

## Electoral Reforms In India - Indian Polity

India is the largest democracy in the world. Elections are the most integral and important part of politics in a democratic system of governance. True democracy can function only when elections to the offices of power are held in a free and fair manner. The issue of electoral reforms is a very important and often-heard topic in Indian Polity for the UPSC exam. In this article, we give you some important points and insights for the polity and governance segments of the UPSC syllabus.

### Electoral Reforms in India Introduction

It is generally accepted that while the first three general elections were held in a free and fair manner, a plummeting of standards started during the fourth general elections in 1967. Many consider the electoral system in the country as the basis of political corruption. In the next sections, we will talk about the challenges in this regard, and some of the previous attempts at electoral reform.

#### Issues in Electoral Politics in India

There are multiple issues plaguing the electoral process in India. Some of the most prominent ones are mentioned below.

##### **Money Power**

In every constituency, candidates have to spend crores of rupees for campaigning, publicity, etc. Most candidates far exceed the permissible limit of expenses.

##### **Muscle Power**

In certain parts of the country, there are widespread reports of illegal and untoward incidents during polling such as the use of violence, intimidation, booth capturing, etc.

##### **Criminalisation of Politics and Politicization of Criminals**

Criminals enter into politics and ensure that money and muscle power wins them elections, so that the cases against them are not proceeded with. Political parties are also happy as long as they have winnable candidates. Political parties field criminals in elections for funds and in return provide them with political patronage and protection.

##### **Misuse of Government Machinery**

There is a general opinion that the party in power uses government machinery such as using government vehicles for canvassing, advertisements at the cost of the exchequer, disbursements out of the discretionary funds at the disposal of the ministers, and other such means to improve the chances of their candidates winning.

##### **Non-serious Independent candidates**

Serious candidates float non-serious candidates in elections to cut a good portion of the votes that would otherwise have gone to rival candidates.

##### **Casteism**

There are cases of certain caste groups lending strong support to particular political parties. Thus, political parties make offers to win over different caste groups, and caste groups also try to pressurize parties to offer tickets for their members' elections. Voting on caste lines is prevalent in the country and this is a serious blotch on democracy and equality. This also creates rifts in the country.

### Communalism

Communal polarization poses a serious threat to the Indian political ethos of pluralism, parliamentarianism, secularism and federalism.

### Lack of Moral Values in Politics

The political corruption in India has led to politics becoming a business. People enter the political arena for making money and retaining their money and power. There are very few leaders who enter politics to make a difference in the lives of their people. The Gandhian values of service and sacrifice are missing from the Indian political scene.

## Electoral Reforms Undertaken

Electoral reforms undertaken by authorities can be broadly divided into two categories: pre-2000 and post-2000. Both of these are discussed in the section below:

### Electoral Reforms Pre-2000

1. **Lowering of Voting Age:** The 61st Amendment Act to the Constitution reduced the minimum age for voting from 21 to 18 years.
2. **Deputation to Election Commission:** All personnel working in preparing, revising and correcting the electoral rolls for elections shall be considered to be on deputation to the EC for the period of such employment, and they shall be superintended by the EC.
3. **Increase in the number of proposers and the security deposit:** The number of electors required to sign as proposers in the nomination papers for elections to the Rajya Sabha and the State Legislative Councils has been raised to 10% of the electors of the constituency or ten such electors, whichever is less chiefly to prevent frivolous candidates. The security deposit has also been hiked to prevent non-serious candidates.
4. **Electronic Voting Machine (EVMs):** First introduced in 1998 during the state elections of Delhi, Madhya Pradesh and Rajasthan, EVMs are used widely now as they are fool-proof, efficient and a better option in terms of the environment.
5. **Disqualification on conviction for violating the National Honours Act, 1971:** This shall lead to disqualification of the person for 6 years from contesting to the Parliament and the state legislatures.
6. **Restriction on contesting from more than 2 constituencies:** A candidate cannot contest from more than 2 constituencies.
7. **Death of a contesting candidate:** Previously, the election was countermanded on the death of a contesting candidate. In the future, no election will be countermanded on the death of a contesting candidate. If the deceased candidate, however, was set up by a recognized national or state party, then the party concerned will be given an option to nominate another candidate within 7 days of the issue of a notice to that effect to the party concerned by the Election Commission.
8. It is prohibited by law to go to or near a polling booth bearing arms. This is punishable by imprisonment for up to 2 years.
9. On poll days, employees of organisations get a paid holiday and violation of this is punishable by a fine.
10. **Prohibition on sale of liquor:** No liquor or other intoxicants shall be sold or given or distributed at any shop, eating place, or any other place, whether private or public, within a polling area during the

period of 48 hours ending with the hour fixed for the conclusion of poll.

11. **Time limit for bye-elections:** Bye-elections to any House of Parliament or a State Legislature will now be held within six months of the occurrence of the vacancy in that House.
12. The period of campaigning has been reduced.

## Electoral Reforms Post 2000

1. **Ceiling on election expenditure:** At present, there is no limit on the amount a political party can spend in an election or on a candidate. But, the Commission has put a cap on individual candidates' spending. For the Lok Sabha elections, it is Rs. 50 - 70 lakh (depending on the state they are contesting the Lok Sabha seat from), and Rs. 20 - 28 lakh for an assembly election.
2. **Restriction on exit polls:** The EC issued a statement before the 2019 Lok Sabha elections saying that exit poll results could be broadcast only after the final phase of the elections were over. This was done to avoid prospective voters being misguided or prejudiced in any manner.
3. **Voting through postal ballot:** In 2013, the EC decided to expand the ambit of postal ballot voting in the country. Previously, only Indian staff in missions abroad and defence personnel in a limited way, could vote via postal ballots. Now, there are 6 categories of voters who can use the postal ballot: service voters; special voters; wives of service voters and special voters; voters subjected to preventive detention; voters on election duty and Notified voters.
4. **Awareness Creation:** The government decided to observe January 25th as 'National Voters Day' to mark the EC's founding day.
5. Political parties need to report any contribution in excess of Rs 20000 to the EC for claiming income tax benefit.
6. Declaring of criminal antecedents, assets, etc. by the candidates is required and declaring false information in the affidavit is now an electoral offence punishable with imprisonment up to 6 months or fine or both.

### *UPSC Questions related to Electoral Reforms in India*

#### **Can prisoners vote in India?**

No, prisoners cannot vote in India. But, people who are under preventive detention can vote through postal ballots.

#### **What do you mean by Article 324?**

Article 324 provides for the Election Commission of India. It states that the power of superintendence, direction and control of elections to parliament, state legislatures, the office of the President and the office of the Vice President of India shall be vested in the EC.

#### **Which committee is related to electoral reforms in India?**

There have been many committees in India for electoral reforms. In 2014, the Law Commission headed by Justice AP Shah examined issues concerning the disqualification of candidates with criminal background, and the consequences of filing false affidavits.

#### **Why do we need electoral reforms in India?**

Electoral reforms can make the democratic process more inclusive by bringing more people under the electoral process, reduce corruption, which is pervasive, and make India a stronger democracy.

#### **What are the three types of electoral systems?**

The three types of electoral systems are: Majoritarian, Proportional Representation and Mixed.

