"ELECTORAL REFORMS IN INDIA – HISTORY, NEED AND CONSTRAINTS"

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ABSTRACT

India is a Union of States. India is a democratic country. India is the largest democracy in the world. Elections are a part and parcel of democracy. The success of democracy relies on free, fair, transparent, impartial, smooth, efficient, effective elections and an independent, non-partisan election body. In India, electoral reforms are very much needed for having free and fair elections. India after getting Independence in 1947, has made very vital changes and reforms in its electoral system or process to address the issues or challenges in the electoral process and thereby bring improvement in the electoral process. Election reforms in India has a long history. Various committees and commissions have been formed, to solve the issues and challenges of elections, right from the Joint Parliamentary Committee on Amendments to Election Laws (1971-72), to keep the faith, trust and confidence of the public in Indian democracy and its electoral processes. There is an urgent need for electoral reforms in India to face the challenges of holding elections in a large, diverse, multi-lingual, multi-religious and multi-cultural country like India.

KEY WORDS

Electoral reforms, India, History, Need, Challenges.

INTRODUCTION

India or Bharat is a Union of States. India is a large and diverse country, multi-lingual, multi-religious and multi-cultural country. India is a democratic country, the world's largest democracy. Elections and voting are a part of democracy. But, holding elections in India is not an easy task. There are many challenges or issues to be faced in the election process. All these challenges like use of money power, muscle power, mafia power, criminalization, casteism, communalism, corruption, bribery, use of freebies just before elections like monetary schemes for women and men, gift of goods and services, etc. problem of booth capturing, snatching of ballot papers, voters intimidation, election violence, defection and electoral rolls problems etc. Holding of elections in India is a gigantic and a herculean task for the Election Commission of India (ECI), which is to be appreciated and laudable. Electoral reforms in India has a very long history.

The research paper throws light on the history of electoral reforms in India, the need for electoral reforms in India and the constraints in the election system in India.

OBJECTIVES OF THE STUDY

1. To know the history of electoral reforms in India.
2. To know the need for electoral reforms in India.
3. To know the various constraints in the election system in India.

RESEARCH METHODOLOGY

The research is descriptive in nature, based on secondary data, sourced from books, journals, websites.

HISTORY OF ELECTORAL REFORMS IN INDIA

In India, in the election system, corruption, bribery, use of money power, muscle power, mafia power, communalism, casteism, criminalization, booth capturing, snatching of ballot papers, elections violence, bogus voting etc. has not taken birth suddenly but slowly over a number of decades. At the start, the need for money was felt for election campaigning. However, majority of the voters were not literate. Therefore elections had to be held on a mass scale. The candidates who stood for elections took the support, help and money from people who had a criminal record and muscle men and the mafia. To generate and accumulate huge amount of money, an effective bureaucracy support is needed and thereby the bureaucracy is pulled in the political web. Then started the criminalization of politics. The people who were criminals having non-bailable and cognizable offences stood for elections. For these criminals winning the elections was easy, by using threats and force. The ballot battle turned into bullets battle. Considering all these very serious

limitations of holding elections in a democratic country India, different committees and commissions took initiative in suggesting or recommending electoral reforms in the electoral process in India, to restore the faith, trust and confidence of the people in elections in a democratic country India. Various committees and commissions have been formed to mention the shocking divergence and the irregularities / shortcomings, in the election process and gave suggestions or recommendations, in the form of electoral reforms including the Joint Parliamentary Committee on Amendments to Election Laws (1971-72), Tarkunde Committee (1974), Jaya Prakash Narayan Committee (1974), Dinesh Goswami Committee on Electoral Reforms (1990), Vohra Committee (1993), Indrajith Gupta Committee on State Funding of Elections (1998), Law Commission Report on the Electoral Laws (1999), National Commission to Review the Working of the Constitution (2001), Election Commission of India with Proposed Electoral Reforms (2004), Jeevan Reddy Committee (2004), The Second Administrative Reforms Commission (2008), Tankha Committee or Core Committee (2010), J.S. Verma Committee Report on Amendments to Criminal Law (2013), Law Commission of India 244th Report on Electoral Disqualifications (2014) and Law Commission of India 255th Report on Electoral Reforms.

NEED FOR ELECTORAL REFORMS IN INDIA

In order to tackle the various issues and the emerging issues in holding and conducting elections in India, there is an urgent and dire need for electoral reforms in India, to have free, fair, impartial, transparent, smooth, efficient, effective and independent, non-nepotism and no interference attitude on the part of the Election Commission of India (ECI).

1. **Increasing Electoral / Voter Participation**

   Voters should turn out in large numbers during elections, and exercise their right to vote. The new voter registration process should be simple, for more eligible voters to get registered as voters. People should be encouraged to come out of their homes and cast their vote at the polling booth, without fear and favouratism.

2. **Eliminating Political Corruption**

   In election, the connection between criminals and politicians should be eliminated. It will increase the trust of voters and enhance candidates accountability.

3. **Limiting the Electoral Expenses**

   There should be a limit or ceiling on election expenses incurred by a candidate. It should not exceed the permissible limits set by the ECI. There should be a level playing field and undue influence on election results should be prevented by candidates or political parties who are rich.

4. **Enhancing the Integrity of Elections**

For having democracy in the election process, the mechanisms should be made strong to have transparency and curb manipulation in the electoral rolls.

5. **Having Voting Inclusivity**

All the citizens of the country, male, female, transgender, urban, rural, tribal and hilly areas, isolated areas should be included in the election process and they should be permitted to use their voting rights during elections, including the marginalized, downtrodden, isolated, backward communities. Thus, there should be inclusive voting.

6. **Curbing the Evils of Election Process / System**

Electoral reforms are needed in elections in India due to the various vices and evils of holding and conducting elections like use of money power, muscle power, mafia power, criminalization of politics, booth capturing, buying votes by giving cash, liquor or through freebies, abuse of caste and religion, misuse of government machinery, politicisation of criminals, non-serious independent candidates, communalism, no moral values in politics, violence in elections, political stability, defections, manipulation of electoral roles, snatching of ballot papers, voters intimidation etc.

CONSTRAINTS IN THE ELECTION SYSTEM IN INDIA

There are various constraints in the election system in India, which are as follows:

1. **Money Power**

During elections candidates of major political parties spend a huge amount of money on campaigning, transporting, publicity. The gap between the expenses incurred and the legally allowed limit on expenses is widening over the years. Black money is used by political parties to influence the voters and votes are purchased with money, free liquor, freebies.

2. **Muscle Power**

The effects of muscle power are violence, booth capturing, bogus voting, pre-election intimidation, post-election victimization, riggings at the election time, can be seen in some areas of the country like Bihar, Uttar Pradesh etc. and even in the southern parts of the country.

3. **Criminalization of politics and Politicisation of criminals**

They are similar to two sides of the same coin. It is the prime reason for the display of muscle power during elections. People with criminal records stand as candidates in elections to get influence and for criminal cases against them getting removed or no action is taken against people with criminal cases.

The political parties select candidates for elections with criminal records for political funding and as a consideration give them protection and political support.

4. **Misuse of Government Machinery**

Generally, it is seen that the party in power misuses the government machinery for its advantage and to enhance their candidates prospects of winning in the election. The misuse of government machinery is done by manipulation of electoral rolls, government vehicles are used for canvassing, publicity done at the governments expense and public exchequer for telling about their achievements, disbursements from the discretionary money at the ministers disposal, etc. which gives benefits during elections to the party in power.

5. **No Moral Values in Politics**

The moral values of political parties are declining. Party dynamics in India has led to the creation of valueless / worthless, politics, political parties have made election a business, a family business. The ideology of political parties has gone down drastically.

6. **Misuse of Caste and Religion for electoral gains**

In recent times we observe that there is a misuse of caste and religion for electoral gains, which is dangerous for a large, diverse and democratic country India. Political parties should not fight elections on the basis of caste, religion, community, tribe etc.

7. **Media Promoting a Particular Political Party**

Nowadays, we observe that the media is promoting a particular political party. The 4th pillar of democracy, the media plays a biased role during elections. It is very dangerous for a democratic country India. The media personnel are seen to be functioning on the agenda of particular political parties. Thereby, the media influences and manipulates the attention of voters towards those political parties.

8. **Anti-defection Law**

The anti-defection law provides for the disqualification of a member of a political party due to going against the whip. Such candidates who switch political parties do not represent the peoples will.

9. **Paid and Fake News**

Problem of paid news and fake news is peculiar in India and other countries. Paid news means new or analysis published in print media like newspapers, magazines or broadcasted in electronic media like T.V., Radio etc. in exchange for payment in cash or other types of compensation. Fake/false/hoax news spread wrong information or propaganda which appears to be true news, which deceives voters.

CONCLUSION

In India, the first three general elections were held in a free and fair way. From the fourth general elections, held in 1967, the elections standard started dwindling. In India, the electoral reforms were initiated to face the challenges in elections and to curb the evils or malpractices in holding and conducting elections and to have free and fair elections. In India, electoral reforms refers to improvement and legal changes done to electoral procedures to promote democracy, free and fair, transparent and smooth elections. There should not be any interference in the independent functioning of the Election Commission of India (ECI). Electoral reforms in India has a long history through various committees and commissions, since 1971-72. There is an urgent need for electoral reforms in India to curb the evils or malpractices present in the election system in India. There are various constraints in the election system in India.

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