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*by* Linto Plag

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## **Electoral Reformation: A Synoptic Examination of Indian Scenario.**

Prayaga M.A

ICSSR Doctoral Fellow in Public Administration (2019-2020)

*India being the largest democracy showcases the emerging significance of election procedure through its governance culture. The device of election is the vital <sup>9</sup> and integral feature of politics in the governance of a system of democracy. This faith in the process could be poised by reinstating the mechanism of election as free and fair, away from manipulated and rigged. Except for some reasons, the democratic system according to common man is improper in its functioning. This lacuna gets extended to the job of election in our land. Elements percolating the iniquity of the process can be crime, duplicity, corruption, money power and passive citizenry. These have the prospective to toxin our democracy. The regard to strengthen the democratic values <sup>8</sup> recline in the electoral process of the Indus. Ergo, electoral reforms in Indian land are the need of the hour.*

Key words: Electoral Reforms, Citizen Participation, Electoral Mechanism, Election Commission, Constitutionalism

<sup>4</sup> “For democracy to survive, it is essential that the best available man should be chosen as representatives of the people for proper governance of the country. This can be achieved through men of high moral and ethical values who win the elections on a positive vote.” – The honourable Supreme Court.

The lines describe the basic notion in assessing a situation to reap the benefit of the same in an optimising track. This can be laid down with time bound reformation in the mechanism. Here the perspective can be connected to what may turn as an improvement in the way how public aspirations are conveyed. The said process can be termed as electoral reform which in turn be regarded as the torch bearer in the activity of “nation- building” and “socio-economic development”. These two key words are regarded as the primary goal of development administration in a third world nation like India.

However, in the course of time the solidity question regarding the governance of our land seems to be rectified to an extent. On the other hand, many hazards to the political health of our land still pertain. The first three general elections (1952-62) were conducted within the positive principle of election system maintaining the free and fair principles. The decline in grade started witnessing with the fourth general election in 1967.

Over time, Indian electoral system subjected to several maladies resulting in the basic thought that the election system is observed to be the footing of political corruption in the land. The changes in this system that followed helped in upending the crunch created by the procedure only to a limited level. Whether it is the first reform of 1962 under the chairmanship of K Santhanam or the recent reform agenda put forward by Ministry of Law and Justice to the Prime minister in 2004, the result of such leaps lies unfulfilled. Indian parliament with fewer hours had not enough time in the last 15 years to engage deliberately in such spark of change

### **Matters of concern in Indian electoral politics**

Electoral reforms in our land call attention to the development and congenial make over in election processes. This in turn disentangles better and responsive democracy, upright politics, exemplary members of legislative houses, and justness of representation and so on. Articles 324-329 of the constitution deal with matters concerning election and electoral reforms. Whatever be the reforms it needs to uphold the desire of our ancestors, to accomplish the morality of our Constitution along with to have a perfect democracy in letter furthermore in spirit. To achieve the flame of this spirit fair election conduction need to be conceived as the utmost remedy.

The elections on these days are not being conducted in consummate conditions because of several reasons. They can be listed out as;

*Money Power:* Recently, The Hindu Business line (March, 2019) in an article mentioned this event as “money power is choking democracy in India”. The report further took space in pointing out no comparison exist for matching India’s democracy even the rare Asiatic lion doesn’t suit the scene. Officials travel greater extremes to encourage people participation in the process of casting their ballots by putting up booths even in snow clad mountains, Maoist rebel zones, or in a wild life sanctuary. Woefully the amateurs of the panel alias “netas” display no same vivaciousness for stamping out corruption from the electoral system. Here in our land elections are tantamount with gift giving, scourge of paid news and up surging grotesque distortions.

*Muscle Power:* The term better coincides with use of violence, pre-election daunting, booth seizing and so on. The proliferation of this incident usually erode the foundation as which the democratic value of the notion is build upon. The existing Lok sabha (2013-18) consist a grade of 34% of elected representatives who have registered criminal cases against them. The steps to reduce these occasions begin with a holistic reform of the election finance system. In the beginning of 2017 Indian government instigated far- reaching alterations to our electoral finance system. This contained steps like delimiting cash donations to Rs. 2,000, initiation of anonymous electoral bonds etc. What we require is a new law to mandate the election parties in controlling their method of donations

*Criminalization of politics and politicisation of criminals:* They better lie as the two sides of same coin. These are regarded as the main reason for the manifestation of muscle power during elections. The political parties sectors criminals in elections for the gain of fund and in back furnish them with political patronage and protection. The urge to deterge politics of criminal gives an impact that a need to be flagged with utmost importance. The basic forfeiture at the altar of criminalisation is that of governance, in company with transparency and accountability. Therefore the need to cleanse politics of criminal background needs an alarming attention.

*Misuse of government machineries:* This is another malady in the process which is usually complained of. The problem is being worsened by the party in power more prominently during the period of election. The officials are misused with the aim to improve the party's candidate prospects in the upcoming election. The executives are used in different forms from time to time.

*Non serious independent candidates:* This is another step in the problem along with 'vote bank' mechanism. They are floated in by serious candidates as a weapon against their rivals. This in turn increases the confusion among public and distorts the smooth functioning of the democratic mechanism in the place.

*Casteism:* In olden days, at the time when Congress party hegemonies both national and state politics, three resources were required necessary to win the ticket in an election. They were an upper caste status, land and a congress ticket. In the flip of time at present a candidate needs another three set of resources, they are, caste number instead of status, economic resources and an ABC ticket (any party). Along with these tri needs the collaboration among candidate and local economic and political elites often ascertain their winnability. Therefore notwithstanding speedy urbanisation and change, the caste systems tarry of high relevance in present India.

*Communalism:* Urban-rural separation upstages communalism in Indian elections. This political philosophy in the sub continent can be kindred to tensions and clashes among various religious communities in different regions. In the previous decade's communalism theory better connected with the politics of communalism and religious fundamentalism. Now, the feature better suits with communal polarization which is knelt in the bouquet of serious threats. These threats pose a serious attention to the Indian political quintessence of pluralism, parliamentarianism, secularism and federalism.

### **Phases of electoral reforms**

3 Reform is aimed at changing what exists for attaining the goal of administration. Reforms depend for their success on skilled leadership, correct diagnosis and grasp of the situation, proper sense of timing, wider support base, careful planning and phasing of proposals, command over resources, and above all a sound understanding of "politics". The

implementation of reforms has to be planned properly and monitoring should be a part of the implementation process. It has to be clearly proved that reforms produce expected results. Hence, evaluation should be an integral part of reform (Bhattacharya 2011: 290).

Therefore, the findings of different election reforms commissions categorically focused the shortcoming in the electoral system and evolved some useful propositions. Yet the issues continue to be as reproving and exigent.

*Reforms pre 2000:* The Election Commission is a body set for maintaining integrity and excellence in the electoral mechanism of the nation. Its mission is to make sure comprehensive and ethical elections are carried out which would endorse the true spirit of democratic India. Since its inception in 1950, many reforms came its way. The major turning point in the nature of the commission took place in 2000 with the Political parties, Elections and Referendums Act. As a result we could classify the reform of electoral mechanism pre and post 2000

The major reforms that took place pre 2000 began with the lowering of voting age. The Constitution (sixty first Amendments) Act of 1988 reduced the voting age from 21 years to 18 years. This included the Lok sabha and state assembly elections. The step provided an opportunity for the youngsters to be part of the electoral process and thereby to express their feelings in the process. Another withstanding movement came with regard to the deputation to Election Commission for the officers or staff engaged in the inner process of election conduction. These officers during the period of election are under the control, superintendence and discipline of the commission. This in turn if followed properly could reduce the bane of officers being used by politicians for election favouring. One big break in the concept of election came with the increase in number of proposers in signing nomination papers. This came in the arena of elections to council of states and state legislative council. The 10% increase of the electors helps in reducing the number of frivolous candidates.

The use of electronic voting machines in 1998 selected constituencies instead of paper ballot was an alarming change in the system. By 2015 this fool proof, efficient and eco-friendly method of election got wide spread all over the country. The dramatic step taken by

law for booth capturing was another success of the period based on Representation Act of 1951. In 1971 an act in disqualification on conviction for insulting the National honours to parliament and state legislatures election stole the entire gamut of electoral mechanism. This added strength in protecting the democratic value of the land through the expressive mechanism of elections.

When the abundance of non-serious candidates ruffled the election flavour, the commission came forward with an increase in security deposits and number of proposers. This step got further gleam when the candidates were not allowed to contest from more than two constituencies. Similarly, many steps were taken during these periods like no counter manning the election on the death of a contesting candidate, paid holiday to employees on the polling day, prohibition on sale of liquor during the day of poll, time limit regarding bye elections and reduction in the effective campaigning period.

The escalation of grass root participation throughout the continent resulted in the further decentralization of India's federal structure. As a result state turned to be the primary venues of political disputes. It is not in the number of reforms the essence of betterment rests but in the analysis and application of the change.

*Reforms since 2000:* The meagre systematic process of periodic election mechanisms does not prove the philosophy of our constitutionalism that we are republic and its crowned with an efficacious democracy, This efficiency of the system need to be analysed and rectified in due intervals in order to maintain the effectual replica of the so-called electoral process. The notion must be connected with the way elections are carried out, the calibre of people so elected, their level of accomplishment to the system of democracy. The performance of our political system can be synchronized with its retaliation to the society and the action to reform our political system is highly related to the need to reform society and its subsystem. This is the area where the business of electoral reforms begins to be noteworthy.

Even though many modifications occurred on our electoral system, still there happened to be less significant and considerable reforms were brought about. Though reports of Dinesh Goswami Committee on electoral reforms (1990), Indrajit Gupta Committee in state funding of elections (1998), Law commission's report on reform of the electoral laws (1999),



National commission to review the working of the Constitution (2002) came into view yet went in vain in need of <sup>2</sup> implementation. It is high time the Representation of People Act (RPA 1951) would have <sup>2</sup> to be altered <sup>2</sup> to pilot the land <sup>2</sup> under the masterly hands that can uphold the true spirit of democracy.

The restriction on exit polls and a ceiling on election expenditure seem to be a bold step in assuring the transparency of the current mechanism of our electoral system. Information and communication technology's updates and contribution in the field of ballot system too made the system more responsive and accurate. The COMET online video recording platform of the commission was a renovating idea by which <sup>1</sup> real time monitoring of the <sup>1</sup> polling booths could be carried out. Reforms in voting through postal ballot, arrangements <sup>1</sup> to citizens of India living abroad, <sup>1</sup> facility to vote through proxy (armed forces people), all figure out to be prudent step in ensuring the citizen participation in the streaming of Indian democratic system.

Through NOTA, a citizen acquired the right to not vote for any candidate who contest in the election in place of pressing button to any candidate's column for the sake of taking part in the process of voting. This mechanism is viewed as an emblematic instrument by citizen for expressing their discontent symbolically. Mushrooming of the new culture of paid news is another threat in soft transaction in the mechanism of election in our nation. The pernicious practice need to be tackled out completely for ensuring the transparency in the system.

Media ornamented as the fourth estate in the world's largest democracy ordinarily spotlights commercial concern rather than focus on the truth and responsibility. It is thus becoming an egregious testimony of the ills of the corporatized media thus forgetting the original goal of societal service. T.N Seshan, the former Chief Election Commissioner aptly pointed out that in spite of framing many formulations it is not easy to make the system of electoral mechanism unerring. A network participation management which includes citizens, civil society and government machinery is required to be accepted as the new framework in the process of governance. Proper educated citizenry is the most essential reform required at this point of time. The policy makers need to by heart the words which are too essential for



pouring in the energy into the frame of our democratic machinery and which ensures the alertness among citizenry, that is “get started before it’s too late” .

Elections at the present time are in jeopardy to the unpropitious influence if three M’s – Money, Muscle and Media, which encompass the social kind. It is here the role of election commission need to be further strengthened to prune this impact and shield voting absolve from fear and coercion. It is high time we need to introspect over the outcomes of electoral process. The usual inclination over past decade has been of an up surging bridge of gap linking the common man and his representative. The matter is of grave treat when looked through the lens of modern democracy.

The pertaining concern in the matter is the lowering level of credibility on reliability from candidates. Moreover, in such circumstances voters frequently make choosing based on caste, muscle power or charisma, thereby marching away from the basic nature of representativeness.

However the reformers of the age remind us that the prominence in retaining the representativeness of parliament is in its alarming stage. This is regarded as the most imperative life beat to democracy in recent time. The effect of this also lies in the effective tussling of the issue of delimitation of constituencies and by the increase in the number of members of parliament. The Election Commission of India need to be determined with regard to the implementation of the election reforms there by promoting the blossoming of the salubrious and spirited democracy in the land of Indus.

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