**Flagrant fraud: On the Chandigarh mayoral election**

It was an indirect election in which a mere 35 councillors could vote. Yet, the election of Chandigarh’s Mayor has emerged as a microcosm of the sort of serious electoral malpractice that can undermine democracy. The Supreme Court of India, while [declaring the Aam Aadmi Party (AAP) candidate Kuldeep Kumar as the duly elected Mayor](https://www.thehindu.com/news/national/supreme-court-sets-aside-chandigarh-mayoral-poll-results-declares-aap-councillor-kuldeep-kumar-winner/article67866716.ece), has exposed a malaise that is not often recognised in the great Indian election scene: the role of officials in helping parties steal elections through fraudulent means during counting. The act of the Returning Officer, Anil Masih, in marking or defacing ballot papers, was not only captured on camera but was also proven to be a ruse to declare invalid votes that were validly cast in Mr. Kumar’s favour. Mr. Masih, a man with Bharatiya Janata Party (BJP) affiliation, appears to have committed the illegality to help Manoj Sonkar, the BJP candidate, win the mayoral election, but it ultimately backfired on him, as the apex court has initiated the process to prosecute him for giving false information to the Court. Ever since he controversially declared Mr. Sonkar elected after ruling eight votes invalid, Mr. Masih had sought to brazen it out by claiming that the votes were invalid as they were defaced. His claim was shown to be false, as the Court found nothing on the ballots indicating defacement.

When Mr. Sonkar resigned from his post on the eve of the hearing, the Court was alive to the possibility that the BJP was looking for a reason to have a fresh election, as by that time, it had won over three AAP councillors to its side, a development that may impede the new Mayor’s functioning. The Court warned against the democratic process being set at naught by “subterfuge”. It was, therefore, logical that it did not order a fresh election, but decided to go ahead with the original votes, taking into account the valid votes illegally declared invalid. There is little doubt that the development is a setback to the BJP, which seems to have resorted to the fraud with the aim of subverting the cooperation between the Congress and the AAP, which are part of the Opposition INDIA bloc and had forged an alliance for the municipal election. BJP president J.P. Nadda had sought to use the election result to underscore the failure of both arithmetic and chemistry in the Opposition alliance, but will now have to deal with the party’s loss of face. It was indeed a fit case for the Court to invoke its extraordinary powers to decide on fact who actually won the election. The prosecution of Mr. Masih should also establish at whose behest he had resorted to such flagrant fraud.