

Electoral Reforms in India – Challenges and Suggestions

Dr. Ramesh Kumar, Asstt. Prof. of Political Science

M.L.N College, Yamuna Nagar,

Kurukshetra University Kurukshetra

E-mail: deswal0001@yahoo.com

M. 92549-00818, 98137-40070

Abstract:

India is the leading Democracy in the World but we believe that due to certain reasons, democratic system is not working correctly. So, now the researchers think that why this biggest Democracy is not working well? There is something incorrect in the Electoral process. Now, I have showed the whole happenings in the current days' Electoral workout and also recommended some remedies for the improvement of the Electoral method. This has been in the middle of the most broadly discussed electoral reforms in India. Multi-cornered contests have become a norm in India rather than an exception due to the raise in the number of lesser and regional parties. There have been cases in the state assembly elections where a candidate has been confirmed winner with the triumph margin of less than 100 votes. Apart from this anomaly, in the majority cases, a candidate wins the election by securing just 35-40 per cent of the total number of votes polled. Hence he or she cannot be deemed to be a choice of bulk of the electorate. To overcome this limitation, the first-past-the-post system should be replaced with a two-stage electoral method. In this, a second round of election will be held if not any of the candidates in the fray is able to get 55 per cent of the total number of votes polled in the 1st round. The two candidates who have obtained the highest number of votes in the 1st round will fight in the 2nd round. Whoever between the two gets more than 51 per cent of the sum votes polled in the second round is confirmed the winner. Simultaneous elections for Union and state legislatures: at present 3-4 states in India go for elections every year. This undermines the working of the center government as the regime in command cannot take solid decisions due to the alarm of a backlash in the next round of assembly election. Hence concurrent elections will not only assurance that governments at the centre and the states carry out their accountabilities in a silky manner but also restrain needless election expenditure. The arrangement of simultaneous elections can be wide-ranging to the elections for the municipal corporations and other local self-government institutions.

Keywords: - Election, Legislature, Election Commission, System, Government, Institutions.

Introduction: -

India has the distinction of being the biggest democracy of the globe. Elections are the most significant and integral part of politics in a democratic organization of governance. While politics is the art and practice of dealing with political control, election is a course of legitimization of such power. Democracy can really work only upon this faith that elections are free and rational and not rigged and manipulated, that they are actual instruments of ascertaining popular will both in genuineness and in form and are not mere rituals calculated to make illusion of difference to mass view, it cannot endure without free and fair elections. The election at current are not being hold in perfect conditions because of the huge amount of money essential to be spent and great muscle power needed for winning the elections. While the first three common elections (1952-62) in our state were by and huge free and fair, a discernible decline in standards began with the fourth common election in 1967.¹ No such actions were reported till the fourth general election. Over the years, Indian electoral system suffers from grave infirmities. The election process in our state is the progenitor of political dishonesty. The distortion in its working seemed for the first time in the fifth general elections, 1971. and multiplied in the successive elections specifically those held in eighties and thereafter.² Some of the candidate and parties contribute in the course of elections to win them at all costs, irrespective of moral standards. The ideal situations need that a truthful, and upright person who is public spirited and desires to assist the people, should be capable to contest and get elected as people's representatives. But in real fact, such an individual as aforesaid has no chance of either contesting or in any situation winning the election.

DEFECTS IN ELECTORAL POLITICS OF INDIA

The election at in attendance are not being hold in model circumstances because of the giant amount of money required to be spent and massive muscle power desirable for winning the elections. The core defects which arise in the lane of electoral system in India are: money power, muscle power, criminalization of politics, poll violence, booth capturing, communalism, castism, race, non-serious and independent aspirants etc.

Money Power:

Electioneering is a very lavish affair in each democratic polity which plays a more energetic role in India. Role of Money influence of our electoral system, it promotes to all round corruption and contributes primarily to the generation of black money economy which rules at current our country? A prospective candidate in each constituency has to spend millions of money towards conveyance, publicity and other necessary items of election campaign. In current years the election expenses have increased beyond any restrictions due to the desire on the part of each political party to apply more than their rivals in the fray. The elections were not as expensive in 1952 as they have become today. Political leaders and workers considered it unprincipled to work with a wish for any reward. But situation now has been changed. The elections in Indian

polity are becoming increasingly lavish and the gap between the expenses incurred and legally permitted is increasing over the years. The observers are watching the system that requires unbelievably huge expenditure collected through the doubtful means by political parties and their candidates. The acceptance of planning and of mixed economy with a huge volume of control, regulation, licenses, permits and quotas in free India provided massive opportunities for political corruption and resulted in an unethical nexus between the electoral politics and the business part of the state. This appears to be continued even nowadays with more calamitous consequences of an overflow of black currency into the corridors of political parties despite the liberalized economy induced to the political system of state. Elections in India so far from a mutual man, only those people can partake in elections as a candidate who has a lot of money, because nowadays vote is not a mean of public outlook. It is being purchased.

Muscle Power:

Violence, pre-election pressure, post-election, oppression, most of the riggings of any type, booth capturing both quiet and violent are mostly the products of muscle command. These are prevalent in several parts of the nation like Bihar, Western Uttar Pradesh, Maharashtra etc. and this tumorous disease is gradually increasing to south like in Andhra Pradesh, Criminalization of politics and politicalisation of offenders, freely indulged in now, are like two borders of the same coin and are mainly answerable for the manifestation of muscle power at elections.⁴ By using of violence, the criminals are capable to attain victory at elections for their benefactors.

Misuse of Government Machinery:

It is usually complained that the régime in power at the time of election abuse official machinery to further the election prospects of its party candidates. The mismanagement of authorized machinery takes diverse forms, such as concerns of advertisements at the cost of government and community exchequer highlighting their accomplishments, disbursements out of the discretionary funds at the clearance of the ministers, usage of government vehicles for canvassing etc. The mismanagement of official machinery in the ways mentioned above gives a partial advantage to the ruling party at the phase of elections. This leads to mismanagement of public funds for furthering the prospects of candidates of a specific party.⁵

Criminalization of Politics:

During the election time, newspapers are generally full of information about the sum of criminals in the field supported by each party. The reason of the criminals behind entering to politics is to increase influence and confirm that cases against them are dropped or not proceeded with. They are capable to make it big in the political arena because of their economic clout. Political parties tap criminals for fund and in return provide them with political support and protection.⁶ Rough estimates propose that in any state election 20 percent of candidates are drawn from illicit backgrounds: Mafia dons and other influential gangsters have shown that they can change their muscle power into votes often at gun point. Voters in several parts in the nation

are forced to vote for the native strongman. Tickets were given to the candidates with criminal accounts even by National Party. All these instances reported time and again display that democracy in India has mainly failed to be what it was meant to be because the electoral system has been perverted. Our politics have been dishonored because the corrupt and criminals have to entered it, Criminalization of politics has become an all-pervasive phenomenon.⁷ At one time politicians engaged criminals to assistance them win elections by booth capturing. Nowadays, those same criminals have begun incoming parliament and the state legislature.

Non-Serious Candidates in Political Parties:

In latest years there has been a steady growth in the number of candidates in elections. The figure of candidates has swelled due to the involvement of Independents. They contest elections light heartedly and miss their deposits. Senseless contestants are mostly floated by serious candidates either to cut sizeable share of votes of rival candidates or to split the votes on caste lines or to have extra physical force at polling station and counting centers.⁸ The diversity of candidates causes inconvenience to election authorities in the management of elections. The voters are also handicapped in recognizing the candidates of their own choice. This affects the holiness of elections. This onslaught of non-seriousness has to be stopped.

Problems of the political instability, hung parliament and assemblies:-

There has been a great deal of political uncertainty during the last decades. The consequence has been unstable administration and unbalanced policies, the hallmark of marginal governments. The reasons are not far to seek. The Westminster Model accepted by us, works mostly on the basis of a limited amount of political parties. In the United Kingdom, there are only two main political parties. Contrarily in India, politicization at ground level coupled with an extremely fragmented society, has given upsurge to a multiplicity of political parties. Each one of these exists not on a diverse ideology or economic programme, but on the basis of having nursed a slight parochial, generally caste or religion based, identity for itself and its band of supporters. Even this support is generally earned not by doing some productive work for the concerned group but negatively by bad-mouthing others and all the time opposing one group against the other.⁹ The resultant separated vote has made it increasingly problematic for single parties to get a workable majority to form a government at the centre, In direction to cobble up a workable majority to form governments, compromises have had to be made and all ideology or ideas of excellence of governance have disappeared from the part. This has had a very bad repercussion on the excellence of governance with numerous consequences. Corruption has increased, law and order has suffered and control mechanisms have broken down or become very loose. The public has been the victim of all resultant misgovernance.¹⁰ This condition has generated its own discussion and suggestions have been made to limit the amount of political parties as well as independent applicants that are permitted to contest for national elections.

Castism

Though there is barely any case in India of a political party being completely identified with any particular caste group, yet there are cases of definite castes lending strong support to particular political parties. So, while political parties resist among themselves, to triumph diverse caste groups in their favour by making offers to them, caste groups attempt to pressurize parties to choose its applicants for candidature in elections, If the caste group is leading and the political party is an significant one, this communication is all the more important.¹¹ In numerous political parties, in place of ideological division there occur the determination of policies and programmes as well as the proposal of electoral candidates and the extension of support to them on caste deliberation. Caste controls the political field, particularly at the junior level.¹² The appearance of regional parties and the “withering away of national point of view and spirit” thus sets off one more crisis. Candidates come to be chosen not in terms to accomplishments, capability and merit but on the appendages of caste, creed and community. Eventually caste becomes the deciding thing on selection. Caste based politics and castism are eroding the ‘unity’ standard in the name of regional autonomy.

Communalism:

The appearance of India as a ‘secular state, the politics of communalism and spiritual fundamentalism in the post independence era has led to a numeral of separate movements in diverse states and regions of the nation. Communal polarization, rather multi-polarization, has posed a risk to the Indian political culture of pluralism, parliamentarianism and federalism. In spite of the recognition of the code of Secularism as a constitutional faith, which ironically permits communal parties to race, the drift towards communalism and fundamentalism in Indian politics have been rising day by day. The character of tolerance that is necessary for a secular society appears to have wholly misplaced from the body politics of India. The dynamics of national and state politics of the final decade is a silent witness of the clashes and conflicts between the so-called “Secularist and the communalist”. Though a inclusive constitutional amendment Bill (80th Amendment Bill) and Representation of the People (Amendment) Bill 1993 were introduced to de-link politics from communalism, castism, and linguism etc. by the minority Govt., these could not go by during the Parliament.¹³ Caste and religion have in current years appeared “as rallying points to add electoral” support. Unluckily there is a tendency to play upon caste and religious feelings and field applicants in elections with an eagle eye on the caste equations and communal configurations.

Lack of Moral Values in Politics:

There has been very pointed erosion in the ideological course of political parties. Party dynamics in India has led to the appearance of valueless politics much against the morals of the father of the nation, Mahatma Gandhi, who recommended that the Congress party should be split up after

the attainment of freedom and its members should connect themselves in the service of the people. While Gandhi taught us wonderful selflessness, self sacrifice and service, to the people, such inspiring values, the democratic standards and institutions have been damaged systematically over the final years of the working of the Constitution. In the development, both the politicians and political parties have misplaced their credibility, the final value that should bind them with the masses. There appears to be a crisis of nature amongst the politicians, as the system does not promote the honest leader. Because of the falling ethical standards both in the community and among the leaders, criminalization of politics and politicization of criminals has become the standard. Due to degeneration of leadership, parties have been entangled in power struggle for the sake of individual ends¹⁴. In a moral pursuit of power politics, each main player seems to be playing no holds barred game. The Gandhian worth of the spirit of service to the state has become totally extinct from the current day politics. The money and muscle powers are the basic problems that contaminate and defile the process and motivate participants to resort to mal practices in elections of India. This leads to the refuse of ethical values in the arena of electoral politics. Major actions - legislative administrative and reformatory are required to stem the root that is eating vitiate of the democratic course. A game can be fair only if the players are truthful and true to its spirit.

Steps Taken by the Government

The reports of different EC and a figure of formal informal group discussions at different forums and by individuals have categorically pointed out the faults in the electoral system, some of them have ventured to come out with some valuable suggestions, yet the troubles remaining to be as serious and challenging as ever. The Joint Parliamentary Committee on Amendments to Election Law (1971-72), the Tarakunde commission report of 1975, the Goswami commission Report of 1990, The Constitution Bill 1994 and the Representation of the People (Second Amendment) Bill, 1994 (passed by Parliamentary), the Election Commission's suggestions in 1998 and Indrajita Gupta commission report of 1998 etc. produced inclusive set of recommendations regarding election reforms. A small number of reforms have been put into practice but a lot has to be done. The entire state is now expressing grave concern over the anti-social and criminal elements entering into the electoral field. A determined Mr. T.N. Seshana tried his most excellent to cleanse the system, but he unsuccessful Mr. Seshana's successor, Mr. Gill countenanced the same difficulty. The Ex-CEC, Mr. Lingdoh also found himself in such a disgraceful position, that he has found no appropriate remedy to malpractices in elections. This leads to dirt free the system but, to appeal the voters not to vote for the criminals. Mr. T.S. Krlshnamurtby, N. Gopalaswami and Navin B. Chawala the CECs also faced the similar difficulty. CEC, T. S. Krishnamurthy has in a suggestion letter recommended to PM Manmohan Singh a set of poll reforms that anybody charge sheeted at least six months before elections should be banned from contesting elections.¹⁵ The EC has taken numerous new proposals in the current past as a use of state owned Electronic Media for televise or telecast by political parties, checking: criminalization of politics, providing with electoral recognize cars, streamlining the procedure

for registration of political parties and requiring them to hold regular organizational elections, a diversity of measures of firm compliance of Model Code of Conduct for giving a level playing field to candidates during the elections, and so on.¹⁶ In Bharat, the BC has recognized a set of course of action known as the Model Code of Conduct that must be followed by political parties and contestants in the run-up to an election. These guidelines are intended to make sure that the ruling party at equally the national and state levels - does not abuse its official position to increase an unfair gain in an election. There is a pervasive feeling that something is wrong with the way elections are conducted in Bharat. Keeping in brain the centrality of elections in renewing the legitimacy of the democratic political system and its very important role in the Constitution of the Political Community, It is expected that the distortions badly affecting the conduct of free and fair elections will be instantly controlled and eliminated if by nothing else, than, at least, by making appropriate changes in the law governing the behavior of elections. Currently, time has come to offer some hard rules and laws in our constitution to keep away those anti-social ills from legislative and parliament

Suggestions

The following submissions should be in use into consideration for making electoral system free and fair mode:

- At this time, the EC does not have self-sufficient staff of its own. Whenever elections take place, the Election Commission has to depend upon employees of Central and State Governments. The double responsibility of the administrative staff, to the government for common administration and to the EC for electoral administration is not helpful to the impartiality a competence of the Commission. Along with it comes the difficulty of disciplinary control over the personnel deputed to do election job which usually generates conflict between the Government and the BC. Now, when the elections have ceased to be a mere periodical concern, it is desirable that the BC should have a permanent electoral management with sufficient disciplinary control over the personnel.
- Efficient Electoral Commission is a necessity of the day to conduct free and fair elections. Democracy and intrepid elections cannot survive without each other. To stop unfair practices in elections like rigging by using official machinery and to make sure existence of democracy, following techniques or means should be accepted.
- The CEC should not be at the pity to Executive and Parliament for its necessities. He should have separate and free election department to improve its objectivity and impartiality.
- Political corruption should be stopped up by providing funds to real candidates through political parties whose report should be auditable. Candidate involving in corruption should be ineligible.
- For having an accurate democracy the registration and acknowledgment of the political parties should be fair and without any kind of pressure.
- Mass Media should play a non-partisan task in election and as a defend of democracy.

- Periodic elections are the base of a democratic system. For transparent electoral system every aspiring applicant must have fettered liberty to offer himself as a candidate for election and to perform his election campaign in his own way so long as he keeps him within the law.
- 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 applicant should be maintained. The election mechanism must task honesty and impartiality at every phase.
- Parliament must pass a law dealing with this grave difficulty of de-listing of legal electorates from electoral rolls because illiterate electorate residing in remote villages cannot watch over publication of electorate lists.
- Preparations of electoral rolls by EC are to be managed at town level and certificates from officials who arrange electoral rolls to the effect that the electoral rolls have been systematically improved. They do not comprise that persons and legally disenfranchised people and intentionally no name should be missing in them. Responsibility to be fixed for intended exclusion of name of voters from electoral rolls.
- The names of the voters may be incorporated in the electoral rolls even at the time of casting of votes by the polling officer, when he finds an authentic case.
- Unearth and confiscate black money, which is broadly used for buying votes.
- Make politicians as well as the people law abiding.
- Strictly apply the Code of Conduct and penalize those who disobey it.
- Revise voters' lists in time to keep away from bogus polling and accurate mistakes in the lists.
- Prompt act by the judiciary, if any type of violation is noticed during elections.
- Announce elections results in mandatory.

In democracy the community is very influential entity. If the public do not vote in favour of criminals, dishonest and corrupt politicians who desire to buy their votes by money or muscle powers, all shall function properly and the democracy will burnish in the dark spectrum of hitherto corrupt and criminalized political system. So, though the EC is working hard in this path, but it cannot do well unless all political parties and voters understand their accountability. Lastly there should appropriate mechanism, fully functional and wholly equipped to fight with any triviality.

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