"Electoral Developments in India– Concerns and Challenges"

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ABSTRACT: India is the largest Democracy in the World but we feel that due to certain reasons, Democracyis not working properly. So, now the researchers feel that why this largest Democracy is not working properly?There is some thing wrong in the Electoral process. Here I have indicated the total happenings in the presentdays Electoral exercise and also suggested some remedies for the betterment of the Electoral system.: This hasbeenamongstthemostwidelydiscussedelectoralreformsinIndia.Multi-corneredcontestshavebecomeanorm in India rather than an exception due to the increase in the number of smaller and regional parties. Therehave been cases in the state assembly elections where a candidate has been declared winner with the victorymargin of less than 100 votes. Apart from this anomaly, in most cases, a candidate wins the election by securingjust 30-35 per cent of the total number of votes polled. Hence he or she cannot be deemed to be a choice ofmajority of the electorate. To overcome this limitation, the first-past-the-post system should be replaced with atwo-stageelectoralprocess.Inthis,asecondroundofelectionwillbeheldifnoneofthecandidatesinthefrayis able to get 50 per cent of the total number of votes polled in the first round. The two candidates who haveobtained the maximum number of votes in the first round will fight in the second round. Whoever between thetwo getsmore than 51percentofthetotalvotespolled in the second round isdeclared thewinner. SimultaneouselectionsforUnionandstatelegislatures: Currently3-4statesinIndiagoforelectionseveryyear. This undermines the working of the union government as the regime in power cannot take tough decisionsdue to the fear of a backlash in the next round of assembly election. Hence simultaneous elections will not onlyensure that governments at the centre and the states carry out their responsibilities in a smooth manner but alsocurtail unnecessary election expenditure. The arrangement of simultaneous elections can be extended to theelectionsforthe municipalcorporationsandotherPanchayatiRajinstitutions.

India has the distinction of being the largest democracy of the world. Elections are the most importantand integral part of politics in a democraticsystem of governance. While politics is the art and practice ofdealing with political power, election is a process of legitimization of such power. Democracy can indeedfunction only upon this faith that elections are free and fair and not rigged and manipulated, that they areeffective instruments of ascertaining popular will both in reality and in form and are not mere rituals calculatedto generate illusion of difference to mass opinion, it cannot survive without free and fair elections. The electionat present are not being hold in ideal conditions because of the enormous amount of money required to be spentand largemuscle power needed forwinning the elections.While thefirst three general elections (1952-62) inour country were by and large free and fair, a discernible decline in standards began with the fourth generalelection in 1967.No such events were reported till the fourth general election. Over the years, Indian electoralsystem suffersfrom seriousinfirmities.

The distortion in its working appeared for the first time in the fifth general elections, 1971. andmultiplied in the successive elections especially those heldin eighties and thereafter.Some of the candidateand parties participate in the process of elections to win them at all costs, irrespective of moral values. The idealconditions require that anhonest, and upright personwhois publicspirited andwantsto serve the people,should be able to contest and get elected as people"s representatives. But in actual fact, such a person asaforesaid hasno chance ofeithercontestingor inanycasewinningthe election.

I. ISSUESINELECTORALPOLITICSOF INDIA

The election at present are not being hold in ideal conditionsbecause of the enormous amount ofmoney required to be spent and large muscle power needed for winning the elections. The major defects whichcome in the path of electoral system in India are: money power, muscle power, criminalisation of politics, pollviolence,boothcapturing, communalism,castism,non-seriousandindependentcandidatesetc.

Money Power: Electioneering is an expensive affair in every democratic polity which plays a morevital role in India.Moneypowerplays in ourelectoral systemdestructiverole affecting seriouslytheworking ofperiodic elections, It leads to all round corruption and contributes mainly to the generation of black moneyeconomy which rules at present our country? A prospective candidate in each constituency has to spend millionsof money towards transport, publicity and other essential items of election campaign. In recent years the electionexpenses have increased beyond any limits due to the desire on the part of every political party to spend morethantheirrivalsinthefray.Theelectionswerenota scostlyin1952astheyhavebecometoday.Politicallead ers and workers considered it unethical to work with a desire for any reward. But scenario now has changed.The elections in Indian polity are becoming increasingly expensive and the gap between the expenses incurredandlegallypermittedisincreasingovertheyea rs.Theobserversarewatchingthesystemthatrequiresu nbelievablyenormousexpenditurecollectedthrought hedubiousmeansbypoliticalpartiesandtheircandidate s. The adoption of planning andofmixedeconomywith alarge amountof control, regulation, licenses ,permitsand quotasinfreeIndiaprovidedenormousopportunitiesfo rpoliticalcorruptionandresultedin an unethical nexus between the electoral politics and the business sector of the country. This seems to becontinued even today with more disastrous consequences of an overflow of black money into the corridors ofpolitical parties despite the liberalized economy induced to the political system of country. Elections in India sofar from a common man, only those people can participate in elections as a candidate who has a lot of money,becausetodayvote isnotameanofpublicopinion. Itisbeingpurchased.

MusclePower:Violence,pre-electionintimidation,postelection,victimisation,mos toftheriggingsof any type, booth capturing both silent and violent aremainly theproducts of muscle power. These areprevalent in many parts of the country like Bihar, Western Uttar Pradesh, Maharashtra etc. and this cancerousdisease is slowly spreading to south like in Andhra Pradesh, Criminalisation of politics and politicalisation ofcriminals, freely indulged in now, are like two sides of the same coin and are mainly responsible for themanifestation of muscle power at elections.By using of violence, the criminals are able to achieve success atelectionsfor theirbenefactors.

Misuse of Government Machinery: It is generally complained that the government in power at thetime of election misuse official machinery to further the election prospects of its party candidates. The misuse ofofficial machinery takes different forms, such as issue of advertisements at the cost of government and publicexchequer highlighting their achievements, disbursements out of the discretionary funds at the disposal of theministers,useofgovernmentvehiclesforcanvassin getc.Themisuseofofficialmachineryinthewaysmenti oned above gives an unfair advantage to the ruling party at the time of elections. This leads to misuse ofpublicfundsfor furtheringtheprospectsofcandidatesofa particularparty.

Criminalisation of Politics: During the election period, newspapers are usually full of informationabout the number of criminals in the field sponsored by every party. The reason of the criminals behind entranceto politics is to gain influence and ensure that cases against them are dropped or not proceeded with. They areable to make it big in the political arena because of their financial clout. Political parties tap criminals for fundand in return provide them with political patronage and protection.Rough estimates suggest that in any stateelection 20 per cent of candidates are drawn from criminal backgrounds:Mafia dons and other powerfulgangsters have shown that they can convert their muscle power into votes often at gun point. Voters in manypartsinthecountryareforcedtovoteforthelocalst rongman.Ticketsweregiventothecandidateswithcrim inal records even by National Party.All these instances reported time and again show that democracy inIndia has largely failed to be what it was meant to be because the electoral system has been perverted. Ourpolitics have been corrupted because the corrupt and criminals have to entered

it,Criminalisation of politics hasbecome an all-pervasive phenomenon.At one time politicians hired criminals to help them win elections byboothcapturing.Today,thosesamecriminalshavebegunenteringparliamentandthestatelegislature.

Non-Serious Candidates in Political Parties: In recent years there has been a steady increase in thenumberofcandidatesinelections.ThenumberofcandidateshasswelledduetotheparticipationofIndependents. They contest elections light heartedly and lose their deposits. Non-serious candidates are largelyfloated by serious candidates either to cut sizeable portion of votes of rival candidates or to split the votes oncaste lines or to have additional physical force at polling station and counting centers.The multiplicity ofcandidates causes inconvenience to election authorities in the management of elections. The voters are alsohandicapped in identifying the candidates of their own choice. This affectsthe sanctity of elections. Thisonslaughtofnon-seriousnesshastobe halted.

II. PROBLEMS OF THE POLITICAL INSTABILITY,HUNGPARLIAMENT ANDASSEMBLIES

There has been a great deal of political instability during the last decades. The result has been unstableadministration and unstable policies, the hallmark of minority governments. The reasons are not far to seek. TheWestminster Model adopted by us, works mainly on the basis of a limited number of political parties. In theUnited Kingdom, there are only two major political parties. Contrarily in India, politicisation at ground levelcoupled with a highly fragmented society, has given rise to a multiplicity of political parties. Each one of theseexists not on a different ideology or economic programme, but on the basis of having nursed a narrow parochial,mostlycasteorreligionbased,identityforitselfanditsbandoffollowers.Eventhissupportisusuallyearnednot by doing some constructive work for the concerned group but negatively by bad-mouthing others and all thetime pitting one group against the other.The resultant divided vote has made it increasingly difficult for singlepartiestoget aworkablemajorityto formagovernmentatthe centre,

In order to cobble up a workable majority to form governments, compromises have had to be made andall ideology or notions of quality of governance have disappeared from the scene. This has had a very negativerepercussion on the quality of governance with several consequences. Corruption has flourished, law and orderhassufferedandcontrolmechanismshavebroken downorbecomeveryloose.Thecommoncitizenhasbeenthe victim of all resultant misgovernance.This situation has generated its own debate and suggestions havebeen made to limit the number of political parties as well as independent candidates that are allowed to contestfornational elections.

Castism: Although there is hardly any instance in India of a political party being totally identified withany particular caste group, yet there are cases of certain castes lending strong support to particular politicalparties. Thus while political parties struggle among themselves, to win different caste groups in their favour bymaking offers to them, caste groups too try to pressurize parties to choose its members for candidature inelections, If the castegroup is dominant and the political party ,is an important one, this interaction is all themore prominent.In many political parties, in place of ideological polarization there occur the determinationof policies and programmes as well as the nomination of electoral candidates and the extension of support tothem on caste consideration. Caste dominates the political field, especially at the lower level.The emergenceofregionalpartiesandthe„witheringawayofnationaloutlookandspirit"thussetsoffanothercrisis. Candidatescome to be selected not in terms to accomplishments, ability and merit but on the appendages of caste, creed andcommunity. Ultimately caste becomes the deciding factor on selection. Caste based politics and castism areerodingthe„unity"principleinthenameofregionalautonomy.

Communalism: The emergence of India as a secular state, the politics of communalism and religiousfundamentalism in the post independence period has led to a number of separatemovements in various statesandregionsofthecountry.Communalpolarization,rathermulti-polarization,hasposedathreattotheIndian politicalethosofpluralism,parliamentarianismandfederalism.Despitetheadoptionoftheprincipleof Secularism as a constitutional creed, which ironically allows communal parties to compete, the trend towardscommunalism and fundamentalism in Indian politics have been growing day byday. The spirit of tolerance thatis essential for a secular society seems to have completely vanished from the body politics of India. Thedynamics of national and state politics of the „last decade is a mute witness of the clashes and conflicts betweentheso-called.Secularistandthecommunalist.Althoughacom

prehensiveconstitutionalamendmentBill(8OthAmendment Bill) and Representation of the People (Amendment) Bill 1993 were introduced to de-link politiesfrom communalism, castism, and linguism etc. by the minority Government, these could not pass through theParliament.Caste and religion have in recent years emerged "as rallying points to gain electoral" support.Unfortunately there is a tendency to play upon caste and religious sentiments and field candidates in electionswithaneagleeye onthecasteequationsandcommunal configurations.

Lack of Moral Values in Politics: There has been very sharp erosion in the ideological orientation ofpoliticalparties.PartydynamicsinIndiahasledtothe emergenceofvaluelesspoliticsmuchagainsttheideals of the father of the nation, Mahatma Gandhi, who suggested that the Congress party should be disbanded afterthe achievement of Independence and its members should engage themselves in the service of the people. WhileGandhi taught us tremendous selflessness, self sacrifice and service, to the people, such inspirational values, thedemocratic norms and institutions have been destroyed systematically over the last years of the working of theConstitution. In the process, both the politicians andpolitical parties have lost theircredibility, theultimatevalue that should bind them with the masses. There seems to be a crisis of character amongst the politicians, asthesystemdoesnotencouragethehonestleader.Becauseofthefallingmoralstandardsbothinthepublicand among the leaders, criminalisation of politics and politicization of criminals has become the norm. Due todegeneration of leadership, parties have been entangled in power struggle for the sake of personal ends. In amoral pursuit of power polities, every major player seems to be playing a no holds barred game. The Gandhianvalueofthespiritofservicetothenationhasbecomecompletelyextinctfromthepresentdaypolitics. The money and muscle powers are the basic evils that pollute and defile the process and motivateparticipants to resort to mal practices in elections. This leads to the decline of moral values in the arena ofelectoralpolitics.Radicalmeasures-legislativeadministrativeandreformatoryareneededt ostemtherootthatiseating vitiateofthedemocraticprocess.Agamecanbefaironly ifthe playersarehonestand trueto itsspirit.

StepsTakenbytheGovernment
The reports of various EC and a number of formal informal group discussions at various forums and byindividuals have categorically pointed out the defects in the electoral system,

some of them have ventured tocomeoutwithsomeusefulsuggestions,yettheproble msremainingtobeascriticalandchallengingasever.The Joint Parliamentary Committee on Amendments to Election Law (1971-72), the Tarkunde CommitteeReport of 1975, the Goswami Committee Report of 1990, The Constitution Bill 1994 and the Representation ofthePeople(SecondAmendment)Bill,1994(passedb yParliamentary),theElectionCommission"sRecomm endations in 1998 and Indrajit Gupta Committee Report of 1998 etc. produced comprehensive set ofrecommendations regarding electoral reforms. A few reforms have been implemented but „a lot has to be done.The whole country is now expressing serious concern over the anti-social and criminalelements entering intothe electoral arena. An indomitable Mr. T.N. Seshan tried his best to cleanse the system, but he failed Mr.Seshan"s successor, Mr. Gill faced the same problem. The Ex-CEC, Mr. Lingdoh also found himself in such apitiable position, that he has found no suitable remedy to malpractices in elections. This leads to cleans thesystem but, to appeal the voters not to vote for the criminals. Mr. T.S. Krlshnamurtby, N. Gopalaswami andNavin B. Chawala the CECs also faced the same problem. CEC, T. S. Krishnamurthy has in a proposal lettersuggested to PM Manmohan Singh a set of poll reformsthat anyone charge sheeted at least six months beforeelectionsshouldbe barredfromcontestingelections.

The EC has taken severalnew initiatives in the recentpast as a use of state owned Electronic Mediafor broadcast or telecast by political parties, checking : criminalisation of polities, providing with electoralidentify cars, streamlining the procedure for registration of political parties and requiring them to hold regularorganizational elections, a variety of measures of strict compliance of Model Code of Conduct for providing alevel playing field to contestants during the elections, and so on.[16] In India, the BC has established a set ofguidelines known as the Model Code of Conduct that must be obeyed by political parties and candidates in therun-up to an election. These guidelines are intended to ensure that the ruling party at both the national and statelevels-doesnotmisuseitsofficialpositionto gainanunfairadvantage inanelection.

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 itsvital role in the Constitution of the Political Community, It is expected that the distortionsadversely affectingthe conduct of free

and fair elections will be immediately controlled and eliminated if by nothing else, than, atleast, by making suitable changes in the law governing the conduct of elections. Now, time has come to providesomehard rulesandlawsinourconstitutiontokeepawaythoseanti-socialevils fromlegislativeandparliament andfairmanner:

III. SUGGESTIONS

The followingsuggestions shouldbetakenintoconsiderationformakingelectoral systemfree

- ☐ At Present, the EC does not have independent staff of its own. Whenever elections take place, the ElectionCommission has to depend upon staff of Central and State Governments. The dual responsibility of theadministrativestaff,tothegovernmentforordinaryadministrationandtotheECforelectoraladministration is not conducive to the impartiality an efficiency of the Commission. Along with it comesthe problem of disciplinary control over the staff deputed to do election work which generally generatesconfrontation between the Government and the BC. Now, when the elections have ceased to be a mereperiodical affair, it is desirable .that the BC shouldhave a permanent electoral administrationwithadequatedisciplinarycontrol overthe staff.
- ☐ Efficient Electoral Commission is a requirement of the day to conduct free and fair elections. Democracyand fearless elections cannot exist without each other. To stop unfair practices in elections like rigging byusing official machinery and to ensure existence of democracy, following methods or means should beadopted.
- ☐ TheCECshouldnotbeatthemercytoExecutiveandParliamentforitsrequirements.Heshouldhaveseparateand independentelectiondepartmentto enhanceitsobjectivityand impartiality.
- ☐ Politicalcorruptionshouldbestoppedbyprovidingfundstogenuinecandidatesthroughpoliticalpartieswhoseaccountshould beauditable.Candidate involvingincorruptionshould be disqualified.
- ☐ Forhavingatruedemocracytheregistrationandrecognitionofthepoliticalpartiesshouldbefairandwithoutanykindofinfluence.
- ☐ MassMediashould playanon-partisanroleinelectionand asasafeguardofdemocracy.
- ☐ Periodic elections are the foundation of a democratic system. For fair electoral system every aspiringcandidate must have fettered

freedom to offer himself as a candidate for election and to conduct hiselectioncampaignin hisownwaysolongashekeepshimwithinthe law.

- ☐ Every voter must be perfectly free to vote as Eve likeswithout any fear of consequences and withoutbeing undulyinfluenced byanyonebyimproper meansand inducementor pressureofany kind.
- ☐ The secrecy of voters" preference to any candidate should be maintained. The election machinery mustfunctionhonestyandimpartiallyat everystage.
- ☐ Parliament must pass a law dealing with this serious problem of de-listing of valid electorates fromelectoralrollsbecauseilliterateelectorateresidinginfarvillagescannotwatchoverpublicationofelectoratelists.
- ☐ Preparation of electoral rolls by EC are to be supervised at village level and certificates from officials whoprepare electoral rolls to the effect that the electoral rolls have been thoroughly revised. They do notinclude that persons and legally disenfranchised citizens and intentionally no name should be left in them.Accountabilityto befixedforintentionalexclusionofnameofvotersfromelectoralrolls.
- ☐ The names of the voters may be included in the electoral rolls even at the time of casting of votes by thepollingofficer,whenhe findsa genuine case.
- ☐ Unearthandconfiscateblackmoney,whichiswidelyusedforbuyingvotes.
- ☐ Makepoliticiansaswellasvoterslawabiding.
- ☐ StrictlyapplytheCodeofConductand punishthosewho violateit.
- ☐ Revisevoters"listsintimetoavoidboguspollingandcorrectmistakesinthelists.
- ☐ Promptactionbythejudiciary,ifanykind ofviolationisdetected duringelections.

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

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