

## Extensive changes in the electoral system of India for legitimacy and responsible representatives in politics

*Kolapuri Chandrashekar*

MA Political Science  
University of Hyderabad

### Abstract:

This article introduces the election commission of India (ECI) constitutional status and importance and role of the Indian political system. In addition, analyzing the elections in 70 years independent state in India. This article explains the major issues and problems of Indian freedom and fair election process. Mainly this article exposing the “how good representatives are contesting elections and coming to political power”. In addition, analyzing the “criminalizing the politics” and suggesting the how to eliminate it. Recent times, many commissions suggesting changes in the election process, these changes are accepting and implementing the ECI. This article mainly focuses "Money Effect in Indian Electoral System" and Reducing Election Cost. When Shrink the money in elections and encouraging the free and fire elections in India politics automatically democracy run successfully. These changes were "TV and electronic media and print media" and in the 21st century as many people as part of life and "social websites" (like Facebook), WhatsApp etc.). This article explains “citizen participation” of fire elections and the significant role of the election commission successful of Indian democracy through the comprehensive changes in coming elections. Article concluding some suggestions of radical changes in Indian electoral process for best democracy in the world.

**Keywords:** election commission, the electoral process, representatives, money politics, electronic media, social websites, reforms, democracy.

### Introduction to the Election Commission of India and constitutional status:

The election commission of India (ECI) is most powerful in the Indian republic and democracy system, its foundation under the Constitution of India article 324. Indian Constitution attached special significance to an independent electoral machinery for the conduct of elections. Elections are the most important and integral part of politics

in a democratic system of governance. This commission has performed effectively as an independent body conducting free and fair elections at regular. Elections at a regular interval are an important feature of democracy. The election commission established in 1950 is an autonomous constitutional authority for conducting the elections. Throughout the 70years of independent time, the basic constitutional

structure and roles have the same, but the operational structure and remit of the ECI as changed according to the political situations. ECI plays a significant role in the election process. Election process means not only conducting the elections. Before the conducting elections, very big process is there like enrolling voters is a big task for the commission. ECI constitutional authority is the enrollment of the voters, and prepare the voter's list. The Indian Constitution provides for the appointment of commissioners, and establishes priority of the chief election commissioner and arrange for the ECI with the authority required to carry out it.

The constituent assembly predicted an independent election commission, which would organize and implement a wider electoral framework for the democratic state was built. In Constituent Assembly debates (CAD) directions coming from the centralized body. In CAD's Dr.B.R. Ambedkar, favoured centralized body. Ambedkar concern that the decentralized body threatens to minority rights. The framework of the Indian constitution appeared to have very little that the workload is demanding, Ambedkar says 'ECI may be at times heavy and at another time ECI have no work'. The wider responsibilities of the ECI were constitutionally described through a verity of articles except article 324 to 330, including articles 54-71 presidential and vice presidential elections, articles 79-104 parliamentary structure, and article 168-193 electoral basis of state legislatures. And the very important the Representation of the People Acts (RPA) of 1950-51 it provides details provisions

for delimitation of constituencies, administrative details of the electoral process.

### **ECI's role in the process government formation :**

Democracy in India's political system is protected by the guardian and electoral commission of Indian democracy. Political parties are enrolled in the ECI under the Act. The ECI will organize their executive elections by organizing internal party democracy security affairs in their program. The political details recorded with the Registration Commission have been identified at national and state level as per the standards specified in the general election based on their electoral performance. A group of such recognized parties will resolve disputes between the ECI and the split in its quasi-judicial jurisdiction. Strictly adheres to the Code of Conduct of Political Parties, ensuring a level playing field for political parties in the ECI election competition. The Commission maintains a timely consultation with political parties in matters related to electoral conduct; The proposals introduced by the Commission on behalf of the Code of Conduct and the Election Matters.

Particularly successful implementation of the parties' democracy, which includes the ECI parties, recognizes parties as political parties. In Indian democracy based on the people, all the people who are voters are competing for political positions as leaders of the highest level at all levels. In addition, the ECI is a facilitator and protector of Republican Democracy in India. The Indian ECI is independent and efficiently making decisions. Citizen is the most eager citizen participating as responsible citizens and

firefighters. ECI and citizen of India as successful or unsuccessful on the basis of democracy. Therefore, this article primarily analyzes how the ACI and the various characters participating in the People are analyzed for free India corruption through elections.

The Election Commission (ECI) is successfully running the world's largest democracy. The ACI has many attempts to protect people's aspirations and national dignity in the history of 70 years. From 1952 to 2014 elections, the ECI made several changes. The ECI and several commissions, which conducted 16 general elections in India, indicate many changes that have been successfully implemented for the Indian Constitution.

### **The main issues of the electoral process**

The world's largest democracy, but for some reason, democracy does not work properly. So, now why does this biggest democracy work properly? There is something wrong with the electoral process. Here I have suggested all the events of today's selective exercise and suggested some of the better solutions of the electoral system.

### ***The main problem and solutions***

**1) Illiterate:** Implementing electoral reforms is a major issue. Many people will not be corrupt: understand political agendas and do not understand how much elections are ineffective for a successful democracy. Moreover, most of the villages in which the Election Commission is not doing. The illiterate population democracy does not work properly based on the adult franchise.

Therefore, education is essential for achieving the success of democracy. Therefore, according to international developments, India will implement the compensation of equal and quality education. Free and Fair Elections also provide free and fair compensation education (KG to UG) for free and affordable elections. Their democracy is successful in the country.

**2) Corruption:** This will lead to all development activities. Corruption is becoming increasingly sharp in decline in Indian state moral value and distortion. In the Indian elections, money has earned an important place. Despite many actions, political parties could not impede its expenditure to promote the legal limit. During the election, election campaign spends a large amount of money and voters will sound. Nevertheless, they demanded to fill political parties and give false commissions to the commission. Police tried to prevent or investigate these crimes, but many of these cases were unsuccessful because police officers came under the control of political parties after the election, and as a result, they could not deal independently.

Both the government and the ECI have only one agenda sign. Major versions free elections. Political parties should not spend money on political parties from any other organization and election.

**3) Communalization:** In India, communal politics is going on and it frightens national peace. A large number of people from different religions have suffered heavy bloodshed and hardships. Communism is very sensitive in recent days, and so many parties are raising religious violence.

If the party has religion, the name of the race or caste, it will not enter a political party's party contest. Prohibit political party promoting campaigns to get an unfair advantage in the elections without competing in any election.

**4) Caste:** Caste is a major issue for the Indian political system. Caste plays an important role in Indian society and is well visible in elections. In Indian elections based on many places in Caste to determine voting behaviour. People from Kālu are supporting or opposing the candidate based on caste affiliations and local politics. Coalition, favourable alliances and exempt voters are the mainstays of the election to support local caste leaders and provide support for a particular candidate or supporting the political party. In addition, caste politics wear every dress in India, so voters are also encouraging their own caste candidate. This leads to caste violence and promotes untouchability in India.

The elimination of caste in Indian politics is good for democracy in India and to maintain the Indian political system, but now it is not possible. Because of the change, people should automatically change first.

**5) Money:** Not participating in the electoral election. The role and effect of this money in the elections are discussed briefly in the election. The EC has made several suggestions in this regard to get rid of the increasing effectiveness and outrageous performance of the money during the election. The Commission resolved all legal restrictions on the amount spent by the applicant

in the election campaign. These limits have been revised from time to time. In the 2004 elections, the ceiling limits vary from Rs 10, 00,000 to Rs 25,000,000 for Lok Sabha seats. For assembly seats, the largest limit is Rs 10,000, and the lowest limit is Rs 5,00,000. The election campaign is conducted by the EC by appointing expenditure observers on individual accounts of election expenses. Competitors are requesting the details of expenses within 30 days of the declaration of election results. However, political parties spend huge sums on the parties in the garment of their supporters in accordance with the financial tax (limits).

In addition, the EC is simultaneously compatible with the Lok Sabha and Assembly elections, and to reduce the campaign time from 21 to 14 days. This will lead to a reduction in election expenditure. The Election Commission's attempt to impose these measures is a step in the right direction.

**6) Criminalization in Politics:** Policies in India are a major issue in India. The threat in Bihar began and spread to the corner in every corner of the country. In 2003, a law was introduced to prohibit offenders' election legislatures. However, in Parliament and state gatherings, people continued to hold seats in the backdrop of criminals. While lawbreakers are lawmakers, this may lead to a very unwanted and embarrassing situation when the police go around defines. In the 13th Lok Sabha polls, 12 of Bihar and 17 in Uttar Pradesh recorded criminal cases. Properly observed by JP Nayak: "Men are men of

exploitation and appetite hunger in the country like Bharat Politicians."

EC strongly expressed concern over the entry of social and criminal individuals in the electoral field. From time to time, it directs the rules and makes recommendations to the government to prevent criminal charges. The Commission has asked all political parties to reach a consensus that any party ticket will be given to the offenders. An electoral candidate is also responsible for submitting an affidavit in a statement such as pending criminal cases, pending fees and early cases against them. The information provided by the candidates will be broadcast to the public, to print, and to the electronic media.

#### **Good loyal citizens to come into elections:**

*1) Political Parties under the ambit of RTI act-*In India Political, parties seek to represent the people and to take decisions on their behalf. However, they have so far resisted attempts to be listed as "public authorities" under the RTI Act and thus be made liable to publicly disclose financial assets.

In conducting their financial affairs in an opaque manner, some parties have been able to hide their sources of funding, and the extent of their assets and financial holdings. Although parties have to declare to the Election Commission all donations in excess of Rs.20,000 they receive, they resort to under-reporting to evade this clause. Most of the donations are shown as having come in smaller sums.

Thus, requiring political parties to open up their financial transactions, the donations they receive and the expenses they incur, to public scrutiny is

imperative to bring down levels of corruption and make them more accountable

*2. Conducting elections for Union and state legislatures at the same time-* Currently in India approximately 2 to 3 states go for elections every year, which has following consequences

(a) It undermines the working of the union government in power, which may not take tough decisions due to the fear of a backlash in the next round of assembly election.

(b) It will also curtail election expenditure, which are un-necessary. The arrangement of simultaneous elections can be extended to the elections for the municipal corporations and other Panchayat Raj institutions.

3. Supreme Court recently sought the government's response to an application on allowing inter-State migrants the same voting privileges, like postal ballot, accorded to government servants, as the number of migrants within the country is "staggering.

4. In 2013, *the Supreme Court had directed the EC to provide the NOTA option (NONE OF THE ABOVE)* on ballot papers and EVMs. Earlier Voters had to register their option of NOTA in a register under Rule 49-O of the Conduct of Election Rules, thus compromising secrecy

"For democracy to survive, it is essential that the best available men should be chosen as representatives of the people for proper governance of the country. This can be best achieved through men of high moral and ethical values, who win the elections on a positive vote. "Thus in a vibrant democracy, the voter must be given an opportunity to choose none of the above

button and also will compel the political parties to choose a sound candidate. This situation palpably tells us the dire need of negative voting,” – The honourable Supreme court

5. *Supreme Court judgement on filling all columns in election affidavit*– it is obligatory for the Returning officer to check whether the information required is fully furnished. if any of the columns is left blank by a candidate, a notice to complete the affidavit will be given by the Returning Officer and If the candidate fails to do so despite the notice, his nomination paper is liable to be rejected at the time of scrutiny.

6. *The Election Commission will now deploy ‘awareness observers’* -to oversee measures for voter facilitation with a view to motivate voters and increase voter turnout. Awareness observers will be deployed in two phases of seven days each who will monitor steps being taken by the election machinery to bridge the gap in people’s participation in the voting process.

**a) Keeping criminals out of politics**

The entry of criminals in electoral politics must be stopped at any cost. If it is not verified, the system will destroy. To understand the facts and scenarios discussed on this paper so far, it is important to understand the need for the momentum to reform the entire electoral system. From time to time, it seems that the loopholes available in the election law system will help criminals stay away from clean hands.

According to the CBI report to the Vohra Committee, India has become a law on the criminal groups, and in the small towns and in the ruler areas, the muscle man changes regularly.

"And the reflection of the current electoral system is not only challenging legitimacy but democracy too. The system is “Asvamy integration "is the symbol of a healthy process. Under no circumstances, the country such as India can disable this process. Democratic consolidation of the foundation of the ruling political society, which is the country of India's social growth.

**b) Reducing the role of money in elections**

Money plays a major role in the elections today. It is not only that it is illegally distributed to influence voter selection for elections, but also for big and large constituencies in India to make necessary legal costs to fight for the election. If we want to fight the election in a legitimate manner, visit hundreds of villages, meet thousands, and hire hundreds of workers to continue promotional campaigns. A candidate should personally visit his entire constituency and tell people about his vision for the constituency. Thus, there is a huge amount of money needed to fight elections. The election campaign cost is rapidly rising. The Election Commission has also imposed a limit on 25 lakhs, so they also know that the money should be spent at least this election.

If we now examine the total salaries of an MP or MLA, if he continues his honesty and loyalty and lives on his salary, he may not even meet his electoral expenses after winning his election victory. Without any extra income. Therefore, to become an MP or MLA, you have to repay the least amount of money to fight elections. If a rational person performs some cost-benefit analysis before thinking about fighting the

election, then he will get the least amount of money invested in making it more damaging if he is involved in corruption. The huge cost that many good people call to enter the election battle because they are honestly facing elections, they need a large amount of money.

It has left only those who already have a strong financial position to participate in electoral politics. In addition, most of them spend such a large amount for unrealistic reasons, but they have invested large amounts of money back into the election. Therefore, the cost of growth and low wages are the primary factors that cause many good people not to participate in electoral politics.

In the same vein, another point, I would like to mention here. To have a public life, practically and realistically, the person should have a constant personal life. A person who does not have a safe financial base is a strong source of income because he does not like to participate in politics because he solves many other personal problems. He needs to think first of his own well-being and his family. It is a wealthy financial foundation behind the personalities of wealthy people, film actors, and business people and participates in a political process. It is not a true democracy that gives everyone the opportunity to participate in the political process. Only rich and economically strong people can actually make an election in today's India. There is no choice for the rest of the people to influence civic decision-making from outsourcing by forming civil society unions, NGOs or social and political activists..

**Responsibility of citizens in an effective democratic process**

Anybody can be able to legitimize the election of democratic rule, dictatorship or revolutionary violence. The appalling consequences of the Nazi regime simply replied to a "giant" rule that the dictators, having a real election, could emphasize their intention to avoid real competition, prevent the permanent transfer of power as much as possible, and distort them. Democracy is based on political freedom. Free Election Holding is not legally used to prevent its major foundation, organized violence or repression of state and political repression to prevent legitimate and free elections. In such cases, elections are not democracies, but a mask for democratic political structures.

Every institutional context involves political engagement, freedom from democracies, in different ways. Many civilians are in power as individual voters who are concentrated in elite or organized groups such as political parties, political parties. Research suggests that although official institutions limit the power of "ordinary" citizens, they cannot be governed by a government office and cannot be held as an effective group, but leaders will be detained by unauthorized powers of government officials to engage in protests or revolts. At the same time, official election organizations spread in countries and countries, expanding the people to select and authorize the power of individuals as voters. Citizenship responses to public opinion polls provide public awareness and participatory evidence in elections. Citizens, particularly poor and low educated, are reporting active participation in various institutional cases. Although electoral violence

and fraud, vote buying and ethnic conflicts are common, they express their beliefs that the polls are beneficial and improve their lives.

In India, the election system can be described in a single sentence - one person, one vote and one value. It is clear that the country's free and fair elections can only guarantee the development of democratic politics. Participating Democracy, which gives each citizen a vote in India, has proven to be a revolutionary right in the form of adult franchise, which has changed India's anarchic and constitutional policies from time to time.

The principle and basic responsibility for the democratic government is to provide confidence in the minds of all sections of the people with complete impartiality in respect of governance. Democracy is not a dominant regime, although the democratic government is a majority. Therefore, the democratically elected government should develop a comprehensive perspective and each department must work for development or welfare. More importantly, if you talk about justice in this way, the government is legitimate but good for every citizen of the country.

Other major responsibilities in the Democratic government

Should be transparent, Accountant and to respond

### ***Revolutionary changes to the ECI in elections***

The election in India is humbug because of the inefficient democratic system. Unless the Commission makes dramatic changes in electoral processes through IAS by filtering the eligible potential on many factors, enabling the public to choose the best of the candidates based on those

factors, otherwise we Will continue to be influenced by party leaders, and we the general public have no choice but to choose those criminals and looters, who win the election by money and guns power. Shame on Indian Election Commission for failing to do their duty to introduce a system like IAS. Better, we scrap Election Commission and have dictatorship rule if they can not do this. The hope year 2017 will be the year of electoral reforms in India. I recommend one important recommendation that is 80-20 rule, where 80% of the candidates are identified and filtered for eligibility by Election Commission through "Qualification process" and remaining 20% of candidates contesting through recommendations without any qualification criteria

Candidates rather than common manifesto by a completely political party must invite individual candidate's manifestos. Provision of impeachment, which may lead to a further political career in not fulfilling promises made by the candidate. The trend of forming cabinet needs to be changed rather than just sitting to opposition & contradicting every decision & bills proposed by Government, Several opposition leaders must be given a chance to participate in the cabinet too instead of just debating issues in Parliament & voting randomly or Supporting their party's decision.

One option, which I think can be effective, is the option of "recall election".

If the voters are not happy with their elected representatives then they must be empowered to call him back. The main concern regarding this



policy is that if it leads to an elevation in election cost. So a time period of 2.5 years can be fixed after election commission can come up with a survey regarding voters want a callback and if there is a high majority of people who want a re-election then mid-term elections should be conducted. In addition, to make it more effective, the callback representative should not be allowed to re-contest some of the electorates as a penalty for being irresponsible towards the public needs. This will lead to more responsibility and accountability from the sides of the representatives towards the people and empowerment of the voters.

True representation system, as if in SA i.e. No of MPs in the Parliament will be in direct proportion to the percentage of votes across the country and not in a constituency. PM must be elected i.e. from Lok Sabha. Holding of state elections and national elections together for a fixed period of 5 years, this will help in reducing the cost involved in holding elections. A fixed percentage of cabinet ministers to be those who have proved their excellence in the public domain and different fields. Public funding of elections in European countries (not in cash but kind).

One of the most needed reforms in this age is the ability to register your vote through your phone or computer. It will take a major section of the people involved in the election process. I agree that the number of Internet users is low in India. However, it is always growing in the right direction. In addition, India has one of the largest cell phone user's bases. According to the wiki, there are 75.21 mobile phones for 100 people in

India. A good side effect of this could be that the internet and cell phone services in India will become first class. Again, I am not saying that we will always switch to this system because there will always be a population of access without phones or the internet. This must be just one of the means to vote. This will definitely lead to the outdated policies related to the Internet if nothing else.

*Related to Campaign Finance:* Donations allowed per person basis only, with a maximum of 1 lakh. All the money spent by candidates must be audited and fraudulent/corrupt spending must result in immediate disqualification. Criminal charges should be pressed against the candidate and those participating in fraudulent/corrupt spending and if found guilty, must serve two years imprisonment and a fine between ₹ 1 lakh- ₹ 10 lakh.

*Related to the method of Election:* For the Lok Sabha, abolish the first post and replace with party-list proportional voting, with the party required to win a minimum of 5% in two states for seats to be allocated. For the Rajya Sabha, abolish the single transferable vote and replace with a state-level party proportional vote, with parties required to win a minimum of 5% for seats to be allocated. After selecting your preferred party, a party of those candidates will appear. You will be asked to simply submit your ballot before submitting your ballot. (This would not be a mandatory step)

*Related to the Counting of Votes and Machinery:* Elections must be conducted on a self-counting but not the Internet connection to ensure the

independence of the machine. Then, the machine must print three receipts at the end of the vote. (Storage, Local authorities, Nat'l Election Commission). A few volunteers must tally the receipts by hand and safely transport the number and two of the receipts to the Nat'l Election Commission, where the receipts are counted by scanning and the result is produced within two weeks of Election Day. Of course, there must be a short period of between 20-30 days where political parties or citizens groups may challenge the election results, the election authority must counter these in one long, and very detailed election report, giving all irregularities reported and margins of error.

**Conclusion:**

The free and fair Election process is a foundation of healthy democracy. The Democratic future of India depends upon the healthy political environment, and to protect it free and fair election process is inevitable. The entry of criminals in elections must be restricted at any cost. Shortage of talented, white collared, innocent people in politics will affect the fabric of democracy of India. A number of commissions and committees have examined the issue of criminalization of politics but the problem is increasing day by day. The Parliament has taken efforts by amending the laws but the exercise has proven to be futile. The Supreme Court of India has also attempted to keep a criminal on politics but the problem remains unbeatable, although it did not make any radical suggestion, whatever suggestions being made are not politicians. There exists a wide gulf between preaching and practice

in today's modern political era. Actually, the roots of the problem lie in the political system of the country. There is a lack of political will to fight the problem. As being said earlier, Election is a soul of democracy, that not only nourishes the common person in the ideals of democracy but also of the threat of authoritarian politics. The weak electoral system is a major threat not only to the national integration but also to the Democratic Consolidation of India. The political system of India is gradually maturing. After the adoption of the great Constitution, it was for the very first time that India entered into a true democratic age of politics. The criminalization of politics is not a constitution, but it is the people of this great constitution and therefore the need for radical Electoral Reforms is felt today than ever in the history of independent India. Electoral Reforms of radical nature can only save this glorious nation from political deterioration. Sanctity and Purity of Elections must be protected at any cost, as the future of India is dependent on it. Considering the widespread venom of criminality in Indian politics, it is necessary that India should take steps on war footing to initiate the radical electoral reforms in the interest of Democratic Consolidation.

**Reference:**

- 1) Electoral Reforms and Democratic Consolidation in India by Mr. Aniruddha Vithal Babar (International Journal of Humanities & Social Science Studies (IJHSSS))
- 2) "Electoral Reforms in India – Issues and Challenges" by Dr. Bimal Prasad Singh

- (International Journal of Humanities and Social Science Invention)
- 3) Electoral System: Urgency of Basic Reforms by S R Sen (Economic and Political Weekly)
  - 4) Our parliament by subhash c kashyap
  - 5) Public Institutions in India: Performance and Design by Devesh Kapur, Pratap Bhanu Mehta
  - 6) POLITICS Electoral 'Reform' Economic and Political Weekly August 31, 2002
  - 7) Reforming the Electoral System by J V Deshpande Economic and Political Weekly December 19,1998
  - 8) Reforming Indian Electoral Process by Sanjay kumar Economic and Political Weekly August 24, 2002
  - 9) The Oxford Companion to Politics in India by Niraja Gopal Jayal , Pratap Bhanu Mehra
  - 10) Voting in India Competitive Politics and Electoral Change INTRODUCTION by Rajni Kothari Economic and Political Weekly *January 1971*