



# **Elections during Covid-19: The Indian Experience in 2020–2021**

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Zaad Mahmood

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International IDEA  
Strömsborg  
SE-103 34 Stockholm  
Sweden  
Telephone: +46 8 698 37 00  
Email: [info@idea.int](mailto:info@idea.int)  
Website: <https://www.idea.int>

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# Elections during Covid-19: The Indian Experience in 2020–2021

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Zaad Mahmood

## 1. Introduction

This case study focuses on the experience of elections in India during the Covid-19 pandemic, specifically between March 2020 and July 2021. It presents a disaggregated account of the parliamentary (national), assembly (regional) and local government elections that were held during this period, highlighting the organizational challenges, the institutional innovations and the implementation issues confronting these elections during Covid-19.

The aim of the case study is to highlight the tensions inherent in conducting elections during natural disasters that, on the one hand, severely compromise opportunities for deliberation, contestation, participation and election management, and, on the other hand, pose the danger of a break in institutional certainty of democratic processes (James and Alihodzic 2020). While both the arguments in favour of and against conducting elections have a strong democratic basis, it is undeniable that electoral integrity suffers greatly under such conditions. As this case study reveals, disasters magnify the effort required to conduct free, fair and safe elections. Although the electoral administration in India formulated comprehensive and detailed guidelines on prevention measures, these were only partially successful in preventing the elections from becoming conduits for transmission of Covid-19.

The case study discusses the parliamentary and indirect legislative elections, followed by state assembly elections and local government elections. Each section presents the underlying context for the elections and the strategies adopted by the election management bodies, and highlights the implementation problems and the tension between democratic processes and electoral integrity. The detailed discussion on the state assembly elections is arranged chronologically, using the framework of ‘pre-election’, ‘during the election’ and ‘after the election’, which has been used to inform the wider discussion on elections and electoral integrity. In conclusion, the case study draws out the centrality of elections in Indian polity where elections were conducted despite the surge in Covid-19 cases. The elections reaffirm the perception of India as a weak–strong state, capable of holding elections but incapable of implementing the guidelines regarding Covid-19. Importantly, the subnational variations in election organization that existed suggest that local-level innovations and institutional capacity may have a crucial role to play in negotiating democracy during disasters. The case study ends with some discussion on the relationship between elections and disasters, and how democratic practices are shaped by their context.

## 2. Rajya Sabha and indirect legislative council elections

The Electoral Commission of India (ECI) is responsible for the conduct of elections to the parliament and the state assemblies (Mahmood 2020). The federal parliament in India is a bicameral legislature with the Lok Sabha (lower chamber) and the Rajya Sabha (upper chamber). The Lok Sabha is elected for a period not extending beyond five years. India organized parliamentary elections for the 543-seat Lok Sabha in 2019. The election involved 900 million registered voters, more than 10 million poll workers and 20 million members of the security forces (Tripathi 2019).

The Rajya Sabha is a permanent chamber with 245 members elected by the legislature of the subnational states. Every two years, one-third of the members retire. At the time of the announcement of a lockdown in March 2020, preparations were under way for the election to 55 seats in the Rajya Sabha, which would fall vacant in April 2020 (Chakrabarty and Pandey 2008). The ECI had scheduled the election for 26 March 2021, which had to be postponed due to the lockdown. In its press briefing, the ECI stated that the poll process would lead to the gathering of polling officials, agents of political parties and members of legislative assemblies, which was not suitable given the pandemic (ECI 2020).

The elections for the vacant seats in the legislative council, the upper chamber in the legislature of the state assemblies, were also postponed by the ECI. Like the Rajya Sabha, the legislative council is a permanent chamber in the state assemblies, elected by the state legislature. Seats in the Maharashtra and Bihar legislative assembly had fallen vacant.

Elections for the vacant seats in the Rajya Sabha, and the Maharashtra and Bihar legislative councils, were held immediately after the lockdown was withdrawn (Quraishi 2020a, Ambarkhane 2021). The elections for Members of Legislative Council (MLC) were indirect elections involving only members of the legislature (Table 1). As such, they posed limited logistical challenges in terms of being conducted during the Covid-19 pandemic, and measures were put in place such as maintaining social distance and providing masks and gloves.

Election	Date scheduled	Date conducted	Postponed
9 seats in Bihar MLC	April 2020	6 July 2020	Yes
9 seats in Maharashtra MLC	March 2020	21 May 2020	Yes
24 seats in Rajya Sabha	March 2020	19 June 2020	Yes

## 3. State assembly elections

The conduct of elections to the Rajya Sabha and various state legislative councils paved the way for by-elections in parliamentary and assembly constituencies that had been postponed due to Covid-19 (Quraishi 2020b). The vacant seats were largely in the states of Kerala, Uttar Pradesh, Nagaland, Gujarat, Jharkhand and Madhya Pradesh. Table 2 presents an overview of the elections that were held during the pandemic (March 2020–May 2021).

Table 2. By-elections held during the Covid-19 pandemic (March 2020–May 2021)

State	By-election	Number of constituencies	Date of election
Bihar	Parliamentary	1	November 2020
Chhattisgarh	Assembly	1	November 2020
Gujarat	Assembly	8, 1	November 2020, April 2021
Haryana	Assembly	1	November 2020
Jharkhand	Assembly	2, 1	November 2020, April 2021
Karnataka	Assembly, Assembly, Parliamentary	2, 2, 1	November 2020, April 2021, April 2021
Kerala	Parliamentary	1	April 2021
Madhya Pradesh	Assembly	28, 1	November 2020, April 2021
Maharashtra	Assembly	1	April 2021
Manipur	Assembly	5	November 2020
Mizoram	Assembly	1	April 2021
Nagaland	Assembly	2, 1	November 2020, April 2021
Odisha	Assembly	2	November 2020
Rajasthan	Assembly	3	April 2021
Tamil Nadu	Parliamentary	1	April 2021
Telangana	Assembly	1	April 2021
Uttarakhand	Assembly	1	April 2021
Uttar Pradesh	Assembly	7	November 2020

The successful conduct of by-elections afforded preparation for the larger state-level elections. The real challenge was the conduct of the upcoming state assembly elections. As the former Election Commissioner of India, S. Y. Quraishi, pointed out, sections 14 and 15 of the Representation of the People Act 1951 mandated the ECI to hold elections within six months before the end of the five-year term of the Lok Sabha or legislative assembly, or within six months after the early dissolution of the Lok Sabha or legislative assembly (Quraishi 2020b). The postponement of state assembly elections beyond six months required there to be extraordinary circumstances, such as a declaration of emergency. Accordingly, six state assembly elections were required to take place within the next 12 months (Table 3), during the pandemic (Quraishi 2020b).

**Table 3. The constitutional deadline for the conduct of state assembly elections**

State	Assembly election deadline
Assam	31 May 2021
Bihar	29 November 2020
Kerala	1 June 2021
Puducherry	8 June 2020
Tamil Nadu	24 May 2021
West Bengal	30 May 2021

The challenges of conducting elections during the pandemic with meagre public health provisions were amplified by the size of the electorate (Table 4). The Bihar assembly election involved more than 72 million electors, exercising their franchise in 243 assembly constituencies. The elections coincided with a rising infection rate, with 86,052 new cases of Covid-19 detected on the day the elections were announced (Jain 2020). In Tamil Nadu, the outcomes of the 234 assembly seats were determined by 62.6 million registered voters (Chandrababu 2021), while in West Bengal there were more than 73 million voters spread over 294 assembly constituencies (*Hindustan Times* 2021). Compared with these large states, Kerala with 27.1 million voters across 140 assembly constituencies (Soni 2020) and Assam (CEO Assam 2021) with around 23 million voters across 126 constituencies appeared more manageable (CEO Assam 2021).

**Table 4. Assembly constituencies and eligible voters in the state elections 2020–2021**

State	Assam	Bihar	Kerala	Puducherry	Tamil Nadu	West Bengal
Assembly seats	126	243	140	30	234	294
Voters in million	23.3	72.8	27.1	10.0	62.6	73.2

### 3.1. Pre-election preparations

Cognizant of these enormous tasks, the ECI on 17 July 2020 initiated a deliberative process seeking suggestions from national and state political parties on the conduct of the elections. Based on the deliberations, the ECI had framed two broad policy decisions pertaining to the elections (Phadnis 2020; ECI 2020). First, it stated a determination that no one could be deprived of a chance to vote due to fear of infection, especially the vulnerable population, Covid-19 patients or people who were quarantined. Second, it stressed the importance of preventing the spread of infection during elections and ensuring that the protection of voters and poll workers was recognized.

The ECI, following directives from the Ministry of Home Affairs, then came out with detailed practical guidelines for the conduct of elections (Ministry of Home Affairs 2020). Each election had a Nodal Health Officer to oversee Covid-19-related arrangements, appointed for the state, the district and the assembly constituencies. Nodal Health Officers are appointed with specific duties and tasks, and were entrusted with the coordination of all activities relating to Covid-19 protocols and ensuring adherence to guidelines. The guidelines emphasized the mandatory use of masks during all election-related activities. Only large open halls were used for election activities to ensure social distancing. The venues used for the

elections were usually equipped with temperature checks on entry, with provisions for sanitizer and handwashing with soap and water.

As far as practical, the distribution of voting materials was to be organized in a decentralized manner and the physical handling of the EVM/VVPAT (voting machines) was strictly to be while wearing gloves. Additional polling/counting/poll-related workers were kept in reserve to replace any polling personnel displaying Covid-19 symptoms. The training of poll officials was decentralized and online training was promoted as far as practicable.

Regarding election formalities for candidates, the ECI gave the candidates the option to complete the nomination form online on the website of the Election Officer, and then take the printout for submission to the Returning Officer of their constituency. The affidavit of personal details could also be completed online and the printout submitted after notarization. The provision for partial online nomination was designed to decrease social interaction during the nomination process. Candidates were allotted a staggered time slot for submission and the number of people, including vehicles, accompanying the candidate for the submission was restricted to two to avoid crowding.

To guarantee the safety of voters, political activists and candidates in general, the ECI introduced changes in the Model Code of Conduct (MCC). The MCC consists of a set of guidelines for political parties, campaigners and candidates. It is brought into effect with the declaration of elections and remains in force until the declaration of results, to ensure free and fair elections. The provisions of the MCC apply to all processes associated with the election (ECI 2018). The political parties and candidates had to make sure that everyone involved in the campaign wore masks, used sanitizers and maintained social distance. The number of people engaged in door-to-door campaigns was restricted to no more than five people, excluding security personnel. In the case of roadshows, the convoy of vehicles was to be broken after every 5 rather than 10 vehicles, as previously. The interval between the two sets of convoys was to be at least half an hour, instead of the prescribed 100 metres.

Election meetings, public gatherings and rallies had to adhere to existing guidelines, such as temperature checks at entry, large venues to provide for social distancing, provision for sanitizers and compulsory wearing of masks. The District Election Officer was entrusted with the responsibility of identifying locations for public meetings and ensuring social distancing. The Nodal District Health Officer was given the responsibility of making sure everyone followed the guidelines. The ECI declared that the violation of Covid-19 guidelines would attract prosecution under sections 51–60 of the Disaster Management Act 2005, and section 188 of the Indian Penal Code and other applicable legal provisions.

Aside from Covid-19 concerns, the ECI was also apprehensive about the security and fairness of the election process. The state assembly elections were phased differently across the states, which led to severe disagreements. Table 5 presents the date and number of phases of elections in different states, which indicates that concerns about electoral integrity were not uniform across the states. Some commentators and political parties expressed distrust and misgivings about the ECI. The West Bengal Chief Minister alleged that the eight-phase election and polling schedule went against established practices and that this favoured the Bhartiya Janata Party (BJP), enabling its national leaders to campaign in the state (Chowdhury 2021; Yadav 2021). The ECI, on its part, argued that it was determined to conduct peaceful assembly elections and spread out the phases to ensure better security arrangements (Chowdhury 2021). Notably, the elections that were expected to be competitive were generally more spread out, but the ECI was not very convincing in its justification of multiple phases in West Bengal, leading to questions about its impartiality.



Table 5. The date and phases of elections across the states

States	Date of election	Assembly seats	No. of phases
Assam	March–April 2021	126	3
Bihar	October–November 2020	243	3
Kerala	6 April 2021	140	1
Puducherry	6 April 2021	30	1
Tamil Nadu	6 April 2021	234	1
West Bengal	March–April 2021	294	8

Source: *The Hindu*, 'Coronavirus | Bihar to guide poll-bound States on conducting elections amid COVID-19 pandemic', 27 January 2021a, <<https://www.thehindu.com/news/national/other-states/bihar-to-guide-poll-bound-states-on-conducting-elections-amid-covid-pandemic/article33676338.ece>>, accessed 19 November 2021.

### 3.2. During the election

To guarantee the safety of voters and poll workers on election day, the ECI also drew up extensive plans for polling stations and the voting process. The ECI decided to reduce the number of voters assigned to each polling station, to limit interaction and control the flow of people. The number of voters in each station was reduced from 1,500 to 1,000, leading to a significant increase in the total number of polling stations and poll workers, as well as associated costs for training, personal protection equipment (PPE) kits, gloves and other protective equipment (Phadnis 2020). The provision enlisting government employees as poll workers ensured that there was no shortfall in polling personnel.

The directive underlined the importance of sanitization of polling stations. Each station must provide a thermal scanner for the mandatory temperature check of every voter, sanitizer, masks and provisions for handwashing with soap and water. The stations must have markers to help with social distancing. The ECI recommended three queues for polling—one for males, one for females, and one for voters with disabilities and the elderly. All voters were to be supplied with single-use plastic gloves for signing the voter register and pressing the electronic voting machine. If any voter had an above-normal body temperature, the voter would be provided with a token/certificate to enable them to vote during the last hour of the poll (ECI 2020).

To help voters, the ECI improved the Systematic Voter Education for Electoral Participation (SVEEP) programme, which allowed digital confirmation of voter registration. A dedicated phone number—1950—was published for all election-related information. Electors over the age of 80, voters with disabilities, Covid-19-positive individuals and suspected patients in quarantine, and people working in essential services were extended the facility of in-country postal voting or mobile ballot box. Previously, postal ballots were issued only to people associated with polling duty and security personnel (ECI 2020).

The Bihar assembly election was the first major election and framed the modalities of subsequent elections during the pandemic. The number of polling stations was increased from 65,367 in 2015 to 106,526, an increase of 62.96 per cent (Mahesh 2020), to reduce voter pressure. Postal ballots were extended to people over 80 years, Covid-19 patients, quarantined populations, and people in essential services. The ECI arranged for 700,000 hand sanitizers, 44.6 million masks, 600,000 PPE suits, 760,000 face shields, 2.3 million gloves for poll workers, and 70 million single-use gloves for the election (Jain 2020).

Despite the pandemic, the Bihar election witnessed a 57.34 per cent turnout, which surpassed the 2015 election turnout of 56.8 per cent (*The Hindu BusinessLine* 2021). Intriguingly, while the guidelines regarding polling—sanitization, temperature checking and the use of masks—were followed, widescale violations of the guidelines occurred during the election campaigning. Parties flouted the rules during campaigning, with thousands attending election rallies without masks (Jain 2020). This contradiction was a persistent feature of subsequent elections held during the pandemic. The ECI issued guidelines to all parties, mentioning Covid-19 protocols and relevant penal provisions for such violations, but—despite widescale violations across states—the only reported action was in West Bengal where 13 police complaints and 33 show cause notices were served to candidates across parties. The action came after the Calcutta High Court expressed dissatisfaction over the violation of Covid-19 protocols during the election (*The Wire* 2021).

Following the successful example of Bihar, the ECI issued similar guidelines for the elections to the five states where the legislature had completed its term. In its press briefing, the ECI asserted its commitment to conduct ‘free, fair, participative, accessible, inclusive and safe election to the Legislative Assemblies of Assam, Kerala, Tamil Nadu, West Bengal and Puducherry, in the exercise of the authority and powers conferred upon under Article 324 read with Article 172 (1) of the Constitution of India and Section 15 of the Representation of the People Act 1951’ (ECI 2021). It procured millions of face shields, sanitizers, masks, rubber gloves for polling and security personnel, and ‘one-hand’ single-use polythene gloves for voters (*The Hindu* 2021a).

The timing and phasing of the election during March and April 2021, however, raised serious concerns about public health, as infections showed an upward trend (Menon and Goodman 2021). In an open letter to the *British Medical Journal*, the trustees of the South Asian Health Foundation called for a ban on mass gatherings, the imposition of strict lockdowns, and postponement of the election, so as to bring down numbers of infections, hospital admissions and deaths (Iacobucci 2021). The ECI, however, went ahead with the elections.

The Assam assembly election, held in three phases, saw the number of polling stations increase by 5,000 to a total of 33,000—to meet the maximum 1,000-voter stipulation. All polling stations had the assured minimum facilities according to the guidelines, such as drinking water and toilets, and adhered to Covid-19 measures, regarding sanitization (*Financial Express* 2021a), compulsory mask-wearing, temperature checks and single-use gloves for electors (*The New Indian Express* 2021). The ECI deployed special observers in sensitive/critical constituencies and districts to monitor the elections. The polling hours were 07:00 until 19:00, with the last hour reserved for Covid-19 patients to cast their votes. The elections witnessed massive participation with a turnout of around 82.04 per cent for the three phases (ECI 2021). As in the case of Bihar, despite the guidelines, the political parties were lax in following Covid-19 health measures. The disregard was exemplified in the statement by Himanta Biswa Sarma, the then Health Minister of Assam, who claimed there was no need to wear masks as there was no coronavirus (*BusinessToday.in* 2021). In addition to the violation of Covid-19-related protocols, the elections were marred by breaches by polling officials and incidences of violence. The ECI suspended four polling officials after an electronic voting machine in the Ratabari constituency was transported to the strong room in a car belonging to a BJP candidate. The ECI ordered a repoll at the polling station, along with four other polling stations across three assembly constituencies (NDTV 2021b).

In the three southern states of Kerala, Tamil Nadu and Puducherry, elections were held in a single phase on 6 April 2021. In Puducherry, the ECI increased the number of polling booths from 952 to 1,558 (*The Economic Times* 2021). As in the other states, Covid-19-related protocols such as sanitization of polling stations, mandatory masks and temperature checks were followed. The polling hours were 07:00 to 19:00, with the last hour reserved for

Covid-19 patients to cast their vote. Postal ballots were extended to Covid-19 patients, people with disabilities and the elderly (Mint 2021a). Although polling was largely peaceful, the campaigning was marred by serious electoral integrity issues as the BJP sent voters SMS messages to link them to WhatsApp groups of the party. It was alleged that the BJP accessed voters' mobile numbers from their Aadhaar details (Aadhaar is a unique identification database under the Government of India, with phone, bank, tax and social security details of all citizens) (*The Hindu* 2021b). Most electors (81.6 per cent of the 1,002,589 registered) cast their vote, although this was less than the 84.1 per cent turnout in the 2016 elections (*The Times of India* 2021a).

In Tamil Nadu, the number of polling stations was increased from 67,000 to 88,937 to facilitate social distancing for the 62.6 million registered voters (Chandrababu 2021). The polling stations had the assured minimum facilities according to the guidelines, such as temperature checks, sanitizer, face shields and surgical masks for poll officials (*The Times of India* 2021b). Aside from Covid-19 protocols, to ensure free and fair elections, the ECI identified 537 critical polling stations and 10,813 vulnerable polling stations for additional monitoring. As many as 150 general observers and 40 police observers, along with 118 expenditure observers, were deployed (NDTV 2021b). There were also 8,014 micro-observers appointed to supervise the polling and webcasting of polling in 46,203 polling stations (Chandrababu 2021). While observers are appointed by the ECI for election constituencies, micro-observers are appointed for specific polling stations and work under the general observer. The election recorded 72.8 per cent voter turnout, which was 2 per cent less than 2016 (*The Times of India* 2021b). The coronavirus guidelines were extensively violated during election campaigns. Few wore masks and crowds did not follow social distancing measures during poll campaigning. There were also allegations and complaints of bribery and vote-buying. Both the major parties—the All India Anna Dravida Munnetra Kazhagam (AIADMK) and the Dravida Munnetra Kazhagam (DMK)—alleged vote-buying, and the ECI seized more than INR 2,300 million in cash during the campaign (EUR 26.75 million) (*The Times of India* 2021b).

The state of Kerala was relatively well prepared for conducting the assembly elections, as it had conducted the local village, block and district-level elections in December 2020. Following the ECI framework, 15,730 new polling booths were set up, taking the total number of polling booths to 40,771 (*The Times of India* 2021a). The polling stations followed all the guidelines, such as sanitization of polling booths, provision for hand sanitizer, temperature checks, compulsory masks and use of gloves by voters and poll workers (*The Hindu* 2021c). The total number of registered voters was 26.7 million and 74.1 per cent turnout was recorded in the election, which was lower than the 77.5 per cent turnout in the 2016 assembly elections (Business Standard 2021). As in other states, despite the restrictions, the violation of Covid-19 measures and social distancing was frequent during election meetings and rallies. During the local body elections, every stage from campaigning to voting saw the participation of huge crowds in utter disregard of Covid-19 protocols (Soni 2020). Similar scenes were witnessed during the assembly elections. Political parties across the spectrum held rallies and processions where few wore masks or observed social distancing norms (Ramachandran 2021b).

The elections for the 294-seat West Bengal assembly were the most contentious and keenly followed of 2021. The incumbent All India Trinamool Congress had performed poorly in the 2019 parliamentary elections, winning only 22 seats, and the BJP had emerged as the principal opposition winning 18 seats. The state appeared on the brink of alternation of power, and the election was bitterly contested. The election was marked by several contentious issues, ranging from corruption to political violence, management of natural disasters to protest over the Citizenship (Amendment) Act (Bhowmick 2021), and experienced a large-scale appeal to identity that had been previously absent from Bengal

(Ghosal 2021). The eight-phase election—lasting 61 days, from 2 March (date of first election notification) until 2 May (declaration of results)—was unprecedented. The prolonged election schedule during the pandemic raised health concerns, as well as more serious allegations of partiality (Chowdhury 2021). Following the ECI guidelines, the number of polling stations increased from 77,413 in 2016 to 101,916. All polling stations had the assured minimum facilities according to the guidelines, such as drinking water, sanitization, temperature checks of voters, and markers to demonstrate social distancing (ECI 2021). To ensure free and fair elections, the ECI deployed more than 140,000 security forces for confidence-building and deployed special observers in sensitive constituencies and districts (*Financial Express* 2021c). The substantial security arrangements limited the extent of any violence and intimidation during the elections, but there were unverified photos and videos on social media showing ransacked offices, burned buildings and people being attacked. The most noted incidence of violence occurred during the fourth phase, when security forces opened fire, killing four people in the Cooch Behar district. The forces allegedly opened fire when they were attacked by locals, who tried to snatch their rifles (Business Standard 2021). The overall turnout for the elections was 81.77 per cent, which was less than the 83.02 per cent of the 2016 elections. The elections saw massive rallies in violation of the Covid-19 guidelines, showing utter disregard for social distancing precautions and violation of these measures by political parties. Notably, the state witnessed a surge in Covid-19 infection during the elections. On 20 March 2021, a week before the first phase of polling, West Bengal reported 3,380 active Covid-19 cases. By the time the state had voted in the seventh phase, the state had 94,949 active cases (Daniyal 2021). Turnout decreased markedly in the last two phases of the election, possibly due to the Covid-19 flare-up (Verniers et al. 2021a).

### 3.3. After the election

The counting of votes for the five state assembly elections was scheduled for 2 May 2021. To protect health and ensure sanitary conditions during the vote count, the ECI reissued guidelines. No more than seven counting tables were allowed in one counting hall. The results from the control unit of the electronic voting machine would be displayed on a large screen to avoid crowding of counting agents (Table 6). Based on the detailed guidelines, State Election Commissioners were asked to prepare a comprehensive plan taking local conditions into account (ECI 2020).

An important reason behind the renewed guidelines was the upward surge in Covid-19 infection in the election states and India more generally. Puducherry recorded only 19 new Covid-19 cases on 1 March, which had increased to 313 by 13 April (the weeks around election day) (*The Indian Express* 2021). The union territory had to impose lockdown after the elections until counting day, due to the increasing number of cases (Mint 2021b).

In Assam, Covid-19 infections increased from only 23 new cases on 1 March to 378 new cases by mid-April (*The Indian Express* 2021). Tamil Nadu experienced a 100 per cent rise in Covid-19 cases in the three weeks from 1 March to 19 March due to what officials called heightened political activity and a rise in family functions, from 474 to 989 new cases per day (Stalin 2021). By mid-April, the daily number of active Covid-19 cases stood at 5,715 cases (*The Indian Express* 2021).

In Kerala, the post-election period witnessed a surge in Covid-19 cases. On 1 March, the state registered 3,496 daily reported cases, which increased to 5,615 on 13 April. Kerala governments had to impose restrictions from 4 to 9 May in an attempt to break the chain of transmission (*The Week* 2021). West Bengal saw the greatest increase in the number of Covid-19 infections as new cases per day shot up from 383 to 15,992, an increase of more than 40 times (Daniyal 2021). The surge in Covid-19 infections after the elections led the Madras High Court to issue criticisms of the ECI for its failure to implement Covid-19 guidelines.

Regarding electoral outcomes, the five states were characterized by both alternations in power and stability. In Assam, the incumbent National Democratic Alliance (NDA) headed by the BJP was voted back to power. The NDA won a clear majority with 76 seats, while the opposition Congress alliance won 50 seats (*The Hindu* 2021d). The NDA also formed the government in Puducherry for the first time unseating the Secular Democratic Alliance (SDA) of the Congress, Dravida Munnetra Kazhagam (DMK), Communist Party of India (CPI) and Viduthalai Chiruthaigal Katchi (VCK) (*The Economic Times* 2021).

Tamil Nadu experienced political alternation with the Secular Progressive Alliance of the DMK, Congress, Communist Parties and VCK winning 159 seats. The incumbent NDA of the All India Anna Dravida Munnetra Kazhagam (AIADMK), Paattali Makkal Katchi (PMK) and the BJP won only 75 seats (Verniers et al. 2021b). Negating the anti-incumbency trends, the Left Democratic Front (LDF) in Kerala, and the All India Trinamool Congress (AITMC) in West Bengal, both managed to hold power. In the Kerala election, the LDF won 99 out of 140 assembly seats and was re-elected, defying the cycle of electoral alternation in the state seen since 1977 (Philip 2021). The Kerala victory was attributed to the effectiveness of the state government in dealing with natural disasters, such as successive floods, and pandemics—including the Nipah virus and Covid-19 (Sunilraj and Sasikumar 2021). In West Bengal, the AITMC bucked the anti-incumbency headwind to register an increase in vote share and won in 213 constituencies, while the BJP won 77 seats (Bhowmick 2021).

**Table 6. 2021 election results and principal political competition in the subnational states**

State	Incumbent political party	Principal opposition	Winner of election	Vote share of winner
Assam	NDA–BJP, Asom Gana Parishad, UPPL	Mahajot–INC, AIDUF, Bodoland People’s Front, CPI, CPIM, CPIML, RJD	NDA	44.5
Kerala	Left Democratic Front (LDF)—CPIM, CPI, Kerala Congress, JDS, NCP, INL, Others	United Democratic Front (UDF)—INC, IUML, Kerala Congress, RSP, CMP, Others	LDF	45.4
Puducherry	SDA—INC, DMK, CPI, VCK	NDA—All India NR Congress, BJP, AIADMK	NDA	43.7
Tamil Nadu	NDA—AIADMK, BJP, PMK	SDA—DMK, INC, CPI, CPIM, VCK, MDMK, IUML, Others	SDA	45.4
West Bengal	AITMC	BJP	AITMC	47.9

Notes: Party abbreviations: AIDUF: All India Democratic United Front; CMP: Communist Marxist Party; CPIM: Communist Party of India (Marxist); CPIML: Communist Party of India (Marxist—Leninist); INC: Indian National Congress; INL: Indian National League; IUML: Indian Union Muslim League; JDS: Janata Dal (Secular); MDMK: Marumalarchi Dravida Munnetra Kazhagam; NCP: Nationalist Congress Party; PMK: Paattali Makkal Katchi; RJD: Rastriya Janata Dal; RSP: Revolutionary Socialist Party; UPPL: United People’s Party Liberal; VCK: Viduthalai Chiruthaigal Katchi.

#### 4. Local government elections

Aside from parliamentary and state-level elections, local government elections were also affected by the pandemic. The Constitution (73rd Amendment) Act of 1992 devolves powers and responsibilities for certain subjects to local bodies. The local bodies are broadly classified into two categories—rural (Chakraborti et al. 2003) and urban (municipalities).

Article 243C of the Constitution gives the state legislature the power to determine the composition of local bodies, and article 243K gives the State Election Commission the power of superintendence, direction and control of all elections to the panchayats and municipalities.

As it happened, many states had to postpone local elections due to the declaration of lockdown. Since the lockdown, many states have conducted elections to local bodies. Table 7 presents the details of the major local-level elections that were conducted between March 2020 and May 2021.

**Table 7. Local government elections across India**

State	Election	Scheduled date	Election held
Andhra Pradesh	12 municipal corporations and 75 municipal councils	March 2020	March 2021
	3 tier panchayats	March 2020	February 2021
Goa	1 municipal corporation	November 2020	March 2021
	5 municipal councils	November 2020	March 2021
	6 municipal councils	November 2020	April 2021
Gujarat	6 municipal corporations	October–November 2020	February 2021
	31 district panchayats, 81 municipalities		
	231 taluka panchayats		
Himachal Pradesh	4 municipal corporations	April 2021	April 2021
	50 municipal councils	January 2021	January 2021
	3 tier panchayats	January 2021	January 2021
Karnataka	5,762 gram panchayats	May 2020	December 2020
	10 municipal corporations	March 2021	April 2021
	175 taluka panchayats and 30 zilla parishads	May 2021	Not held
Kerala	941 gram panchayats	October 2020	December 2020
	14 district panchayats		
	152 block panchayats		
	87 municipalities		
	6 municipal corporations		
Madhya Pradesh	8 municipal corporations	January–February 2021	Not held
	407 municipalities	December 2020–February 2021	Not held
	3-tier panchayat elections	December 2020–February 2021	
Maharashtra	Over 14,000 gram panchayats	March 2020	January 2021
	2 zilla parishads and 15 panchayat samitis	March 2020	January 2021
	3 municipal corporations	April 2021	Not held
	2 zilla parishads and 95 town councils	April 2021	



Table 7. Local government elections across India (cont.)

State	Election	Scheduled date	Election held
Punjab	8 municipal corporations	October 2020	February 2021
	109 municipal councils		
Rajasthan	3,848 gram panchayats	August 2020	October 2020
	4,371 panchayat samiti and 636 zilla parishad seats	August 2020	December 2020
	50 municipalities	August 2020	December 2020
	90 municipal corporations and councils	August 2020	January 2021
Uttar Pradesh	58,176 gram panchayats	December 2020	April 2021
	826 Block panchayats		
	75 District panchayats		
West Bengal	106 municipalities	March–April 2020	Not held
	6 municipal corporations		

Table 7 illustrates the postponement of local elections due to the Covid-19 pandemic. Interestingly, while many states managed to conduct local government elections later, a few—such as Madhya Pradesh and West Bengal—still had not reorganized elections, even after one year. Observers have pointed to political expediency rather than Covid-19 as a reason for such inordinate delays in conducting elections. In Madhya Pradesh, the Congress Party had won the 2018 assembly election but subsequent defections ensured that the BJP gained the majority in early 2020, during the initial phase of the pandemic. Assembly elections were conducted in late 2020, but the local government elections have been deferred. Critics point to the high number of Covid-19 deaths in the state, adverse economic conditions and inflation as possible factors for anti-incumbency that may contribute to postponing the elections (Noronha 2021). In West Bengal, the urban local government elections were scheduled to take place even before the assembly election in April 2020. The government initially postponed the elections to April 2021 due to the pandemic and then further postponed them. The opposition parties approached the court seeking to mandate that elections take place. It is likely that the government did not want to take the risk of any adverse election result before the assembly elections in 2021, given the high electoral competition. The 112 municipalities that were supposed to have elections comprise nearly 60 per cent of the state population (Times Now 2020).

The following section presents a brief discussion on a few of the local government elections, elaborating on the local-level dynamics between Covid-19 and elections.

One of the earliest states to conduct local government elections was Kerala, in December 2020. The local body elections were originally scheduled for October 2020 but had to be postponed due to the pandemic. The elections involved 27.1 million eligible voters across 34,744 polling stations, voting for 1,199 local government bodies. The Kerala State Election Commission issued guidelines for social distancing, masks for polling officials and PPE kits for officials when dealing with Covid-19 voters. Apart from postal ballots, Covid-19 patients were allowed to vote in person during the last hour of the polls (Soni 2020). The State Election Commission also made provisions for transporting Covid-19 patients from government facilities to the polling booths using public buses. Despite the emphasis on

safety, every stage of the elections—from campaigning to voting—saw the participation of huge crowds in utter disregard of Covid-19 protocols (Soni 2020).

In Uttar Pradesh, disregard for health and safety concerns was more acute and institutionalized. The most populous state of India held village panchayat elections in April 2021, which coincided with the second wave of the pandemic. The State Election Commission scheduled the election in four phases, involving nearly 124 million voters deciding on the prospects of around 1.3 million candidates. More than 1.2 million government officers and employees were pressed into polling duty by the State Election Commission (Agarwal, Pokharel and Mandhana 2021).

During April–May 2021, the state had a seven-day average of 34,455 new cases daily and the total number of reported deaths was around 12,238 (Ramachandran 2021a), which put the state among the worst affected in the country (Kuchay 2021). Many considered the timing to be unacceptable, and civil society groups and government employee unions tried to get the elections postponed through the courts. The Government Employees Union filed a case, as they are designated poll workers and would have to risk their health during elections. The court refused to postpone the polls, stating that the government had declared adequate health and safety protocols for the elections. Interestingly, after the polls with the spike in Covid-19 cases, the High Court took cognizance of the matter. On 7 May 2021, it recorded 77 Covid-19-related deaths and asked for a detailed report from the government and declared compensation (Samanta 2021).

The elections paralleled a sharp increase in the number of Covid-19 cases. In April 2021, over 80,000 new cases were reported, which was the highest monthly infection figure (Lavania and Singh 2021). The Uttar Pradesh Primary Teachers' Association claimed that, among the 300,000 teachers posted on election duty, 1,621 died due to Covid-19 (Kuchay 2021). The Government Employees Union claimed that around 2,000 civil servants died, likely of Covid-19 contracted during election duty (Agarwal, Pokharel and Mandhana 2021). The government rejected the figures and claimed that there were only three fatalities among the teachers deputed as polling officers (Kuchay 2021). When the dispute over compensation reached the courts, the Allahabad High Court rebuked the state government and ordered compensation for 135 polling officials who died of Covid-19 during election duty (Ramachandran 2021a).

In contrast to Kerala and Uttar Pradesh, the local elections in Rajasthan did not correspond with increasing infections. The state witnessed a spike in Covid-19 cases during April–May 2021, which coincided with the second wave in the country but not with local elections. The local government elections to panchayats and municipalities were held in a staggered manner. The panchayat elections for the six districts of Jaipur, Jodhpur, Bharatpur, Dausa, Sirohi and Sawai Madhopur were organized in August and September 2020. In October, elections to 188 gram panchayats across the panchayat samitis of Jaipur, Jamwaramgarh, Kotputli and Kotkhawada were organized. The first phase of municipal elections for 250 wards was also conducted in October 2020. The second phase of the municipal elections for three municipalities was held in November (*The Hindu* 2020). In December 2020, elections were held for 1,775 ward councillor posts in 50 municipal bodies, and elections for 90 urban local bodies in 20 districts were conducted in January 2021 (*Financial Express* 2021b).

Notably, the State Election Commission issued related guidelines, such as rules on social distancing and wearing of masks, increased the number of polling stations, and extended the polling hours, to ensure compliance with Covid-19 guidelines (NDTV 2021a). Reports suggest that, like elsewhere, the rules for social distancing and mask-wearing were often not adhered to (DNA 2020). It seems likely that the staggered elections in Rajasthan may have helped in containing the spread of Covid-19 infection during these elections.



## 5. Conclusions: Elections and Covid-19 in India

The conduct of elections during the Covid-19 pandemic required enormous efforts on the part of the ECI and the electoral administration. The ECI formulated detailed guidelines and a comprehensive framework to ensure free and safe elections. The State Election Commissions implemented their own strategies suggesting subnational variations.

Measured in terms of voter turnout, the elections during the pandemic were a success. However, this success came with enormous health costs. According to official statistics, the Covid-19 case rate curve registered an upward trend from March 2021 onwards in most states, including all the poll-bound states (*The Indian Express* 2021). Data shows that infections surged significantly in election states. Active cases in Kerala rose by 349 per cent, from 30,228 on the day of the elections to 135,910 on 21 April. Tamil Nadu saw a 229 per cent jump over the same period to 84,361 active cases. In Puducherry, active cases shot up by 204 per cent to 5,404 cases. In Assam, where elections took place in three phases—27 March, 1 April and 6 April—infections increased 83 per cent from 27 March to 11 April, and by 344 per cent between 6 April and 20 April. In West Bengal, cases went up by more than five times—from 4,608 to 23,981—after the first phase; six times—from 6,513 to 41,047—after the second phase; and nearly five times—from 12,775 to 58,386—after the third phase (Ghosh 2021).

The conduct of elections despite the pandemic revealed the importance of elections in India. As Roy and Singh (2021) have argued, the pandemic led to a reordering of public life and political practices displayed through lockdowns and truncated sessions of the legislature. The electoral process, however, continued even when normal life and politics were put on hold. At the institutional level, the Indian Constitution does not empower the ECI to cancel elections, but the ECI or even the legislature has the power to defer elections. The decision to postpone was within the remit of the ECI under section 153 of the Representation of the People Act 1951, as it involved extending the time needed for the completion of elections. The decision to hold elections during the pandemic shows that the ECI interpreted its function in terms of a narrow administrative function, which is incongruous with its activist role in the past (Roy and Singh 2021).

The flagrant disregard for Covid-19 guidelines shown by political parties during election campaigns is also revealing about the Indian state and its institutions. It reaffirms the perception of India as a weak–strong state (Rudolph and Rudolph 1987). The ECI managed to formulate detailed guidelines and conduct elections during the pandemic, marshalling the necessary resources. However, it was unable to intervene when the Code of Conduct drawn up regarding Covid-19 was blatantly violated. The ECI stated that ‘anybody violating instructions on Covid-19 measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Section 188 of the IPC, and other legal provisions as applicable’ (ECI 2020). Despite this, the ECI was unable to restrict crowded election rallies and meetings that contributed to the rise of Covid-19 cases. The observations made by the Madras High Court about the ECI, holding it ‘singularly’ responsible for the spread of Covid-19, ‘the most irresponsible institution’ (*The Hindu BusinessLine* 2021), reflects this contradiction in the Indian state.

The subnational variations in the Covid-19 infection rates during the elections also attest to the fractured reality of the Indian state. In Uttar Pradesh, the Election Commission and the state government conducted elections, ignoring opposing opinions. The surge in cases and fatalities of poll workers cannot be isolated from this and the conduct of the election. In contrast, staggered local elections in Rajasthan did appear to limit the number of cases. It also highlighted the importance of election management during crises. Election commissions have an important role not only in planning, directing and managing the modalities of the

election but also in regulating political parties and candidates. In this regard, the inability of the ECI to restrict election rallies and roadshows and to implement the model Code of Conduct evenly across parties has raised serious questions on the neutrality and integrity of the ECI (Roy and Singh 2021).

Finally, any discussion of elections during Covid-19 must reflect on how the elections shaped the pandemic. The importance given to the election suggests that significant resources were allocated to electoral arrangements, which could have been directed towards the fight against Covid-19. As elections were taking place, it meant that government bodies were partly preoccupied with the election process rather than focused on the management of Covid-19. This is not to suggest that a pandemic takes precedence over democracy, but simply that the importance accorded to the pursuit of state power could have been demoted, for the time being, beneath the pursuit of public health. The elections also had the effect of politicizing the pandemic. Covid-19 worked its way into the narrative of the elections. Vaccinations became a poll promise, sparking debates about health policy and electoral integrity (Chatterjee, Mahmood and Marcussen 2021). In the Bihar elections, the BJP promised a free Covid-19 vaccine for everyone in the state, if the party was elected. Many parties followed in making similar promises leading to criticisms that prompted the central Health Minister to announce that everyone in India would get a free Covid-19 vaccine (Byatnal 2020). In the electoral arena, political parties are known to reach out to voters through their welfare activities. In this context, Covid-19 was foregrounded by political parties forming new associations with the masses. In the villages of Uttar Pradesh, political parties formed monitoring committees to help people with medicine and food as the state became overwhelmed with the health emergency. Reports suggest that around 89,512 villages had active monitoring committees at the time of the Uttar Pradesh local polls (Misra 2021). Across West Bengal, the CPIM organized ‘red volunteers’ to support Covid-19 patients with the post-election surge in infections.

In conclusion elections in are central to the political life and the governmental system in India (Mahmood and Ganguly 2017). The conduct of elections during the pandemic was challenging and compromised democratic deliberation and contestation to some extent. Such challenges were however negotiated through innovations in election management and popular participation of the citizens. Important subnational variations in the management of elections revealed region-specific political, administrative and bureaucratic dynamics that shaped not only the elections but also public health in the process.

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## About the author

**Zaad Mahmood** is an Assistant Professor in the Department of Political Science at Presidency University, Kolkata, and a researcher at the Institute de Oriente, Lisbon. His research interests extend from Indian Politics and elections to political economy focusing on development, capital-labour interaction and work. He has monographs from university presses and articles in journals such as *Business and Politics*, *the Journal of South Asian Development*, *Studies in Indian Politics*, *Indian Journal of Labour Economics* and *the Industrial Law Journal*. He is the associate editor of *Oxford Development Studies* and a member of the editorial board of *Conjuntura Austral: Journal of Global South*.

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## Contributors

**Toby S. James**, Professor of Politics and Public Policy at the University of East Anglia, UK.

**Alistair Clark**, Reader in Politics at the University of Newcastle, UK.

**Erik Asplund**, Programme Officer, Electoral Processes Programme, International IDEA.



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