

Electoral Reforms in India

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Abstract: India's independence marked the decline of European imperialism and the beginning of a democratic era where the principles of democracy, equality, and fundamental rights became central to its Constitution. The Indian Constitution embraces parliamentary democracy, reflecting the lessons learned during the freedom struggle, which instilled a strong belief in democratic values among the populace. Democracy emphasizes the importance of the people's political rights, and parliamentary democracy in India has implemented measures to safeguard these democratic principles and values from systemic flaws. Central to this framework is the electoral process, which serves as the lifeblood of the parliamentary system. Free and fair elections are fundamental to the success of democracy, and political stability hinges on active citizen participation. The electoral system is a crucial instrument for ensuring the functionality of parliamentary democracy. Guided by constitutional values and the Election Commission's guidelines, India conducts regular elections to uphold the integrity of the democratic process. However, to maintain their effectiveness and address emerging challenges, it is vital to reform the electoral system periodically. This paper explores the necessity, issues, and challenges surrounding electoral reforms in India.

Keywords: Election Commission, Issues in Electoral Politics, Electoral Reforms, EVMs.

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I. INTRODUCTION

It is generally accepted that while the first three general elections were held in a free and fair manner, a plummeting of standards started during the fourth general elections in 1967. Many consider the electoral system in the country as the basis of political corruption. In the next sections, we will talk about the challenges in this regard, and some of the previous attempts at electoral reform.

II. REVIEW OF LITERATURE

Dr. Bimal Prasad Singh(2013) in his article stated that India is the largest democracy in the world, yet there are significant concerns about its electoral process. Researchers have identified several issues that hinder the effective functioning of democracy in the country. One major problem is the prevalence of multi-cornered contests, which have become increasingly common due to the rise of smaller and regional parties. In many state assembly elections, candidates have won with margins of less than 100 votes. Moreover, it is not unusual for a candidate to secure victory with only 30-35% of the total votes cast, which raises questions about their legitimacy as representatives of the majority. To address these challenges, a key reform could involve replacing the first-past-the-post electoral system with a two-stage electoral process. This change would ensure that elected

representatives have broader support from the electorate and strengthen the democratic foundation of the country.

Doli Sharma (2019) in his article stated that the Election Commission of India (ECI) serves as the guardian of free and fair elections, playing a crucial role in strengthening democracy through various electoral reforms. This paper explores the ECI's efforts to implement reforms aimed at enhancing electoral integrity and mitigating malpractices. It outlines significant measures taken by the commission to address challenges such as the influence of money and muscle power, the criminalization of politics, excessive election financing beyond legal limits, booth capturing, voter intimidation, vote buying, tampering of electoral rolls, large-scale rigging, and the misuse of religion and caste in voter mobilization. Furthermore, the paper assesses the ECI's initiatives in promoting electoral reforms since India's independence, highlighting both achievements and ongoing challenges in ensuring a fair electoral process. Through this evaluation, we aim to understand the ECI's critical role in fostering a democratic environment conducive to free and fair elections.

Dr. Vikash Kumar (2020) in his article stated that democracy is rooted in the empowerment of the people and their political rights. In India, parliamentary democracy has taken significant steps to safeguard democratic principles,

trust, and values against inherent structural flaws. The electoral process is essential for consolidating this parliamentary system. Free and fair elections serve as the cornerstone of a successful democracy, fostering political stability through active citizen participation. The electoral system is a crucial mechanism for ensuring the effective functioning of parliamentary democracy. Guided by constitutional values and the Election Commission's directives, India conducts regular elections that aim to be free from malpractices. However, to address potential flaws and enhance the integrity of the electoral process, ongoing reforms are necessary. This paper examines the need for electoral reforms in India, addressing the key issues and challenges that must be confronted to strengthen the democratic framework.

Dr Dipak Kumar Dash (2022) in his article revealed that the experiences from the last fifteen General Elections in our country reveal both the strengths and weaknesses of our electoral system. Despite some minor reforms over the years, significant issues persist, including the influence of black money, casteism, communalism, rigging, misuse of administrative resources, the criminalization of politics, and even instances of booth capturing in certain areas. These challenges undermine public trust in the integrity of free and fair elections. This article aims to critically analyze the necessity for electoral reforms and the steps currently being taken to address these concerns.

Sahera Khatun (2023) in her article stated that the experiences from the last fifteen General Elections in our country highlight both the strengths and weaknesses of our electoral system. Despite some incremental reforms, significant challenges remain, including the influence of black money, casteism, communalism, rigging, misuse of administrative resources, the criminalization of politics, and even instances of booth capturing in certain regions. These issues erode public trust in the integrity of free and fair elections. This article aims to critically examine the urgent need for electoral reforms and the steps being taken to address these persistent concerns.

III. OBJECTIVE OF THE STUDY

The objective of the present study is to bring certain reforms in the field of our electoral system which was prevailing at the present time in our country and to establish a healthy democracy.

IV. ISSUES IN ELECTORAL POLITICS IN INDIA

Before There are multiple issues plaguing the electoral process in India. Some of the most prominent ones are mentioned below.

A. Money Power:

Electioneering in India has become an increasingly expensive endeavour, significantly impacting the democratic process. The influence of money in elections has led to widespread corruption and has fueled a black money economy that poses serious challenges to governance.

Candidates in each constituency often find themselves spending millions on transport, publicity, and various campaign essentials. In recent years, the costs associated with elections have skyrocketed, driven by the competitive nature of political parties striving to outspend each other. Unlike in 1952, when electoral expenses were more modest and political leaders typically engaged in the process without expecting financial gain, the current landscape is vastly different. The gap between legally permitted election expenditures and actual spending continues to widen, prompting observers to note the troubling methods through which political parties and candidates finance their campaigns. The shift toward a mixed economy in India, characterized by extensive control, regulation, and a system of licenses and quotas, has opened doors for political corruption. This has fostered an unethical alliance between electoral politics and the business sector, a trend that persists today, exacerbated by the influx of black money into political circles. As a result, the electoral process in India often feels distant from the common citizen. Today, only those with substantial financial resources can realistically compete for political office, turning the act of voting into a transaction rather than a reflection of public opinion. This situation calls for urgent reforms to ensure that elections are accessible, transparent, and reflective of the true democratic spirit.

B. Muscle Power:

Violence, pre-election intimidation, and post-election victimization are often fueled by muscle power, a significant issue in regions like Bihar, Western Uttar Pradesh, and Maharashtra. This troubling trend is spreading to the south, including Andhra Pradesh. The intertwining of criminalization of politics and the politicization of criminals fosters an environment where violence and coercion secure electoral victories for benefactors.

C. Criminalization of Politics and Politicization of Criminals:

Criminals often enter politics to leverage money and muscle for electoral success, which helps them evade legal consequences. Political parties prioritize candidates who can win, even if they have criminal backgrounds, exchanging financial support for political protection.

D. Misuse of Government Machinery:

The ruling party frequently exploits government resources—like vehicles, promotional budgets, and discretionary funds—to enhance their candidates' electoral chances. This misuse undermines the integrity of the election process.

E. Non-Serious Independent Candidates:

The rise in independent candidates has led to an influx of individuals contesting elections without serious intent, often losing their deposits. Many of these candidates are strategically placed by serious contenders to siphon votes from rivals or create vote splits along caste lines. This proliferation complicates election management and hinders voters from making informed choices, ultimately diminishing the sanctity of elections.

F. Casteism:

Certain caste groups show strong allegiance to specific political parties, leading to a transactional dynamic where parties seek to appease these groups in exchange for support. Caste-based voting undermines the principles of democracy and equality, fostering divisions within society.

G. Communalism:

Communal polarization threatens India's commitment to pluralism, secularism, and federalism, creating significant challenges to the nation's democratic fabric.

H. Lack of Moral Values in Politics:

The rise of political corruption has transformed politics into a business venture, with many entering the field for profit rather than public service. The absence of Gandhian values of service and sacrifice is a stark reality in today's political landscape.

I. Violation of the Model Code of Conduct:

The election period in India is often marked by breaches of the model code of conduct, including illegal use of public spaces, loudspeakers, and financial incentives for votes. These violations further erode the democratic process.

V. ELECTORAL REFORMS PRE-2000*A. Lowering of Voting Age:*

The 61st Amendment Act to the Constitution lowered the minimum voting age from 21 to 18 years.

B. Deputation to Election Commission:

Personnel involved in the preparation, revision, and correction of electoral rolls will be on deputation to the Election Commission (EC) for the duration of their employment, with oversight by the EC.

C. Increase in Proposers and Security Deposit:

The number of proposers required for nominations to the Rajya Sabha and State Legislative Councils has been raised to 10% of the electors in the constituency, or ten electors, whichever is less. The security deposit has also been increased to deter non-serious candidates.

D. Introduction of Electronic Voting Machines (EVMs):

EVMs were first used in the 1998 state elections in Delhi, Madhya Pradesh, and Rajasthan, offering a secure and efficient voting method that is environmentally friendly.

E. Disqualification for Violating the National Honours Act, 1971:

Individuals convicted under this Act will face disqualification from contesting elections for six years.

F. Limit on Contesting from Constituencies:

Candidates are restricted from contesting elections in more than two constituencies simultaneously.

G. Election Countermanding on Candidate Death:

Elections will no longer be countermanded if a contesting candidate dies. However, if the deceased was nominated by a recognized national or state party, that party can nominate a replacement within seven days after the Election Commission issues a notice.

H. Prohibition of Arms near Polling Booths:

It is illegal to approach a polling booth while armed, with penalties of up to two years imprisonment.

I. Paid Holiday for Polling Day:

Employees of organizations are entitled to a paid holiday on polling days, with violations punishable by fines.

J. Prohibition on Sale of Liquor:

The sale or distribution of liquor or intoxicants is banned within polling areas for 48 hours leading up to the conclusion of voting.

K. Time Limit for Bye-elections:

Bye-elections for any House of Parliament or State Legislature must be conducted within six months of a vacancy occurring in that House.

VI. ELECTORAL REFORMS POST-2000*A. Election Expenditure Ceiling:*

Political parties currently have no overall spending limit, but the Election Commission has capped individual candidates' expenditures. For Lok Sabha elections, the cap is between ₹50 lakh to ₹70 lakh (depending on the state), and for assembly elections, it ranges from ₹20 lakh to ₹28 lakh.

B. Exit Poll Restrictions:

In 2019, the Election Commission mandated that exit poll results could only be published after the final phase of elections. This aims to prevent voter bias or misinformation.

C. Expanded Postal Ballot Voting:

As of 2013, the range of voters eligible for postal ballots increased. Previously limited to overseas staff and certain defense personnel, now it includes service voters, special voters, their spouses, those under preventive detention, voters on election duty, and other notified voters.

D. National Voters' Day:

January 25th is now observed as 'National Voters Day' to celebrate the founding of the Election Commission and promote voter awareness.

E. Reporting Political Contributions:

Political parties must report any contributions exceeding ₹20,000 to the Election Commission to qualify for income tax benefits.

F. Disclosure of Candidate Information:

Candidates must declare their criminal records and assets. Providing false information in affidavits is now an electoral offense, punishable by up to six months in prison, a fine, or both.

VII. WAY FORWARD: IMPLEMENTING ELECTORAL REFORMS

To effectively tackle electoral malpractices and ensure free and fair elections, the following reforms suggested by the Election Commission (EC) should be considered:

A. *One Candidate, One Constituency:*

Amend the Representation of the People Act to prohibit individuals from contesting elections in more than one constituency simultaneously.

B. *Lifetime Ban for Convicted Candidates:*

Implement a lifetime ban on contesting elections for individuals convicted of serious crimes, supporting the decriminalization of politics.

C. *Advertising Ban Prior to Elections:*

Prohibit government advertisements showcasing achievements for six months leading up to the expiration of a legislative term to promote a level playing field.

D. *Criminalizing False Declarations:*

Make false declarations related to elections a punishable offense under the Representation of the People Act (RPA) to enhance transparency and accountability.

E. *Delegating Rule-Making Authority:*

Transfer the rule-making power under the RPA from the Central Government to the Election Commission to ensure impartiality and consistency in electoral regulations.

F. *Common Electoral Rolls:*

Implement the use of common electoral rolls for all elections conducted by both the Election Commission and State Election Commissions to streamline the electoral process.

G. *Disqualification under Anti-Defection Law:*

Assign decision-making authority on anti-defection matters to the President or Governor based on recommendations from the Election Commission, enhancing impartiality in the process.

H. *Establishing a National Electoral Fund:*

Explore the creation of a National Electoral Fund, as proposed by former Chief Election Commissioner T.S. Krishnamurthy. This fund would accept contributions from various donors and distribute funds to political parties based on agreed principles, providing an alternative to state-funded elections.

These reforms aim to strengthen the electoral framework, promote integrity, and foster public trust in the democratic process.

VIII. CONCLUSION

The cornerstone of a democratic polity lies in regular elections, which serve as a practical expression of parliamentary democracy. Through elections, the consent of the electorate is manifested, granting legitimacy to governmental authority. Periodic elections are essential for fostering trust among voters and have become a powerful instrument for political engagement. As the world's largest democracy, India has developed mechanisms to conduct free and fair elections. However, these are insufficient on their own for a thriving democracy. There is an urgent need for comprehensive electoral reforms to address malpractices and strengthen the electoral process. Electoral reforms are vital not only for a healthy democracy but also for establishing a responsible government. In India, this is not a one-time effort but an ongoing process. Continuous initiatives from the Election Commission, the National Law Commission, parliamentary committees, and the judiciary aim to enhance the electoral system. Achieving effective electoral reforms will require extensive debate and political consensus. The Election Commission and the Supreme Court can play a pivotal role as facilitators of these reforms, provided their functions remain transparent and independent. This collaborative effort is essential for the evolution and integrity of India's democracy.

REFERENCES

- [1]. Pathi, Srinibas, "Does India Really Need Electoral Reforms", Mizoram University Journal of Humanities and Social Sciences. 6(1), 2020, pp1-8.
- [2]. Ramesh R, "Historical Perspectives of the Electoral Reforms in India", Proceedings of the Indian History Congress, 72(2), 2011, pp1325-1336.
- [3]. Saroha, Jai Kumar, "Electoral Reforms in India: Issues and Challenges", Research Journal of Philosophy and Social Sciences, 43(1), 2017, pp270-276.
- [4]. Sastry, Trilochan, "Electoral Reforms and Citizens' Initiatives", Economic and Political Weekly, 39(13), 2004, pp1391-1397.
- [5]. Sharma, Doli, "Role of Election Commission in Electoral Reforms", Pramana Research Journal, 9(12), 2019, pp48-54.
- [6]. Dr. Bimal Prasad Singh, "Electoral Reforms in India – Issues and Challenges", International Journal of Humanities and Social Science Invention, Volume 2 Issue 3, March 2013, pp.01-05.
- [7]. Dr. Vikash Kumar, "Electoral reforms in India: Needs, issues and challenges", International Journal of Political Science and Governance, 2(2), 2020, pp 04-09.
- [8]. Dr. Dipak Kumar Dash, "Electoral Reforms in India: Problems and Prospects", The Third Voice Reality and Vision, Vol No-4, Issue No-1, May, 2022, pp 87-93.
- [9]. Sahera Khatun, "Election Commission and Electoral Reforms in India : Importance, Issues And Challenges", Journal of Emerging Technologies and Innovative Research, Volume 10, Issue 6, June 2023, pp h324-h328.