



## ELECTORAL REFORMS IN INDIA

**Dr. Mallikarjun Sharanappa**

UGC Post-Doctoral Fellow , Department of Political Science ,  
Gulbarga University , Kalaburagi,Karnataka.



### ABSTRACT:

*Election Commission of India (ECI) is an autonomous constitutional body which is formed to conduct free and fair elections to the democratic institutions. There are many challenges and problems faced by Commission while conducting of elections such as corruption, muscle power, criminalization of politics, rigging and booth capturing, proxy voting, etc. To overcome these challenges, there are frequent recommendations and reforms of elections such as use of EPICs, Electronic Voting Machines, VVPAT machines, Model Code of Conduct, posting of para-military forces for maintaining security, limitation and control on Election Expenses by contesting candidates, etc. Still, it is observed that, there are few of the challenges such as proxy voting, creation of fake voter ids, etc have become challenge for ECI while conducting free and fair elections to Indian democracy. Hence, it is suggested to link UIDAI (Aadhar) to the EPIC to conduct transparent elections. Further, more autonomy is needed for ECI to execute rules and regulations strictly.*

**KEYWORDS :** Election Commission of India (ECI) , criminalization of politics.

### INTRODUCTION:

Election Commission of India (ECI) is a constitutional body which is formed to conduct elections to Parliament, State Legislatures and Local Governments and also to the offices of the President and Vice-President. The functions of ECI include preparation and maintenance electoral rolls and conducting election procedures so as to assure 'free and fair elections' for the democratic organs. It is autonomous body and not under influence of any political party, the Government or any of the persons. There were many problems such booth capturing, rigging, proxy voting, etc earlier, which have become major challenge for Indian democracy. The ECI has made rules and taken many of the precautions and even now acting strongly against unfair practices during elections to democratic institutions.

### CHALLENGES TO FREE AND FAIR ELECTIONS:

Still, Indian democracy is facing many of the problems and challenges such as criminalization, black money, huge spending by political parties or candidate competing in elections, communalism, casteism, unfair practices to get votes, etc. The Election Commission from time to time, making reforms to curb such unfair practices in Elections. For this purpose, electoral reforms has been taken up by numerous government committees in the recent past, including but not limited to: Goswami Committee on Electoral Reforms (1990); Vohra Committee Report (1993); Gupta Committee on State Funding of Elections (1998); Law Commission Report on Reform of the Electoral Laws (1999); National Commission to Review the Working of the Constitution (2001); Election Commission of India – Proposed Electoral Reforms (2004) and The Second Administrative Reforms Commission (2008). Still, there are incidents which have become threat to free and fair elections in India.

Of the many challenges faced by ECI to conduct free and fair elections, corruption is a major challenge and huge black money has become powerful in getting votes. Similarly, the criminalization of our political system has been detected almost consistently by all recent committees on politics and electoral reform. Criminalization of politics has many forms, but perhaps the most disturbing among them is the substantial number of elected representatives with criminal charges undecided against them. Electoral violence is one of the major challenges faced by ECI for conducting elections. Communalism and casteism have also become challenges to free and fair elections. Proliferation of non-serious candidates so as to divide votes is also another challenge faced by ECI while conducting elections. Increase in money power and muscle power has become threat against successful functioning of democracy. Creation of fake voters has also become challenge for the election commission. Further, rumors on distrust on electronic voting machines is also become major challenge.

To improve elections, the Election Commission of India has been making recommendations to the Government of India from time to time about various reforms in the electoral system that the Election Commission cannot make within its own authority, some of which require making some changes in the Conduct of Election Rules 1961, the Representation of People Act, 1951, and other similar rules and legislations. While the government has made some of these changes from time to time but any major worthwhile changes have been consistently ignored. The Election Commission compiled 22 of these ignored recommendations and the then Chief Election Commissioner wrote to the Prime Minister giving details of these recommendations on July 05, 2004, and published these on July 30, 2004 to put these in the public domain. There has been no specific reaction from the government to these recommendations. Then came the report of the Second Administrative Reforms Commission in 2008 which also contained some significant observations on the electoral system, and made some serious recommendations for electoral reforms. Sadly, those recommendations have also not found favour of the government for implementation. On December 09, 2010, the then Law Minister, M. Veerappa Moily, and the then Chief Election Commissioner, S.Y. Quraishi, announced in a joint press conference that seven regional and one national consultation will be conducted to evolve a national consensus on electoral reforms, and that will be followed by a comprehensive new legislation on electoral reforms<sup>1</sup>. Unfortunately, many of these recommendations were ignored by the Government.

Although the political parties, at the time of registration, bind themselves to follow the constitutional provisions and the principles of democracy, etc., there are no legal provisions enabling the Commission to take punitive action against them or to withdraw the registration in case of violation of such understanding<sup>2</sup>.

According to Ram Jethmalani, "Conducting elections in India, even in the states, have now become a major national exercise, almost akin to preparing for a civil emergency, lasting for weeks together. Thousands of election observers from the civil services across the country are commandeered to ensure that the elections are fair and free, disrupting their routine work for at least two months. National paramilitary forces are deployed to martially protect voting booths and prevent any threat, intimidation or force used during electioneering and on election days. The electoral exercise is indeed a celebration of our democracy, and a boon for the poor. Mighty political leaders woo and beg the subsistence and fringe populations to vote for them. Employment rates rise, especially of the unskilled, and the critical mass of the electorate smiles at the unlimited supplies of cash, booze and white goods that reach them through ingenious circumvention of surveillance systems put in place by the Election Commission"<sup>3</sup>.

#### **ELECTORAL REFORMS:**

The ECI observed different types of disturbances to free and fair elections from time to time. To avoid and prevent such disturbances, there are different electoral reforms. The Commission has taken numerous new initiatives in the recent past. Prominent among these are, a scheme for Electronic Media as a medium for broadcast by Political parties, checking criminalization of politics, computerization of electoral

rolls, providing electors with Identity Cards, un-complicating the formula for maintenance of financial records and filling of the same by candidates. Spreading of distrust on Electronic Voting Machines has become major news now and for this purpose, VVPATs are introduced by ECI. In many areas, though state police has been assigned to control electoral violence, still due to political pressure, the police have become unable to work in elections. For this purpose, para military forces have been assigned election duties so as to secure elections. The election expenses of each contesting candidate are fixed by ECI and keenly observed the same during elections. Consequent to all these reforms, there is considerable reduction of challenges and problems during elections.

#### CONCLUDING REMARKS:

Though Election Commission of India is taking many of the reforms, still the present elections are facing challenges. Hence, it is suggested to provide complete autonomy to ECI for bringing reforms to conduct free and fair elections to democratic institutions. It is suggested to ECI to link UIDAI (Aadhar) card to prevent fake voting, which has become biggest threat to Indian democracy and compulsory linking along with attestation of biometric traits of voters at the time of voting should be made compulsory for exercising votes. It increases transparency in elections.

#### REFERENCES:

1. Jagdeep Chhokar, Electoral Reforms: A Peep in the Past and Look Ahead, *Yojana*, Vol. 58, July 2014, pp.11-12.
2. Quresi, SY, Electoral Reforms through the years, *Yojana*, Vol. 58, July 2014, p.7.
3. Chanchal Kumar, Electoral Violence, Threats and Security: Problems and Prospects for Indian Democracy, *American Journal of Social Science Research*, Vol. 1, No. 1, 2015, p. 48.