

Star Campaigning, Kamal Nath and the Supreme Court

November 13, 2020

The Supreme Court recently stayed the order of the Election Commission of India (ECI) revoking the 'star campaigner' status of former Madhya Pradesh Chief Minister Kamal Nath. In this context one has to know more about this star campaigning and the conditions associated with the status.

In news: SC has stayed the EC order revoking Kamal Nath's star campaigner status.

Placing it in syllabus: Polity – Elections

Static dimensions

1. Star Campaigner status

Current dimensions

1. Recent controversy and EC decision

Content:

Recent controversy and EC decision:

- ECI issued notice on October 21 to Mr. Nath based on a complaint filed by the BJP that Mr. Nath derogatorily referred to its candidate, Imarti Devi, as an "item" during a campaign rally at Dabra in Gwalior district.
- Mr. Nath replied that the remarks were completely misunderstood without context and he had regretted the remark and had issued a clarification.
- On October 26, the ECI held that he violated its code of conduct advisory and "advised him to not use such words or statements during the period of Model Code of Conduct".
- **On October 30, the ECI revoked his 'star campaigner'**

status from the list submitted by the Indian National Congress.

- The petition by Mr. Nath said that it was the prerogative of his party and not the ECI to remove his name as a 'star campaigner' according to the **Section 77(1) of the Representation of People Act, 1951.**
- The **Supreme court said that the Commission had no power to determine who should be 'star campaigner' of a political party.**
- The Election Commission has said that it will file a reply at the earliest to the Supreme court.

Star Campaigner Status:

- A star campaigner is a celebrity vote seeker in an election for a party.
- This person can be a politician or even a film star.
- There is no law governing who can or cannot be made a star campaigner.
- They are **nominated by the concerned political parties** specifying their constituencies and duration of the status.
- **Election Commission has issued guidelines on the Model Code of Conduct** regulating poll campaigns by them.
- A 'recognized' party declared as such by the Election Commission can nominate a maximum of 40 star campaigners.
- An unrecognized political party can nominate a maximum of 20 star campaigners.

Terms and conditions:

- Expenditure incurred on electioneering by the star campaigner is not added to a candidate's poll expenditure and according to the ROPA, 1951, these **expenses will be borne by the political parties.**
- If she/he shares the stage with a candidate, the entire

campaign cost except expenditure incurred on travelling will be added to the candidate's election expenses.

- This applies even if the star campaigner seeks vote for the candidate taking his or her name.
- If the candidates are not present but their posters or photographs have been displayed in their constituencies where a star campaigner holds a poll rally, the entire expense will be added to the election expenses of the contestants.
- The MCC guidelines say **when a prime minister or a former prime minister is star campaigner, the expenditure incurred on security including on the bullet-proof vehicles will be borne by the government.**

Mould your thought:

1. What do you understand by the term 'star campaigner'?
What is the power of the Election Commission of India in determining the star campaigner status?

Approach to the answer:

- Write about the star campaigner status
- Write the recent controversy and Election commission decision
- Write what Supreme court told about it
- Conclusion