Electoral Reforms in India: An Analysis

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Abstract

According to scholars who study democracy, holding elections at consistent intervals is generally regarded to be one of the most crucial qualities of a fully evolved democratic society. This view is shared by a large majority of people. In point of fact, elections are the key cornerstone upon which democracy is constructed. In the years after its independence from British control in 1947 and its subsequent partition, India became one of the democratic countries and adopted parliamentary democracy. This occurred simultaneously with India's adoption of democratic principles. The Indian Constitution lays forth a number of essential ideas, each of which serves as the foundation for the country's democratic form of governance. The people of India and the political rights they have are very significant to India's long-standing democratic history. In light of the facts provided here as background, the purpose of this essay is to analyse the significance of elections in representational and parliamentary democracies. It analyses not just the importance of elections but also the difficulties that are linked with holding them. due to the fact that it is crucial to the well-being of any democracy to have elections that are both free and fair. As a result of this, a great number of committees have been constituted, and laws have been passed, throughout the course of time, to assist the process of free and fair elections. Each of these committees suggests that the electoral processes should be reformed in order to improve the likelihood that these elections will be carried out without any problems. This article gives an overview of the necessity for electoral reform in India as well as the issues and obstacles connected with implementing such change.

Keywords: India, elections, democracy, parties, politics, reforms, committees

Introduction

Modern democracies rely on elections as the bedrock of liberal democracy. The right to vote is, without a doubt, the single most important and influential element in determining the direction of public policy and the functioning of government in a democracy. Elections have been shown time and time again to be the sole legitimate method by which one political party may transfer

power over to another inside a government. Democracy relies heavily on free and fair elections, according to academics and political scientists. According to the proverb, "politics is the art and practise of dealing with political power," and as the vast majority of experts agree that elections are how political power is legitimated in a democracy, this article will investigate this topic. If a democracy is to function as intended, its elections must be conducted in an environment devoid of outside influence and manipulation. Using elections as a means to gauge the "public will both in fact and form" is a potent method. It has been argued by some political scientists that democracies cannot function without free and fair elections since, without them, voting is only a symbolic gesture aimed to provide the impression of choice to the populace. It's also worth noting that India is a massive and populous democracy. Despite the country's tremendous progress over the last several decades, it lags behind other industrialised democracies on measures of literacy and poverty, such as the United States and the United Kingdom. Electorates in India are large and varied because they include such a diverse cross-section of society in terms of caste, religion, geography, language, and other cultural markers. Holding regular elections in India and persuading a sufficient proportion of the people to actually cast ballots is a tough challenge for any organisation due to the country's large population. **(Palekar 2012)**

Success stories of Indian democracy throughout the years suggest a generally favourable political system in India, but this does not mean there aren't problems. Some experts and politicians believe that current election processes are less than ideal. The large quantities of money need to be spent on elections and the pervasive dependence on physical force deployed or essential to win elections at the national and state levels are two of the most significant arguments. There is consensus amongst experts on Indian democracy that the country's first three general elections, held between 1952 and 1962, were conducted in a free and fair manner. They do, however, point out a noticeable decline in quality starting with the fourth general election in 1967. Due to the fact that there were no examples of power abuse or manipulation recorded prior to the 1967 elections. However, many political scientists have disputed the validity of the Indian electoral system throughout the decades. Elections in India are historically fraught due to widespread corruption. Its problematic functioning was first noticed in 1971, especially in subsequent events conducted after the 1980s. A number of politicians and political

parties have been accused of doing whatever it takes to win elections, regardless of their constituents' backgrounds or the law. People and the country's intellectuals reacted fiercely to this. As one would expect, the urgency with which such worrisome situations need response has spurred a vigorous debate on electoral reform in India. The Election Commission, a constitutional body with the duty of ensuring free and fair elections in India, has on occasion offered concrete proposals/recommendations based on objective issues encountered throughout the course of election administration. Success stories of Indian democracy throughout the years suggest a generally favourable political system in India, but this does not mean that the system is without defects. Some experts and politicians believe that current election processes are less than ideal. The large quantities of money need to be spent on elections and the pervasive dependence on physical force deployed or essential to win elections at the national and state levels are two of the most significant arguments. There is consensus amongst experts on Indian democracy that the country's first three general elections, held between 1952 and 1962, were conducted in a free and fair manner. They do, however, point out a noticeable decline in quality starting with the fourth general election in 1967. Due to the fact that there were no examples of power abuse or manipulation recorded prior to the 1967 elections. However, many political scientists have disputed the validity of the Indian electoral system throughout the decades. Elections in India are historically fraught due to widespread corruption. Its problematic functioning was first noticed in 1971, especially in subsequent events conducted after the 1980s. A number of politicians and political parties have been accused of doing whatever it takes to win elections, regardless of their constituents' backgrounds or the law. People and the country's intellectuals reacted fiercely to this. As one would expect, the urgency with which such worrisome situations need response has spurred a vigorous debate on electoral reform in India. The Election Commission, a constitutional body with the duty of ensuring free and fair elections in India, has on occasion offered concrete proposals/recommendations based on objective issues encountered throughout the course of election administration.

Over the course of the decade, legislators from a wide range of parties used the platforms and the temple of Indian democracy, Parliament, to organise a number of committees to accomplish this goal. All of these groups have spoken out on the need for change at the national and state levels in India. Furthermore, the governments have implemented several corrective policies per

the advice of numerous bodies. Actually, the reform process and the discussion in this respect have been nearly ongoing throughout the previous three decades or so.(Kumar 2017)

Election Commission of India

The Election Commission of India is responsible for coordinating and managing all aspects of the electoral process in India, as well as a number of related issues, under Article 324 of the Indian Constitution. The Indian commission has been whittled down to only the Chief Election Commissioner and two Election Commissioners. The Election Commission is responsible for overseeing all national, state, and federal elections, including those for president and vice president. The number of persons in India running for office has increased dramatically over the years, as seen by data collected by the country's electoral commission. The number of candidates for the 543 Lok Sabha seats throughout the country in the 2018 elections is nearly eight times more than the number of candidates for the 489 Lok Sabha seats in 1952. The laws regulating the popular chamber in Parliament and the several State Legislative Assemblies in India have dominated talks about electoral reform in the country. The "First-Past-the-Post System" is what is used for voting in India. This means the candidate with the most votes will be declared the election's victor. Article 326 of the Indian Constitution guarantees the right to vote to every adult Indian citizen. This means that all citizens above the age of eighteen, regardless of their ethnicity, religion, gender, or any other distinguishing characteristics, are entitled to participate in elections.

Another element that paved the way for electoral reforms in India was the emergence of regional parties throughout time as a result of the country's multiparty system. Similarly, there has been a huge rise in the number of successful independent candidates running for office. However, analysts claim that this has lowered public confidence in the present administration. Additionally, this has helped political defectors and coalition builders in India during the last several decades. One such example is making a comparison between the United Progressive Alliance (UPA) and the National Democratic Alliance (NDA) governments.. **(Singh 2013)**

Electoral Reforms in India

The promise of "political justice" for all Indians is made in the document's prologue. But when criminal elements are able to enter the legislature, every guarantee of justice is nothing more than a promise. However, criminal forces in India have damaged the country's sovereign by

using to threats, intimidation, violence, and even sexual assault to ensure their candidate wins the election.

The criminality of India's political system has been noted nearly unanimously by successive committees investigating politics and election reform. The large number of elected members who now have criminal charges pending against them is arguably the most disturbing example of the criminalization of politics. Numerous government committees have recently discussed election changes, including but not limited to:

1. Goswami Committee on Electoral Reforms (1990)
2. Vohra Committee Report (1993)
3. Gupta Committee on State Funding of Elections (1998)
4. Law Commission Report on Reform of the Electoral Laws (1999)
5. National Commission to Review the Working of the Constitution (2001)
6. Election Commission of India Proposed Electoral Reforms (2004)
7. The Second Administrative Reforms Commission (2008)

The election changes in India were discussed in depth by all of these committees and reports. In order to address the increasing difficulties of holding elections at both the state and federal levels, these committees made the following suggestions to the Election Commission of India.

1. The studies imply, first and foremost, that the influence of money in elections has to be regulated and eradicated once and for all since it sets a terrible priority in democracy. There must be financial openness in political parties so that money from other sources cannot be exploited to undermine democratic processes. Only then can this money be utilised safely.**(Singh and Roy 2018**)

2. It is imperative that we do not return to the practise of misusing religious and caste identities for the purpose of gaining political advantage. It is in the best interest of society as a whole to prohibit using a person's religion, caste, community, or tribe, as well as any other kind of group identification, for the purpose of gaining electoral support or garnering political backing.

4. The Election Commission of India should progressively increase the threshold criterion for eligibility for recognition as a political party thus the regulating the political parties in democracy is much needed step. For this purpose ECI must start the process of registrationMore than anything else the country direly need of political reforms. One such step is to make

political parties answerable and democratic in nature by having the internal democracy in political parties.

5. The most significant is having strong anti-defection law in India. The country direly need this law to control buying and selling of elected representatives by political parties for their selfish needs.

6. The ECI should be strengthened and giving equal constitutional protection to all members of the Commission in matters of removability. Above all creating a permanent and independent Secretariat for the ECI.

Besides these measures there are many other things that have been recommended by different commissions and committees to strength the democracy in the country.

Major Issues in Indian Electoral Politics

1. Money

One of the prime issues that the Election procedure in India faces even to this date is money and power. Candidates spend fortunes for publicity and campaigns the agenda of their respective parties. It requires immense resources including money to make people understand the power of the parties and to compel them to vote. Most of the time, the parties exceed the permissible extent of expenses to display their strongholds. **(Sivakumar and Prabakar 2016)**

2. Muscle Power

Untoward as well as illegal incidents are often heard in different places due to political bias and differences in opinions. Capturing booths, intimidating locals, and violence became a routine in certain parts of the country.

3. Criminalization and Politicization

Another devastating issue of the election process conducted in India is the criminalization of politics using muscle and money. In fact, politicians with strong criminal backgrounds are also witnessed getting tickets from respective parties to compete in an election.

4. Misusing Government Machinery

Using government machinery such as vehicles, tools, and even law professionals have been witnessed in elections.

5. Degradation of Moral Values

Deterioration of the moral values of the politicians and candidates also maligns the true nature of this democratic right.

6. Other Issues

Besides these mentioned issues in the electoral politics of the country, there are other issues as well such as presence of casteism as well as communalism and attracting votes with respect to caste and religion.

Electoral Reforms in India

Due to the above-mentioned issues maligning the election process, the process of electoral reform was introduced to design laws more stringent. Different committees formed in due course of time to eradicate such issues and to conduct elections the way it is intended and mentioned in the Constitution of India. let us check the reforms and amendments done in the electoral rights.

1. Reducing Voting Age

The 61st Amendment Act resulted in reducing the voting age from 21 years to 18 years for the Indians.

2. Election Commission Deputation

Every election personnel will be superintended by the Election Commission of India throughout the cycle.

3. Electronic Voting Machines (EVMs)

The introduction of EVMs in 1998 in the state elections of Madhya Pradesh, Rajasthan, and Delhi earmarked a better and more efficient election process. This is one of the most important Election reforms in Indiabefore 2000.

4. Restricting Constituencies for Contest

The Election process in India was transformed drastically when the candidates were not allowed to contest from more than 2 constituencies in India.

5. Election Expenditure Limitation

The Electoral Reform Committee has capped the expenditure a party can spend as an individual candidate. The amount is said to be set up to INR 50-70 Lakh for Lok Sabha elections whereas INR 20-28 Lakh for assembly elections.

6. Broadcasting Election Results

In 2019, this electoral reform from EC stopped broadcasting the results before the final phase in order to avoid misleading voters in any way possible.

7. Postal Ballot Reform

In 2013, an electoral reform expanded the ambit of this way of casting voting by including 6 categories. This method can be used by service voters, wives of service voters, special voters, wives of special voters, voters in preventive detention, personnel on election duty, and notified voters.

8. National Voters' Day

In this reform, the EC announced that 25th January will be celebrated as National Voters' Day across the country to spread the awareness and significance of elections. It is done to encourage the Indians to actively participate in the elections and to express their thoughts.

9. Disqualification and Increase in Number of Proposers

Provide political parties with legal means of getting cash in sufficient amounts. In a perfect world, voters would be fully informed about all aspects of politics, including the funding of such activities, before casting their ballots. Moreover, political parties and elected politicians have a responsibility to act in the public interest, therefore their "business" should not be conducted in secret. It is also important to wean parties off of receiving money from unsavoury sources. **(Ivan 2001)**

Obstacles To Electoral System Overhaul

There are a lot of obstacles to overcome in order to make the voting process better:

- **Transparency and Honesty**: Assist political parties in the process of legally raising significant sums of money for their campaigns. In a perfect world, voters would have complete knowledge of all there is to know about politics, including how political campaigns are financed. Because political parties and elected officials have a responsibility to serve the public interest, "business" that should be conducted by these groups should not take place behind closed doors. In addition, it is essential to wean parties off of receiving money from shady sources as soon as possible.

- **Accountability**: This must be done since there is always the possibility of bribery and conflicts of interest taking place inside the political process.

- **Responsiveness to change**: Reforming the way elections are financed might have unanticipated repercussions that need to be addressed as soon as possible. The required change, which is often watered down or even rejected by political parties if it does not suit them, requires implementation techniques, which are vital for bringing about the change.

- **The "arms-race" effect**: Find a way to reduce the cost of political campaigns for all parties and candidates without sacrificing equality.

- **Criminals:**It is imperative that the participation of criminal elements in the electoral process be prevented at all costs. The use of "winnability" as the primary factor for selecting candidates is something that voters need to be severely discouraged from doing.

- **Conceptualising corruption**: It will be hard to propose meaningful answers if a thorough knowledge of what corruption is cannot first be established.

- **Rigorous implementation of the law**: Last but not least, the laws as they now exist need to be effectively executed so that politicians who breach the law are subject to prompt punishment and are removed from office if they continue to do so. For instance, the Election Commission of India (ECI) said that during the Lok Sabha elections in 2014, authorities were able to collect more than 17,000 kg of narcotics, 300 crores in unreported cash, and a sizeable quantity of whiskey, firearms, and other commodities. There seems to have been a very small number of candidates who were not accepted. **(Schedler 2002)**

Conclusion

In recent years, the Indian Election Commission (EC) has made a range of different adjustments to election law. These amendments may be found in a variety of Indian statutes. The voting

procedure has made significant strides forward as a direct result of these essential modifications made throughout time. In addition, it examines the operations of the governing body that is in charge of the election, the mandates that it hands out, the duties that are assigned to election experts, and the guidelines that it establishes for political parties that are in competition with one another. In spite of the historic decisions handed down by the Supreme Court and the huge efforts made by the Election Commission of India (ECI) over the years, India's electoral system may still be easily manipulated. According to the findings of political scientists in India, the ECI has to undergo significant reinforcement in order to eradicate such tendencies. It is possible that the political system will successfully penalise disobedient politicians and political parties if it takes this course of action. It is possible that using several methods simultaneously is required in order to maintain the integrity of the vote count. Two of these options are to provide access to the financial details of political parties and to make the political parties themselves more democratic from the inside. If the people of India are ever going to completely appreciate the significance of democracy, it is imperative that all significant parties in India work together to adopt the ideas on election modifications on which consensus occurs from time to time. This is the only way that this can be accomplished. Each and every one of India's various state governments, in addition to the Election Commission of India, the Law Commission of India, and any other organisations in India that may be relevant.

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