

Electoral Reforms in India – Issues and Challenges

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Abstract

India is regarded as the largest Democracy in the World but often due to certain reasons Indian democratic system seems not working properly. This paper tries to find what is wrong in the Electoral process. It also suggests essential remedies for the betterment of the Electoral system of the country.

Keywords: Corruption, Secularism, criminalisation, law commission, electorate, black money, responsibility, efficiency, administration, democracy

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Introduction

India is the largest democracy in the world. Elections are the most important and integral part of politics in a democratic system of governance. While politics is the art and practice of dealing with political power, election is a process of legitimization of such power. Democracy can indeed function only upon this faith that elections are free and fair and not rigged and manipulated, that they are effective instruments of ascertaining popular will both in reality and in form and are not mere rituals calculated to generate illusion of difference to mass opinion, it cannot survive without free and fair elections.

The election at present are not being hold in ideal conditions because of the enormous amount of money required to be spent and large muscle power needed for winning the elections. While the first three general elections (1952-62) in our country were by and large free and fair, a discernible decline in standards began with the fourth generalelection in 1967¹. No such events were reported till the fourth general election. Over the years, Indian electoral system suffers from serious infirmities.

The election process in our country is the progenitor of political corruption. The distortion in its working appeared for the first time in the fifth general elections, 1971; and multiplied in the successive elections especially those held in eighties and thereafter². Some of the candidate and parties participate in the process of elections to win them at all costs, irrespective of moral values. The ideal conditions require that an honest, and upright person who is public spirited and wants to serve the people, should be able to contest and get elected as people's representatives. But in actual fact, such a person as aforesaid has no chance of either contesting or in any case winning the election.

Issues in Electoral Politics of India

A democratic system means peoples' participation in governance. Election is one of the means for this participation. But the election at present are not being hold in ideal conditions because of the enormous amount of money required to be spent and large muscle power needed for winning the elections. The major defects which come in the path of electoral system in India are: money power, muscle power, criminalisation of politics, poll violence, booth capturing, communalism, castism, non-serious and independent candidates etc.

Money Power

Money power plays in our electoral system destructive role affecting seriously the working of periodic elections, It leads to all round corruption and contributes mainly to the generation of black money economy which rules at present our country?

A prospective candidate in each constituency has to spend millions of money towards transport, publicity and other essential items of election campaign. In recent years the election expenses have increased beyond any limits due to the desire on the part of every political party to spend more than their rivals in the fray. The elections in Indian polity are becoming increasingly expensive and the gap between the expenses incurred and legally permitted is increasing over the years. The observers are watching the system that requires unbelievably enormous expenditure collected through the dubious means by political parties and their candidates.

The adoption of planning and of mixed economy with a large amount of control, regulation, licenses, permits and quotas in free India provided enormous opportunities for political corruption and resulted in an unethical nexus between the electoral politics and the business sector of the country. This seems to be continued even today with more disastrous consequences of an overflow of black money into the corridors of political parties despite the liberalized economy induced to the political system of country. Elections in India so far from a common man, only those people can participate in elections as a candidate who has a lot of money, because today vote is not a mean of public opinion. It is being purchased.

Muscle Power

Violence, pre-election intimidation, post-election ,victimization, most of the riggings of any type, booth capturing both silent and violent are mainly the products of muscle power. These are prevalent in many parts of the country like Bihar, Western Uttar Pradesh, Maharashtra etc. and this cancerous disease is slowly spreading to south like in Andhra Pradesh, Criminalisation of politics and politicization of criminals, freely indulged in now, are like two sides of the same coin and are mainly responsible for the manifestation of muscle power at elections³. By using of violence, the criminals are able to achieve success at elections for their benefactors.

Misuse of Government Machinery

The misuse of official machinery takes different forms, such as issue of advertisements at the cost of government and public exchequer highlighting their achievements, disbursements out of the discretionary funds at the disposal of the ministers, use of government vehicles for canvassing etc. The misuse of official machinery in the ways mentioned above gives an unfair advantage to the ruling party at the time of elections. This leads to misuse of public funds for furthering the prospects of candidates of a particular party⁴.

Criminalisation of Politics

The reason of the criminals behind entrance to politics is to gain influence

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and ensure that cases against them are dropped or not proceeded with. During the election period, newspapers are usually full of information about the number of criminals in the field sponsored by every party. They are able to make it big in the political arena because of their financial clout. Political parties tap criminals for funds and in return provide them with political patronage and protection.

Mafia dons and other powerful gangsters have shown that they can convert their muscle power into votes often at gun point. Rough estimates suggest that in any state election 20 per cent of candidates are drawn from criminal backgrounds: Voters in many parts in the country are forced to vote for the local strongman. Tickets were given to the candidates with criminal records even by National Parties. Our politics have been corrupted because the corrupt and criminals have entered it⁵. At one time politicians hired criminals to help them win elections by booth capturing. Today, those same criminals have begun entering parliament and the state legislature. Criminalisation of politics has become an all-pervasive phenomenon.

Castism

Caste based politics and castism are eroding the „unity principle in the name of regional autonomy. While political parties struggle among themselves, to win different caste groups in their favour by making offers to them, caste groups try to pressurize parties to choose its members for candidature in elections, If the caste group is dominant and the political party is an important one, this interaction is all the more prominent. In many political parties, in place of ideological polarization there occurs the determination of policies and programmes as well as the nomination of electoral candidates and the extension of support to them on caste consideration. Caste dominates the political field, especially at the lower level. The emergence of regional parties and the “withering away of national outlook and spirit” thus sets off another crisis. Candidates come to be selected not in terms to accomplishments, ability and merit but on the appendages of caste, creed and community. Ultimately caste becomes the deciding factor on selection.

Communalism

Despite the adoption of the “principle of Secularism” as a constitutional creed, which ironically allows communal parties to compete, the trend towards communalism and fundamentalism in Indian politics have been growing day by day. The dynamics of national and state politics of the „last decade is a mute witness of the clashes and conflicts between the so-called. “Secularist and the communalist”. Although a comprehensive constitutional amendment Bill (80th Amendment Bill) and Representation of the People (Amendment) Bill 1993 were introduced to de-link

polities from communalism, castism, and linguism etc. by the minority Government, these could not pass through the Parliament. Caste and religion have in recent years emerged “as rallying points to gain electoral support⁶”. Unfortunately there is a tendency to play upon caste and religious sentiments and field candidates in elections with an eagle eye on the caste equations and communal configurations. Communal polarization, rather multi-polarization, has posed a threat to the Indian „political ethos of pluralism, parliamentarianism and federalism

Steps Taken by the Government

There is a pervasive feeling that something is wrong with the way elections are conducted in India. Keeping in mind the centrality of elections in renewing the legitimacy of the democratic political system and its vital role in the Constitution of the Political Community, It is expected that the distortions adversely affecting the conduct of free and fair elections will be immediately controlled and eliminated if by nothing else, than, at least, by making suitable changes in the law governing the conduct of elections. Now, time has come to provide some hard rules and laws in our constitution to keep away those anti-social evils from legislative and parliament

The EC has taken several new initiatives⁷ in the recent past as a use of state owned Electronic Media for broadcast or telecast by political parties, checking : criminalisation of polities, providing with electoral identify cars, streamlining the procedure for registration of political parties and requiring them to hold regular organizational elections, a variety of measures of strict compliance of Model Code of Conduct for providing a level playing field to contestants during the elections, and so on. In India, the EC has established a set of guidelines known as the Model Code of Conduct that must be obeyed by political parties and candidates in the run-up to an election. These guidelines are intended to ensure that the ruling party at both the national and state levels - does not misuse its official position to gain an unfair advantage in an election.

Suggestions

Indian democracy has completed more than approximately 70 years of almost successful functioning. But to ensure more credibility for it, more steps should be taken into consideration for making electoral system free and fair manner: The law commission of India submitted its report⁸ titled *Electoral Reforms to the Ministry of Law on 12 March'2015. The 261- pages report suggested comprehensive measures for changes in Law,*” make some significant recommendations as

- (i) 365 days, 24x7’ access to voter details, anywhere in the country, through multiple interfaces (computers, SMSs, automated telephone

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messages etc.); mapping of polling booths to individual voter IDs/ EPIC. Voting machines introduced.

- (ii) Preparation of electoral rolls by EC are to be supervised at village level and certificates from officials who prepare electoral rolls to the effect that the electoral rolls have been thoroughly revised. They do not include that persons and legally disenfranchised citizens and intentionally no name should be left in them. Accountability to be fixed for intentional exclusion of name of voters from electoral rolls. The names of the voters may be included in the electoral rolls even at the time of casting of votes by the polling officer, when he finds a genuine case. Parliament must pass a law dealing with this serious problem of de-listing of valid electorates from electoral rolls because illiterate electorate residing in far villages cannot watch over publication of electorate lists.
- (iii) Every voter must be perfectly free to vote as he likes without any fear of consequences and without being unduly influenced by anyone by improper means and inducement or pressure of any kind. The secrecy of voters preference to any candidate should be maintained. The election machinery must function honestly and impartially at every stage. The registration and recognition of the political parties should be fair and without any kind of influence
- (iv) The registration and recognition of the political parties should be fair and without any kind of influence.
- (v) Unearth and confiscate black money, which is widely used for buying votes. Make politicians as well as voters law abiding. Strictly apply the Code of Conduct and punish those who violate it. The CEC should not be at the mercy to Executive and Parliament for its requirements. He should have separate and independent election department to enhance its objectivity and impartiality. Political corruption should be stopped by providing funds to genuine candidates through political parties whose account should be auditable Candidate involving in corruption should be disqualified.
- (vi) At Present, the EC does not have independent staff of its own. Whenever elections take place, the Election Commission has to depend upon staff of Central and State Governments. The dual responsibility of the administrative staff, to the government for ordinary administration and to the EC for electoral administration is not conducive to the impartiality

an efficiency of the Commission. Along with it comes the problem of disciplinary control over the staff deputed to do election work which generally generates confrontation between the Government and the EC. Now, when the elections have ceased to be a mere periodical affair, it is desirable that the EC should have a permanent electoral administration with adequate disciplinary control over the staff.

(vii) Mass Media should play a non-partisan role in election and as a safeguard of democracy.

In democracy the public is most powerful entity. If the public do not vote in favour of criminals, dishonest and corrupt politicians who wish to purchase their votes by money or muscle powers, everything shall function nicely and the democracy will shine in the dark spectrum of hitherto corrupt and criminalized political system. So, though the EC is working hard in this direction, but it cannot succeed unless all political parties and voters realize their responsibility. Finally there should proper mechanism, fully functional and fully equipped to fight with any triviality.

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