

Government amends election rules to restrict public access to CCTV, other electronic poll documents

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NEW DELHI: The Centre has amended Rule 93 of the Conduct of Election Rules, 1961, to limit public access to certain electronic documents with the aim of preventing the misuse of electronic election records. This includes CCTV camera and webcasting footage, as well as video recordings of candidates, during the election process. The Union law ministry's decision to alter the rule follows a recommendation from the Election Commission.

Previously, Rule 93 stipulated that all "papers" related to elections were open to public inspection. However, the latest amendment adds the phrase "as specified in these rules," thereby restricting access to only those documents explicitly mentioned.

Officials from the law ministry and the EC confirmed to news agency PTI that the amendment was prompted by a court case.

While election-related documents such as nomination forms, appointment of election agents, results, and election account statements are explicitly listed in the rules, electronic records like CCTV footage and webcasting clips are not included.

"There have been instances where such electronic records have been sought, citing the rules. The amendment ensures that only papers mentioned in the rules are available for public inspection, and any other document not referenced is excluded," an EC official said.

EC functionaries highlighted concerns about the potential misuse of electronic records. They noted that CCTV footage from polling booths could jeopardize voter secrecy or be manipulated to create fake narratives using artificial intelligence.

"All such material is available to candidates, including footage. After the amendment, too, it will be available to them. However, others can always approach the courts to access such electronic records," clarified another EC official.

The amendment follows a recent directive from the Punjab and Haryana high court, which ordered the EC to provide election-related documents to advocate Mehmood Pracha. Pracha had filed a petition seeking videography, CCTV footage, and copies of Forms 17-C Parts I and II from the Haryana Assembly elections.