapprove, seek changes to the election manifestos and any of its
20 associated documents submitted either by a political party or a contesting candidate based on a specific format, content and criteria prescribed as per the provisions of this Act and the rules made therein.

(3) The structure, composition, functions, powers and all other matters associated with the EMP shall be as
25 prescribed under various sections of this Act and, the Election Manifestos (Regulation) Rules made therein by the parliament, or the ECI, as prescribed under this Act.

”

- 30 3. In Part – V of the principal Act, after section 30, the following section shall be inserted: —

Insertion of section 30A.

“

30A. Appointment date for submission of Election Manifestos for review: — As soon as the official notification related to the constitution or reconstitution of an Election Manifestos Panel is issued by the ECI in the official gazette in
35 accordance with section 31A of this Act, the Chief Election Commissioner of the ECI shall appoint,

- (a) A starting day for submission of election manifestos to EMP for review and approval, which shall be the *first day* after the date of publication of the first mentioned notification or, if that day is a public holiday, the next succeeding day which is not a public holiday. 5
- (b) The last day for final submission of election manifestos to the EMP which shall be the *fifty-sixth* day from the starting day as indicated in clause (a) above, both days inclusive.
- (c) The last day for obtaining approval of election manifestos from EMP which shall be the *sixtieth day* from the starting day indicated in clause (a) above, both days inclusive. 10
- (d) The day on which the corresponding EMP shall be prorogued by the ECI which shall be the *sixty-first day* from the starting day indicated in clause (a) above, both days inclusive. 15

”

Insertion of
section 31A.

4. In Part – V of the principal Act, after section 31, the following new section shall be substituted, namely

“

31A. Public notice of constitution, or re-constitution of Election Manifestos Panel: — (1) The Election Commission of India shall issue a gazette notification for constitution, or re-constitution as the case may be, of an Election Manifestos Panel as per the provisions of this Act and rules made therein, before issuing a notice of the general election to the Lok Sabha i.e., House of the People and, or to the Vidhan Sabha i.e., State Legislative Assembly under section 30 of this Act. 20 25

(2) The notice for constitution of an Election Manifestos Panel under this section shall be *at least ninety days* prior to the polling date, definitive or tentative, to the corresponding House of the People and, or the State Legislative Assembly under section 30 of this Act, for the purpose of facilitation of proper scrutiny, release, publication and meaningful debate on election manifestos by different political parties and candidates and, for the electors to make informed decisions on the polling day. 30 35

”

Insertion of
section 34A.

5. In the Part – V of the principal Act, after section 34, the following section shall be inserted,

“

34A. Fee related to the scrutiny of election manifestos: — A political party shall not be deemed to have duly submitted an election manifesto for scrutiny and approval of their election manifesto from the EMP during any given election unless it remits,

5

(a) in the case of a national party seeking approval of a national-level election manifesto during a parliamentary general or mid-term election, a sum of ₹ *five-lakh rupees*.

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(b) In the case of a national party seeking approval of a state-level election manifesto during a state legislative assembly election or mid-term election, a sum of ₹ *two-and-a-half lakh rupees*.

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(c) In the case of a state party seeking approval of a national-level election manifesto during a parliamentary general election or mid-term election, a sum of ₹ *two-and-a-half lakh rupees*.

(d) In the case of a state party seeking approval of a state-level election manifesto during a state legislative assembly election or mid-term election, a sum of ₹ *one lakh rupees*.

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(e) In the case of any other political party submitting either a national-level, or state-level election manifesto either during a parliamentary or state legislative assembly general, or mid-term election, a sum of ₹ *one-and-a-half lakh rupees*.

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(f) In the case of any contesting candidate submitting an election manifesto at any election to any Vidhan Sabha, a sum of ₹ *two-thousand five-hundred rupees*. Provided further that if the contesting candidate belongs to SC / ST community, then, a sum of ₹ *one-thousand two-hundred fifty rupees*.

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(g) In the case of any contesting candidate submitting an election manifesto at an election to Lok Sabha, a sum of ₹ *ten-thousand rupees*. Provided further that if the contesting candidate belongs to SC / ST community, then, a sum of ₹ *five-thousand rupees*.

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Provided that this fee shall be a one-time fee applicable for a given election manifesto submission, review and approval process of its corresponding scheduled election, and also includes any number of re-submission instances of election manifestos and any of its other associated documents.

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”

Insertion of
Part –VB.

6. In the principal Act, after Part – VA, the following part shall be inserted,

“

PART – VB
MATTERS CONCERNING ELECTION MANIFESTOS

CHAPTER I – INTERPRETATION

78C. Definitions: — In this Act, and for the purposes of this part and the chapters therein, unless the context otherwise requires and, or specified —

5

(1) An “Election Manifesto” is any document or material in any format i.e., print, electronic and, or digital, specified under the provisions of this Act, which is prepared and released by a political party and, or a contesting candidate,

(a) for the purpose of building and driving a socio-political-electoral discourse in an election to Lok Sabha, or Vidhan Sabha as the case may be, and

10

(b) constitutes the policies, programmes, plans, schemes, proposals and agendas of governance and administration in the event of an electoral victory of a given political party, and, or a contesting candidate in any given election to Lok Sabha, or Vidhan Sabha as the case may be.

15

(2) “associated documents” mean the financial outlay memorandum, the explanatory memorandum, and the impact-cum-review memorandum as defined under section 78E which are to be submitted along-with the election manifesto to the Election Manifestos Panel, hereinafter referred to as EMP, as applicable.

20

(3) “Election Commission of India” means the Election Commission of India under Article 324 of the Indian Constitution, hereinafter referred to as ECI.

25

(4) “election”, or “elections” means a general election, or mid-term election, as the case maybe, but excluding any bye-election, or bye-poll, or by-poll, to the Lok Sabha i.e., House of the People, or, to Vidhan Sabha i.e., State Legislative Assembly conducted by the ECI.

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(5) “political party” means national political party, state political party, recognized political party and registered political party as defined in this Act, the Representation of the

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People Act, 1950 and the Election Symbols (Reservation and Allotment) Order, 1968.

(6) “Government”, or “incumbent”, or “incumbent Government” means the government-of-the-day and includes
 5 either a Union Government at the national-level, or State Government at the state-level, or Union Territory Government at the union territory-level with a Legislative Assembly.

(7) “contesting candidate” means any candidate who is
 10 contesting election to Lok Sabha and, or Vidhan Sabha either during the corresponding general elections, or mid-term elections and does either belong to a political party or is an independently contesting candidate, unless the context otherwise requires and is specified.

(8) “Election Manifestos (Regulation) Rules” are the rules
 15 made by the Parliament through a Joint Parliamentary Committee on Rules under section 78I of this Act for the purposes of the fulfilment of its goals.

(9) “Joint Parliamentary Committee on Rules”, hereinafter referred to as “JPCR” shall be the Joint Parliamentary
 20 Committee comprising Members of Parliament from both Lok Sabha i.e., the House of the People and Rajya Sabha i.e., the Council of States as defined in section 78I.

(10) “date of polling”, or “polling date”, or “polling day” means the date or day on which the general election, or mid-
 25 term election to Lok Sabha i.e., House of the People, or Vidhan Sabha i.e., State Legislative Assembly, is scheduled to be held either definitively, or tentatively by the ECI in accordance with clause (d) of section 30 of the principal Act.

(11) “Original constitution”, or “constitution” means the
 30 instance of the constitution of a fresh EMP after the completion of its term.

(12) “Re-constitution” means the instance of re-
 commencement of the same EMP during its term again for the purpose of acceptance, format verification and approval of
 35 election manifestos during the general, or mid-term elections to Lok Sabha, or any of the Vidhan Sabha, as applicable.

(13) “session”, or “EMP session” means a particular session of
 any given EMP during its term and involves the duration, in days, between the date of original constitution, or re-
 40 constitution, as the case maybe, and the date of its prorogation.

(14) “prorogue”, or “prorogation”, or “prorogued” means the temporary suspension, or discontinuation of an EMP and all its functions and the meanings shall be construed accordingly.

(15) “proposal”, or “proposals” mean any and all the policies, programmes, schemes, measures, plans and agendas that a political party, or the contesting candidate proposes to fulfill in their election manifesto upon their electoral victory. 5

(16) “GDP” means Gross Domestic Product of the nation.

(17) “GSDP” means Gross State Domestic Product of a given state, or union territory, as the case maybe. 10

(18) “EMP” means Election Manifestos Panel formed with-in ECI as per the section 19B of this Act.

CHAPTER II – ELECTION MANIFESTOS PREPARATION CRITERIA

78D. Structure and Preparation Criteria of Election Manifestos: — (1) Any political party, or any contesting candidate contesting any election to Lok Sabha, or Vidhan Sabha as the case maybe, shall prepare an election manifesto, provided they intend to release an election manifesto for the purpose of contesting such an election, in accordance with the criteria mentioned in sub-section (2) below. 15

Mandatory
information to
be disclosed
to EMP and
Voters.

(2) The Election Manifesto including its associated documents as mentioned in section 78E shall comprise the following crucial information for the voters to make informed choices – 20

(a) Details of all the proposals which they intend to implement if elected to government or up on winning the election, as the case maybe. 25

(b) Details of an estimated cost to the exchequer in terms of rupees and, percentage of GDP, or GSDP, as the case maybe, for the purpose of the implementation of each of these proposals. 30

(c) Details of financial, human and material resources that shall be required for the purpose of the implementation of each of these proposals.

(d) Clear definition of the beneficiaries for each of these proposals. 35

- (e) Details of the impact assessment criteria for each of these proposals.
- (f) Details of the sunset provisions for each of these proposals.
- 5 (g) Any other criteria as determined by the Parliament in the Election Manifestos (Regulation) Rules.

78E. Mandatory Submission of Election Manifesto and other associated documents in a specific format to the EMP:

10 — All the political parties, and the contesting candidates, contesting (or intending to contest) any election with an election manifesto, shall prepare, and submit to the EMP defined under sections 19B and 78K of this Act, the following documents comprising all the aspects mentioned under section 78D above,

- 15 (a) The Election Manifesto that shall be released to the public during the elections comprising all the proposals related to human, social and state development in such a format and with such content as may be prescribed under the provisions of this Act and the Election Manifestos (Regulation) Rules made therein under this Act.
- 20 (b) An Explanatory Memorandum document comprising detailed explanation of all proposals mentioned in the election manifesto with stated objectives and rationale behind all such proposals.
- 25 (c) A Financial Outlay Memorandum of Election Manifesto comprising all the details related to funding, financing, budget planning and control, and the implementation cost of each proposal in terms of rupees and in terms of the percentage of GDP, or GSDP as the case maybe.
- 30 (d) An Impact-cum-Review Memorandum comprising all the details related to auditing, impact assessments, performance reviews and sunset provisions for all the proposals including information on the qualitative and quantitative positive and negative impact on different set
- 35 of individuals, groups, communities and organizations for each of the listed proposal and a mitigation plan to minimize or navigate any negative impact.

40 Provided that nothing in this section shall be made applicable to proposals related to national security, foreign affairs and defence and that all the political parties, and contesting candidates are exempted from providing such details thereof.

78F. Election Manifestos and other documents submission criteria for political parties and contesting candidates: – (1)

All national and state parties which intend to publish an election manifesto must prepare and submit the following documents to the EMP along-with their election manifesto,

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- (a) explanatory memorandum
- (b) financial outlay memorandum
- (c) impact-cum-review memorandum

(2) All registered political parties, other than national and state parties which intend to publish an election manifesto must prepare and submit the following documents to the EMP along-with their election manifesto,

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- (a) explanatory memorandum
- (b) financial outlay memorandum
- (c) impact-cum-review memorandum

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- (d) a self-declaration affidavit reaffirming their commitment to the provisions of this Act and all rules made there-in, failing which shall be made liable for penal action as per the provisions of this Act.

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(3) All contesting candidates who intend to publish an election manifesto must prepare and submit the following documents to the EMP along-with their election manifesto,

- (a) financial outlay memorandum

- (b) a self-declaration affidavit reaffirming their commitment to the provisions of this Act and all rules made there-in, failing which shall be liable for penal action as per the provisions of this Act.

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78G. Nothing in this Act is applicable to the election manifestos prepared and published at the time of bye-elections related to any given constituency, the elections related to Vidhan Parishad i.e., State Legislative Council, and elections related to local government bodies such as municipalities and panchayat raj institutions.

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78H. Presiding official associated with election manifesto preparation process: — (1) The political parties and

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contesting candidates shall provide the details of the chairperson, or in-charge, or the presiding official who is responsible for their election manifesto preparation process to the EMP at the time of submission of Election Manifesto for review.

(2) The EMP shall contact the presiding official mentioned in the sub-section (1) in case of any format changes and, or clarifications related to the submissions it received under section 78E of this Act, the provisions of this Act, and the Election Manifestos (Regulation) Rules made therein.

78I. Election Manifestos (Regulation) Rules to be made by the Parliament: — (1) The Parliament, through a Joint Parliamentary Committee on Rules, hereinafter referred to as JPCR, shall make certain rules to be named as “Election Manifestos (Regulation) Rules” related to regulation of election manifestos under the provisions of this Act and other laws that are in force for the time being.

(2) Upon the approval by Parliament, Government, or ECI, as the case may be, shall publish these rules, or any related sub-rules, through an official gazette notification as and when required and shall be made applicable across India.

(3) The Election Manifestos (Regulation) Rules shall include,

(a) a specific format based on which

- i. election manifestos,
- ii. explanatory memorandum,
- iii. financial outlay memorandum, and
- iv. impact-cum-review memorandum

as indicated in section 78Q shall be prepared, submitted to the EMP and released to the public after EMP’s approval.

(b) a specific format in which self-declaration affidavits that shall be prepared and submitted to the EMP by unrecognized political parties and contesting candidates and released to the public after EMP’s approval.

(c) expenditure limits proposed by the finance commission on welfare proposals and freebie

proposals, as per the latest, or most recent, finance commission report applicable for the year(s) during which the political party, or the contesting candidate proposes to implement certain programmes, policies and schemes as mentioned in their election manifesto. 5

Provided that JPCR cannot make any modifications to the expenditure limits recommended by the Finance Commission in the Finance Commission Report. 10

Provided further that ECI shall notify these expenditure limits in a gazette notification within *forty-eight hours* from the public release of the Finance Commission report.

- (d) a specific format based on which Election Manifestos Progress Report shall be prepared and released. 15
- (e) manner of distribution and delegation of rulemaking among the parliament, JPCR and the ECI. 20
- (f) any other criteria as determined by the parliament in consultation with ECI and all registered political parties.

78J. Composition and Term of Joint Parliamentary Committee on Rules: — (1) The Election Manifestos (Regulation) Rules shall be prepared and released by a Joint Parliamentary Committee on Rules comprising *thirty-five members of parliament* from both the houses of parliament in the following manner, 25

- (a) *seventeen members* from Rajya Sabha to be nominated by the Chairperson of Rajya Sabha. 30
- (b) *eighteen members* from Lok Sabha to be nominated by the Speaker of Lok Sabha.
- (c) The committee must have two independent members – one each from both the houses, who is an independent candidate neither affiliated to any political party nor has a history of any such affiliation to a political party over the past ten years at the time of their appointment to the committee. 35

- (d) The committee must have at least one representative from each national, and each prominent state party at the time of its formation and throughout the discharge of its duties and functions in accordance with the provisions of this Act and the rules made therein.

(2) Speaker and Deputy Speaker of Lok Sabha or Chairperson and Deputy Chairperson of Rajya Sabha cannot be the members of this JPCR.

Provided that no independent member is elected to Lok Sabha, i.e., House of the People, Speaker may consult with the Chairperson of Rajya Sabha and, upon their mutual consent, nominate an independent member from Rajya Sabha who is deemed to be qualified for the membership of JPCR.

(3) The JPCR shall elect a Chairperson from amongst themselves through voting which is recorded, and which is in accordance with rules of procedure of both the houses of the Parliament.

(4) The term of the JPCR shall be for one year but can be extended by up to one year if the Speaker of the Lok Sabha deems it necessary.

78JA. Powers of the Joint Parliamentary Committee on Rules: — (1) For the purpose of this Act, the Joint Parliamentary Committee on Rules constituted under section 78J shall have the following powers,

(a) To prepare the eligibility, evaluation and appointment criteria for EMP members by the ECI as per the provisions of this Act and the rules made therein.

(b) To prepare a list of members who shall be eligible to be appointed to the EMP as per the provisions of this Act and the rules made therein and submit the same to the ECI.

Provided that the list of members eligible shall have clean and proven meritorious track record including that of political neutrality and non-affiliation to any political party(ies) during their professional career.

(c) To monitor and ensure if ECI made the appointments as per the provisions of this Act and the rules made therein.

- (d) To punish the CEC and other ECs who deviated from the eligibility, evaluation and appointment criteria with regard to the appointment of EMP members prescribed under the provisions of this Act and the rules made therein. 5

Provided that nothing in The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 shall prevent the JPCR and the parliament from initiating any inquiry, trial and, or removal of the CEC or other ECs in accordance with the due process of law in the event of any violations observed under this section. 10

(2) The Election Manifesto (Regulation) Rules mentioned under section 78I.

CHAPTER III – ELECTION MANIFESTOS PANEL

78K. Constitution, or reconstitution of an Election Manifestos Panel: — (1) The Chief Election Commissioner along with the other Election Commissioners of the ECI shall constitute, or re-constitute a panel to be called “Election Manifestos Panel” for the purpose of acceptance, format verification and approval, as required, of all the election manifestos and its associated documents to be submitted by all the political parties and, the contesting candidates in accordance with the provisions of this Act and the rules made there-in from time-to-time. 15 20

(2) The Election Manifestos Panel, hereinafter referred to as EMP, shall comprise *five* members with the following eligibility criteria – 25

- (a) 1 former Union Finance Secretary
- (b) 1 former Chief Economic Advisor, or other Economic Advisor to the Prime Minister of India, or the Government of India. 30
- (c) 1 former Deputy Governor of RBI.
- (d) 1 former IIM Director.
- (e) 1 former Deputy Chairperson of the Planning Commission, or a former Chief Executive Officer of NITI Aayog. 35

(3) The Chief Election Commissioner and the other Commissioners shall elect the chairperson of the EMP by means of a ballot vote who then presides over all the affairs and functioning of the EMP.

5 **78L. Mandatory submission of election manifesto and other documents to election manifestos panel:** — All political parties, and contesting candidates shall mandatorily submit their election manifestos, if any, and all its associated documents mentioned in section 78E of this Act, as applicable,
10 with the EMP in accordance with the timeline prescribed under section 78N of this Act and other provisions of this Act.

78M. Election Manifesto public release criteria: — (1) For national, state political parties, any election manifesto together with its associated documents mentioned in section 78F shall
15 be published, or released to the public only after obtaining the approval from EMP in the prescribed format as mentioned in section 78E and other provisions of this Act and the rules made therein.

(2) For other registered political parties and contesting
20 candidates, any election manifesto together with all the other documents mentioned in section 78F could be released to the public without the need for format verification and approval by the EMP.

Provided that such registered political parties and
25 contesting candidates should ensure self-compliance and strict adherence to the provisions of this Act and other laws as applicable and shall have to submit a self-declaration affidavit stating the same.

(3) In the event of identification of any lapses related to
30 self-compliance and strict adherence in election manifesto and other document preparation and release to the public during any later stages including during the election campaigning, the political party and, or the contesting candidate shall be penalized under section 78ZE the provisions of this Act.

CHAPTER IV – TIMELINES, EVALUATION PROCEDURES AND INTEGRITY OF THE PROCESS

35 **78N. Timeline for Election Manifesto submission:** — (1) In case of Parliamentary general elections and, or State Legislative Assembly elections,

(a) the national, state and registered recognized political parties shall have to submit their election manifestos

and the associated documents mentioned in section 78E, if any, to the EMP *at least sixty-five days* prior to the date of polling, definitive or tentative, or immediately after the constitution of the EMP.

- (b) The other registered political parties, and the contesting candidates shall have to submit their election manifestos and the associated documents mentioned in section 78E, if any, to the EMP *at least thirty-five days* prior to the date of polling, definitive or tentative, along-with the self-declaration affidavit mentioned in sub-section (2) of section 78M. 5 10

(2) No election manifesto shall be accepted by the EMP for review and approval, or for any other purposes *thirty-days* before the date of polling, definitive or tentative, both dates inclusive. 15

78O. Timeline for Election Manifesto Evaluation and responses from EMP: — (1) The EMP shall take *forty-eight hours* to *ninety-six hours* to assess each election manifesto and its associated documents mentioned under section 78E as submitted by national and state political parties from the date and time of their receipt, regardless of public holidays or any other holidays, and shall either approve or seek appropriate changes to these election manifestos and the other associated documents as mentioned in section 78F based on the format and content criteria prescribed by the provisions of this Act and the rules made therein. 20 25

Publishing of approved election manifesto on EMP portal and notifying the same to presiding official.

(2) Upon approval, EMP shall upload and publish the corresponding election manifesto and all its other documents on the EMP web portal as mentioned under section 78ZG within *six hours* from the time of such approval and the corresponding presiding official associated with the election manifesto preparation process as mentioned in section 78H shall be informed about the same. 30

Resubmission notice related to format and content discrepancies in election manifesto.

(3) At any time during review of any election manifesto, submitted either by the political party and, or the contesting candidate, if any discrepancies related to format and content of election manifesto and its documents as mentioned in section 78E, in so far as they are applicable, the EMP shall mandatorily notify, in writing, to the presiding official associated with election manifesto preparation process as mentioned in section 78H of such political party and, or contesting candidate about the specific changes required and shall seek resubmission within *seventy-two hours* from the time of such notice. 35 40

(4) In case of a resubmission notice, such a presiding official of the political party and, or the contesting candidate shall have to incorporate the specific changes sought by the EMP in consultation with their political party, or contesting candidate, and resubmit the election manifesto and all the associated documents mentioned under section 78E within *seventy-two hours* from the date and time of such resubmission notice failing which the first, or previous submission(s) of such election manifesto together with its associated documents shall be considered void and such political parties and, or the contesting candidates, shall have to re-initiate the election manifesto submission, review and approval process afresh.

(5) Political parties and, or the contesting candidates shall have the option to submit, re-submit, re-initiate and, or withdraw their election manifestos from the whole process anytime and any number of times during a given EMP session subject to the provisions of this Act and the rules made therein.

(6) Any approvals given, and any modifications sought by the EMP shall be based on the provisions of this Act and the rules made therein and are hence deemed to be undertaken in good faith of law.

EMP decisions are deemed final with provision to appeal.

(7) In the event that political parties, particularly national and state political parties, and, or contesting candidates have a strong reason and, or evidence to believe that EMP and, or its members are unfairly discharging their duties and are indulging in any form(s) of malfeasance, misfeasance and non-feasance, in contravention to the purpose and provisions of this Act and the rules made therein, then, CEC and other ECs shall be bound to accept such grievances submitted, or put forward, by such political parties and, or such contesting candidates, and shall have to necessitate an immediate inquiry and action with-in *six hours* from the time of filing of such grievance and shall inform the course of action and outcome in under *twenty-four hours* to such political party and, or contesting candidate who filed the grievance.

CEC and ECs as Appellate Authorities against EMP's malfeasance, misfeasance and non-feasance.

78P. Integrity and confidentiality of the process: — (1) Election Manifestos Panel shall comply with the confidentiality and integrity norms throughout the evaluation process.

(2) Election Manifestos Panel and all its members, officials and staff shall ensure that no part, aspect, element, idea, thought, scheme, programme, policy, proposal, agenda and strategy, or any other aspect of any political party, or, the contesting candidate(s) is leaked, divulged and, or shared either to the press or to other individuals, group of individuals, and,

or any entities, organizations either in their personal, individual capacity or in their official capacity including to private citizens in any manner.

(3) The EMP shall strive to safeguard and promote the rights of all the political parties and, or the contesting candidates regarding the latter's ideas towards development, welfare and reform agenda. 5

(4) The EMP and its members are duty-bound to approve election manifestos and its associated documents as per format and content specified by the provisions of this Act and the rules made therein. 10

(5) The EMP and its members shall not, either directly or indirectly, exercise their functions, or discharge their duties in order to deliberately, tacitly or maliciously reject the election manifestos and its associated documents submitted by any of the political parties and, or contesting candidates, and shall not discriminate between political parties and, or contesting candidates in discharge of their functions. 15

(6) The ECI shall lay down dedicated grievance and appellate platforms and procedures for political parties and contesting candidates to file any incidents of misfeasance, malfeasance and non-feasance related to the EMP and, or its members conduct as prescribed by the provisions of this Act or the rules made therein. 20

CHAPTER V – TENURE, SESSIONS, RE-CONSTITUTION, DISSOLUTION AND RE-APPOINTMENT CRITERIA

78Q. Term of EMP: — (1) The term of any given EMP shall be three years from the date of its original constitution. 25

Dissolution of
EMP on
completion of
term.

(2) The EMP is dissolved completely after the completion of its three-year term from the date of its original constitution and all its members cease to hold any membership to the same EMP. 30

Constitution
of a new
EMP.

(3) Subsequently, within 30 days of such dissolution, a new EMP shall be constituted by the ECI through an official gazette notification indicating the names of its members and its Chairperson thereof.

78R. Term limits and Reappointment criteria: — (1) The minimum and maximum term limits for any member of any EMP shall be two and three years respectively. 35

(2) No member an EMP is eligible for re-appointment.

Bar on re-
appointment.

(3) No member of an EMP can, simultaneously, be occupy any other office-of-profit either under the government of India or under any of the state/UT governments or any public sector units.

5

78S. EMP session and its prorogation: — (1) Any EMP that is constituted for a particular general election, mid-term election as the case maybe, shall be prorogued on twenty-ninth day before the date of polling, both dates inclusive.

10

(2) The particular duration involving a constitution, or as the case maybe, the reconstitution, and its subsequent prorogation is to be called an ‘EMP session’.

Definition of EMP
session.

15

78T. Reconstitution of an EMP: — The ECI shall have the powers to re-constitute the prorogued EMP at a later point of time again for the purpose of evaluation of election manifestos regarding general elections to the Lok Sabha, or any other state legislative assembly or any mid-term election at national, state thus marking the beginning of a new EMP session.

CHAPTER VI – FREEBIES, WELFARE PROPOSALS AND OTHER CONDITIONS

20

78U. Definition of Freebies: — (1) For the purposes of this Act, a freebie is any proposal which is related to,

(a) the free distribution and, or free supply of

i. electricity,

ii. drinking water,

iii. public transportation, and

25

iv. broadband internet connectivity

across a given territory at sub-district level, district-level, state-level, inter-state level, and, or national-level.

30

(b) cash handouts of any type except those which are related to providing legitimate social security and safety net for the elderly, disabled and unemployed individuals as prescribed by any other law, for the time being in force, and which are not in contravention to the provisions of this Act and the rules made therein.

(c) free distribution of

- i. electronic goods including, but not limited to, mobile phones, smart phones, tablets and laptops.
- ii. personal or commercial transport vehicles including, but not limited to, scooters, motorcycles, cars, tractors etc., and 5
- iii. home and kitchen appliances including, but not limited to, washing machine, LPG gas stove, LPG cylinders, TVs, fans, sewing machines, mixer grinder and, or air-conditioners 10

except as prescribed by any other law for the time being in force and which is not in contravention to the provisions of this Act and the rules made therein.

- (d) Waiver of any pending utility bills, loans, taxes, penalties etc., of any individual and, or groups and, or entities that are not related to any type of small and marginal landholding farmers, or tenant farmers, and, or any type of micro and, or small enterprises, or self-help groups (SHGs) as defined and prescribed by any law that is in force for the time-being. 15 20
- (e) Any such other proposal related to any other aspect of socio-economic development and, or welfare targeting any class of beneficiaries which are not covered under section 78V of this Act.
- (f) Any such other proposal related to any other policy(ies) as determined by the JPCR or the Finance Commission under the provisions of this Act. 25

(2) In addition to the criteria mentioned in sub-section (1) above, a freebie is any proposal which requires a budgetary allocation of at least ₹ *one-thousand crores rupees per year, or* 30
at least ₹ three-thousand crores rupees for a cumulative period of three years from the Consolidated Fund of India, or the Consolidated Fund of State / Union Territory, as the case maybe.

(3) Every political party and contesting candidate should 35
 clearly indicate in their election manifesto and all its associated documents, if any, as to which proposal is a freebie. In addition, the following information related to the freebie proposal(s) must be clearly mentioned and published,

- (a) financial outlay of the proposed freebie. 40

- (b) precise criteria of beneficiaries to whom the freebie shall be made applicable or delivered.
- (c) plans and methods, ways and means through which the proposed freebie shall be financed.
- 5 (d) timeline during which the proposed freebie(s) shall be implemented.
- (e) short-term, medium-term and long-term impact of the freebie on the holistic development and well-being on the target group and, in relation to the society, state and
- 10 nation as the case maybe.

78V. Definition of Welfare Proposals: — (1) For the purposes of this Act, any proposal in a given election manifesto that is aimed at providing support, upliftment and inclusive development of the below the poverty line, lower-to-middle-

15 income individuals, households and, or groups and, or of the poor, destitute and the needy, or on the basis of the universalization of public good and, or maximization of a public utility shall be treated as a welfare proposal, subject to the provisions of this Act, and the rules made therein, and any

20 other laws that are in force for the time-being, involving the following criteria,

- (a) food distribution (including food grains, edible oil and pulses),
- (b) public education,
- 25 (c) public healthcare,
- (d) free or subsidized housing,
- (e) old-age pension and other social security assistance programmes for the elderly,
- (f) disability pension and any other social security
- 30 assistance programmes for the differently abled, physically challenged, physically disabled and, or handicapped individuals,
- (g) unemployment allowance to any individual with at least one of the following criteria,
 - 35 i. an unemployed individual who could not secure a job since at least two-years after the completion of their highest qualifying educational degree.

- ii. who lost a job due to market and economic uncertainties and fluctuations and has remained unemployed for at least six months.
- iii. who prepared for any government, defence services and, or competitive examinations but could not succeed in such endeavours. 5
- iv. woman attempting to restart her life after marriage and childbirth.

In all the above cases, the unemployment allowance shall be for one-year and the state shall ensure the enrolment of all such individuals into the National Career Service portal and linking them with skilling centres for gaining employable skills. 10

- (h) cash handouts, tax subsidies or requisite farming resources to support micro, marginal, small and medium land owning farmers and, or the tenant farmers who till the land strictly excluding large landowners. 15
- (i) cash handouts, tax subsidies or requisite material resources to marginalized communities and, or marginalized groups who are below the poverty line. 20
- (j) Farm loan waivers, distribution of seeds, fertilizers and farming equipment to micro, marginal and, or small farmers.

(2) Every political party and contesting candidate should clearly indicate in their election manifesto and all its associated documents, if any, as to which proposal is a welfare. In addition, the following information related to the welfare proposal(s) must be clearly mentioned and published, 25

- (a) Financial outlay of the welfare proposal.
- (b) precise criteria of beneficiaries to whom the welfare benefits shall be made applicable or delivered. 30
- (c) plans and methods, ways and means through which the proposed welfare shall be financed.
- (d) timeline during which the welfare proposal(s) shall be implemented. 35
- (e) short-term, medium-term and long-term impact of the freebie on the holistic development and well-being on

the target group and, in relation to the society, state and nation as the case maybe.

78W. Mandatory implementation timelines, mitigation plans, impact assessments and sunset provisions: —

(1) All political parties and contesting candidates must indicate a definitive timeline for implementation of each of their proposal as mentioned in their election manifesto and its associated documents.

(2) All welfare and freebie proposals should also include mitigation plans and implementation strategy keeping in mind the fiscal prudence.

(3) All welfare and freebie proposals should also be supplemented with timelines for periodic impact assessment which include census data and, or other state-owned survey data involving beneficiary-centric socio-economic profiling to be held only by such competent authorities as may be determined by the law.

(4) All welfare and freebie proposals should mandatorily include sunset provisions based on defined exit criteria.

78X. Defined beneficiaries: — Every political party, contesting candidate shall clearly define the class and group of beneficiaries which, who, or whom shall be benefitted by any given welfare or freebie proposal in accordance with the provisions of this Act and all rules made there-in.

78Y. Finance Commission to determine certain limits on welfare and freebie expenditure: — (1) The Act empowers the Finance Commission, constituted by the President under Article 280 of Constitution, to prescribe one or more kinds of limit(s) on annual welfare and freebie expenditure as mentioned below,

(a) A fixed, or variable limit in terms of percentage (%) of National Gross Domestic Product (GDP) and, or Gross State Domestic Product (GSDP) on the expenditure related to welfare and, or freebie proposals keeping in mind the fiscal realities across all tiers of government.

(b) A fixed, or variable limit in terms of percentage (%) of GDP (national and state) in relation to the economic growth, existing debt, other monetary and fiscal parametres, or any such other factors as the Finance Commission may deem fit and reasonable.

(2) All the political parties shall mandatorily adhere to the limit prescribed by the Finance Commission under sub-section (1) above while formulating all proposals in their election manifesto.

CHAPTER VII – ELECTION MANIFESTO PROGRESS REPORT

78Z. Election Manifesto Progress Report: — (1) All political parties and contesting candidates which, who either formed the government on their own or have been a part of a coalition government either at national, or at state level during any time after the enactment of this Act shall mandatorily release an Election Manifesto Progress Report, hereinafter referred to as EMPR, provided they released any election manifestos during such previous election. 5 10

(2) All political parties and contesting candidates must submit their EMPRs to the EMP as per the timeline prescribed under section 78ZB below. 15

(3) All political parties and contesting candidates are exempted from releasing an EMPR **until the Gregorian calendar year of Two Thousand and Thirty (2030).**

78ZA. Contents of Election Manifesto Progress Report: — The Election Manifesto Progress Report is a document whose format is prescribed as per the “Election Manifestos (Regulation) Rules” and shall comprise the following, 20

- (a) performance of all policies, programmes, schemes and plans mentioned in the previous election manifesto,
- (b) extent of implementation of each of these policies, programmes, schemes, measures and plans. 25
- (c) budget allocated to each proposal as mentioned in the preceding election manifesto and the actual budget expenditure incurred against each such proposal.
- (d) Any other aspect as indicated in the Election Manifestos (Regulation) Rules 30

78ZB. Timeline for release of Election Manifesto Progress Report: — (1) National and state political parties which fulfil the criterion mentioned in section 78Z above shall release the EMPR ***two months*** prior to the date of polling, definitive or tentative, of the corresponding general election, state legislative assembly election, mid-term election as the case maybe. 35

(2) All other political parties and contesting candidates fulfilling the criterion mentioned in section 78Z above shall release the EMPR *one month* prior to the date of polling, definitive or tentative, of the corresponding general election, state legislative assembly election, mid-term election as the case maybe.

78ZC. All eligible political parties are exempted from releasing an EMPR during any bye election to the parliament, state legislative assembly and local body elections.

Exemptions from releasing EMPR during bye-elections.

CHAPTER VIII – PENALTIES FOR OFFENCES

78ZD. Penalty for publishing, or releasing an Election Manifesto in contravention to the provisions of this Act: —

(1) Publication, or release of any election manifesto by any national, and state political party to the general public without obtaining the requisite approval from the EMP and, or in violation of the provisions of this Act and the rules made therein, shall result in a ban on the political party from contesting that particular election i.e., Lok Sabha or Vidhan Sabha, and all elections to be held by the ECI for a period of *three years* along-with a penalty of ₹ *one crore rupees*.

(2) For any other political party, and all the contesting candidates, any violations found in manifesto preparation and the subsequent release in contravention to the prescribed procedures, provisions of this Act, and other rules made therein despite the submission of self-declaration affidavit under subsection (2) of section – 78M of this Act shall result in an immediate ban on such political party and, or contesting candidate, as the case maybe, from contesting that particular election, and all corresponding elections to be held by the ECI for a period of *five years* along-with a penalty of ₹ *ten lakh rupees*.

78ZE. Penalty on EMP member for ethical violations: —

(1) EMP members and other staff members who violate the confidentiality and integrity norms under the provisions of this Act and, or under any official law which deems, necessitates and mandates exemplary ethical conduct, shall be liable for a legal action through a formal trial to be held by the competent authorities under the criminal breach of trust as envisaged under

(a) Indian Official Secrets Act, 1923,

(b) Bharatiya Nyaya Sanhita (BNS) Act, 2023,

(c) Bharatiya Nagarik Suraksha Sanhita (BNSS) Act, 2023

(d) Bharatiya Sakshya Adhiniyam (BSA), 2023 and,

(e) Any other law that is in force for the time-being

with a minimum term of rigorous imprisonment **not less than seven years** and a **minimum penalty of ₹ fifty lakh rupees**.

(2) The CEC and other ECs shall initiate such inquiry and take such action against such EMP members as mentioned in sub-section (1) above in accordance with the powers conferred upon them and the ECI under sections 146 to 146C of the principal Act. 5

78ZF. Penalty for Media channels for publicizing and propagation of unapproved election manifesto: — (1) Media channels across all formats i.e., print, electronic, digital and social media shall mandatorily check the corresponding EMP website from time-to-time before endorsing, advertising, publicizing, propagating and, or telecasting any election manifesto and, or its policies, schemes, programmes and measures with regard to any political party and, or the contesting candidate. 10 15

(2) Media channels across all formats i.e., print, electronic, digital which endorse, advertise, publicize, propagate and, or telecast any election manifesto of any political parties, their contesting candidates and, or independently contesting candidates that are not approved by the corresponding EMP shall be liable for legal and penal action under the relevant sections of 20 25

(a) Cable TV Regulation Act, 1992;

(b) Information Technology Act, 2002;

(c) Information Technology Rules, 2021, and

(d) any other relevant laws and bye-laws that are, for the time being, in force, along with a total ban on all their business activities for up to **six months**, or as decided by the ECI. 30

CHAPTER IX – PUBLICATION, PROPAGATION AND PUBLICITY OF ELECTION MANIFESTOS

78ZG. Dedicated web portal for EMP: — (1) EMP shall have its own web portal similar to that of election affidavits web portal for the purpose of publishing the approved election manifestos, along-with their documents mentioned under 35

78ZH. Publicizing of Election Manifestos: — All political parties, and the contesting candidates shall publicize their manifestos along-with its associated documents as mentioned under sections 78E and 78F across,

15 (b) through preparation of campaign materials in the form of pamphlets, wall posters, digital photos and videos and other multimedia across a given constituency and on all forms of media.

30 (2) All print, electronic, digital media agencies shall invite spokespersons from all political parties and contesting candidates for a meaningful debate on the issues, ideas, programmes and plans of their corresponding election manifestos and its associated documents as mentioned in sections 78E and 78F.

35 **78ZJ.** The general superintendence, direction and management
of the affairs of the EMP shall be vested in the Chairperson of
that particular EMP and he/she may exercise all such powers
and do all such acts and things which may be exercised or done
by the EMP autonomously without being subjected to
40 directions by any other authority under this Act.

Resignation
and, or
removal of
EMP
members.

78ZK. Any member of EMP may, at any time, in writing under his or her hand addressed to the Chief Election Commissioner of ECI and shall resign from his/her office.

Provided that the ECI has the power to remove any member EMP in the manner specified by the parliament or the state legislature as the case maybe. 5

Bar on courts.

78ZL. Bar on civil courts from accepting petitions related to matters connected with any EMP.

Salary,
emoluments
and perks of
EMP
members.

78ZM. The salary, emoluments, perks and other service conditions of the members of EMP including the chairperson shall be determined by Parliament and, or state legislative assembly, as the case maybe, via the Election Manifestos (Regulation) Rules. 10

Government
to bear the
expenses.

78ZN. (1) Costs incurred by the EMPI and its members, staff, employees and the emoluments thereof for the purpose of general election to parliament and state legislative assembly shall be borne by the ECI and, as such, the parliament shall appropriate the finances of ECI during the election year to ensure smooth and hassle-free functioning of the said office. 15

(2) Costs incurred by the SEMP for the purpose of elections to municipal corporations, municipalities and panchayats shall be borne by the corresponding State Election Commission and, as such, the state legislative assembly shall appropriate the finances of during the election year to ensure a smooth and hassle-free functioning of the said office. 20 25

Power to
make rules.

78ZO. (1) The Government may, by notification, make rules to carry out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case maybe; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 30 35

Power to
remove
difficulties.

78ZP. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by general, or special order published in the Official Gazette, make such 40

provisions consistent with the provisions of this Act, as appear to them to be necessary, or expedient for the removal of the difficulty.

- 5 (2) Every notification or order made under sub-section (1) above shall, as soon as possible, after it is issued, be laid before Parliament.

78ZQ. For the purposes of this Act, the General Clauses Act, 1897 shall apply.

- 10 7. In the Part – VII of the principal Act, after section 123, the following section shall be inserted,

“

- 123A. Ban on announcement, initiation or declaration of a cash hand-out scheme and its disbursement by any Government during a certain period:** — Any government and, or any political party that is a part of the government shall
15 be barred from announcement, initiation, or declaration of any kind of a cash hand-out scheme targeting any category, class, group and, or community of electors throughout the period of *at least six months* prior to the date of polling, either definitive or tentative, to that particular Lok Sabha, or the State Legislative
20 Assembly as the case maybe regardless of the applicability, or inapplicability of model code of conduct (MCC) to be implemented by the ECI before such an election.

- In the event that any government, or any political party that is a part of the government announces, initiates, declares or
25 disburses any cash to voters or electors, then, such individuals and officers as mentioned under section 126C shall be treated as offenders and shall be punished as per the provisions of this Act.

- Explanation:* – For the purpose of this section, “cash hand-out scheme” means any cash transfer scheme, or any proposal
30 announced by any government, or any political party which is a part of the government, either at the union-level, or at state or, union territory level, through which such a government, or such a political party aims, or promises, or intends to give,
35 provide, or transfer a fixed or variable amount of money, cash to any group, class, and community of individuals either directly or indirectly.

”

8. In the Part – VII of the principal Act, after section 126B, the following section shall be inserted,

“

126C. Offences and penal action related to cash hand-out

schemes: — In the event that any government, or any political party that is a part of the government announces, initiates, declares or disburses any cash hand-out scheme in contravention to the section 123A of this Act, then, such an instance shall be treated as an electoral offence and the following action shall be taken, 5

- (a) The Finance Secretary of the Ministry, or Department of Finance along with the Secretary or the senior-most nodal authority of any other Ministry, or Department in the corresponding Government who is responsible for such a disbursement of cash or money to voters shall be liable for a rigorous imprisonment of at least *fifteen years* along-with a penalty of *one-crore rupees*. 10
- (b) The president(s) of such political party(ies) unit, either at national-level, or at the state / UT level as applicable, shall be liable for rigorous imprisonment of at least *fifteen years* along with a penalty of *one-crore rupees* as individual personal penalty and *one-crore rupees* on such a political party(ies) unit(s) as penal costs. 15 20

STATEMENT OF OBJECTS AND REASONS

1. Election Manifestos are meant to present a roadmap and vision of political parties towards the voters, citizens, society and nation. Merely making statements, or announcing popular schemes for the purpose of wooing voters to win elections without any understanding of the prevailing fiscal realities, financial / operational challenges of the state's economy and other practical considerations constitute a lack of ethics on behalf of the political parties and the contesting candidates, ultimately forcing people to losing faith in the electoral and democratic systems and processes, the political parties and the leaders.
2. Welfare schemes, most particularly, freebies are a growing concern among the Indian middle-class which constitute about 35% of the Indian population today, projected to grow to 47% by 2030 and 61% by 2047, according to a PRICE (People Research on India's Consumer Economy) report. Therefore, it is crucial for the parliament to make a law regulating freebies and welfare schemes proposed by the political parties and contesting candidates to make them more rooted in scientific need and usher in transparency and accountability in the Indian polity.
3. An Election Manifestos Panel, comprising experts from myriad areas would ensure that election manifestos are carefully evaluated, in accordance with a certain formats, and expenditure limits proposed by the Finance Commission, before they are released to the public so that voters can evaluate different socio-economic and development agendas of different political parties and the contesting candidates and make an informed choice during elections.
4. This bill aims to build institutional support and regulatory mechanism to achieve that purpose. The bill also seeks to build a conducive environment for meaningful debate and deliberation among the voters on the merits, demerits of policies, programmes and schemes of the election manifesto.
5. The bill mandates political parties to define the beneficiaries of a particular scheme, programme, or proposal, mandates impact assessments and sunset provisions etc., to ensure efficiency and accountability in public financing, budget control and auditing and also the outcome measurement.
6. The bill also imposes reasonable restrictions on media, subject to the provisions of the existing laws, to not publicize anything that is not a part of an official election manifesto approved by ECI.

FINANCIAL MEMORANDUM

Section 19B of the Bill provides for the constitution of Election Manifestos Panel (EMPs) as an agency with-in the organizational structure of ECI for the purpose of evaluation and approval, or rejection of Election Manifestos submitted by different political parties and contesting candidates during general elections, or mid-term elections to the Lok Sabha i.e., House of the People, or, Vidhan Sabha i.e., State Legislative Assembly, as the case maybe.

Section 78ZN provides for the administrative support of the EMP. It is estimated that a recurring expenditure of about (₹) *three crore rupees* per annum would be involved from Consolidated Fund of India.

In addition, section 78ZM provides for salaries, emoluments and perks of all the EMP members in accordance with the Election Manifestos (Regulation) Rules whose total amount is estimated to be about (₹) *one crore rupees* per session of the EMP.

MEMORANDUM FOR DELEGATED LEGISLATION

Sections 78I, 78J and 78JA of the bill empower the parliament to constitute a Joint Parliamentary Committee on Rules (JPCR) comprising thirty-five members from both the Houses of Parliament to make rules, to be ordinarily known as Election Manifestos (Regulation) Rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of normal character.

LOK SABHA

A

BILL

further to amend the Representation of the People Act, 1951

to regulate different aspects of election manifestos and promises during
all democratic elections to the legislatures across the country.

to build a logical framework making the election manifestos simple and
understandable.

to make political parties and all contesting candidates commit to the
fiscal realities of public finance and policymaking.

(We, the People of India i.e., Bharat)

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