Electoral Reforms in India:
A Case study reviews the Electoral Reforms after Independence and past 2020

Bharati G. Byali

Associate Professor, Department of Political Science, Shri Jagadguru Tontadarya Government First Grade College, Mundargi, Gadag.

ABSTRACT:

Electoral reforms in India play a vital role in shaping the democratic landscape of India while giving Indian citizens free, fair and transparent elections. Over the past years India has witnessed continuous changes in its legislative, judicial and institutional interventions to address electoral malpractices, loopholes and strengthening democratic integrity through strong reforms. This case study reviews examines key electoral reforms after Independence and past 2020 focusing on their effectiveness in enhancing transparency, lessen the influence of money and man power and improving voter participation with transparency. The paper analysis the role of the Election Commission of India in constructive reforms such as Electronic Voting Machines (EVMs), Voter Verified Paper Audit Trail (VVPAT), and stricter enforcement of the Model Code of Conduct (MCC). This paper also evaluates judicial pronouncements on candidate disclosures, criminalization of politics, and electoral disqualifications. Additionally, the study surrounds new technological interventions, voter awareness actions and policy measures aimed to bring increasing electoral participation. During this study we find much significant progress has been made by Indian Governance such as electoral fraud, vote-buying, false data, misinformation and the regulation of political funding continue to pose concerns. This paper reviews global best practices adopted and check their applicability within the Indian electoral system. By desperately connecting these developments the study provides insights into the strengths and limitations of existing electoral reforms and highlights areas requiring further future policy interventions and legislative action.

KEYWORDS:

Election Commission, Electoral reforms, Democracy, India, Governance.

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INTRODUCTION

Democracy cannot be fully felt without elections as they are the backbone of the electoral system in the sense that they derive an element of representation, accountability and legitimacy. Since independence, as we all know that India has been the world's largest democracy that has experienced huge substantial changes in political and electoral. But, over the last few decades, the public confidence in the electoral process has been flawed by a variety of structural, legal and ethical challenges and protests. The Election Commission of India has tried very hard and various steps were inculcated, commissions and courts have given recommendations to reform and reframe but they have not been rigged the reforms due to political agenda and socio political apathy in the system. It is not a simply a legal, administrative exercise but a democratic imperative to strengthen, boost and made transparency in electoral integrity and make India's political system robust, participatory and credible in the 21st century. Here Electoral reforms indicate to improvements in the electoral system to ensure free, candid, clear and inclusive elections. The objective of these to address the challenges, treats and loopholes in the existing electoral process. Such changes in Electoral Reforms provide clean politics, free and fair elections, and optimal legislators. India has observed exponential democratic progress, yet there are some remains that should be continuous need for electoral reforms to address the challenges faced by India. India has to bring or develop its strategies in such a way that it is bound by all the commissions such as legislative, political and civil systems.

OBJECTIVES OF THE RESEARCH

· To compare the legislation passed by Election Commission and Electoral reforms after Independence and past 2020

· To describe and analyse the major challenges which have been affecting the credibility and transparency of electoral process in Post Independent India.

· To evaluating the impact and effectiveness of past electoral reforms and implementations undertaken by the Election Commission of India and the Government.

· To explore the role and responsibility, nature and limitations of the institutions such as the Election Commission, judiciary and political

parties in the facilitation of electoral reforms.

Introduction to Electoral System in India

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. The following are the challenges faced by Election Commission:

Issues in Electoral Politics in India

There are many issues plaguing the electoral process in India. Some of the most important ones are mentioned below:

Money Power

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

Muscle Power

In India, some parts of the country, there are across the board reports of illegal and disturbing incidents during Election Polling such as the use of violence, frightening, booth holding, etc.

Finalization of Politics

India became the democratic country where Gangsters enter into Political parties and arrange that money and man power wins them elections, so that the charges against them should not proceeded with Judiciaries. Some of the Political parties are so happy that they have this kind of winning candidate in the party. These Criminals are given shelter by the Political parties and in exchange provide them with political auspices and protection.

Misuse of Government

In India there is a common opinion that the party which is power uses government machinery in a way as using government vehicles for personal usage, polling, promotions, advertisements at the cost of the conquer disbursements out of the unrestricted funds at the disposal of the ministers, and other the other hand making a non-correct ways to chances of winning their candidates.

Non-gregarious candidates

Non–gregarious candidates float non–serious candidates in elec–tions to cut a good portion of the votes that would otherwise the rival candidate may have chance to win the elections.

Caste based Politics

In India concept of Caste system was found in ancient time, certain caste groups extend strong support to some particular political parties. Thus, political parties make bid to win over different caste groups, and caste groups also try to repress parties to give tickets for their caste mem–bers' in elections. Voting on caste lines is common in the country like India where caste system is deeply rooted and this is a serious blemish on democracy and equality.

Communalism

A critical fear to the stability of nations around the world, as it stock climate change, populism, democracy, and global health. A Serious challenge to the Indian politics of fusion, parliamentarianism, secularism and federalism.

Lack of Moral and Ethical Values in Politics

Moral and Ethical values are the two interlinked pillars in politics. Indian corruption in India has admitted the Politics in becoming a busi–ness. People enter the political field to make money and retaining their money and huge power. There are only few political leaders who enter politics to make a difference in the lives of their people or bring change in the society.

The Key Electoral Reforms Enacted in India

In India, the term "electoral reforms in India" refers to the drastic evolution and changes of the electoral system. The Electoral Reforms explore to promote clean politics, free and fair elections, and ideal legislators. It contributes to making Indian democracy a true democracy in both letter and spirit.

- Foundation of Election Commission and First General Election: The Election Commission of India was form, 25th Jan 1950, under the direction of Sukumar Sen, making the participation of 17.5 crore vot–ers locate operational hurdles. India at that time have many refugee populations and illiterate nationals so made petition for the citizens

over 21 years to Vote.

- Lowering of Voting Age: In the 61st Constitutional Amendment Act of 1989 decreases the voting age of India Citizen from 21 years to 18 years for the Lok Sabha as well as Rajya Sabha Elections.

- Deputation to Election Commission: In 1985, changes were made that the officers or the staff engaged in the preparation, revision and correction of election process are alleged to be on delegation to the Election Commission up to the period of Elections.

- ECI as Multi–Member Commission: The Election Commission of India (ECI) became a Multi–Member Commission for the first time in 1989.

- Transformation of Ballot Papers from Coloured Ballot Box: In India at first, in elections individual coloured ballot boxes were used for each candidate. The voters put their ballot papers in the respective coloured boxes. This requires the meticulous counting and huge number of man power and requires time to declare the results.

- Electronic Voting Machines: In 1989, Indian Government and Election Commission launched an Electronic Voting Machines (EVMs) in elections. But it was used in the 1998 elections of Rajasthan, MP and Delhi. Further in Goa the entire state general elections used EVMs

- Provision Against Booth Capturing: If a polling booth was captured by unauthorised persons, taking active part in polling station by non–authorised person or threatening , damaging and harming any of the election process at the polling station, in these circumstances a provision was made for adjournment of poll in the year 1989.

- Model Code of Conduct (MCC): Indian Election Commission appointed T.N. Seshan's as the 10th Chief Election Commissioner of India (1990–96) and became known for his electoral reforms. The man who changed the face of Elections in India. His efforts to enforce the Model Code of Conduct (MCC) with greater efficacy. It was also during his tenure that electors' photo identity cards (EPICs) were introduced in 1993

Electoral Reforms Post 2000

The electoral reforms target the election process in the country. The below are the list of such electoral reforms are given below:

1. Limitation in expenditure: Now a day there is not a restriction to the party to spend only this much of amount for campaigning of elec–tions. But the India Election Commission has put a But, the Commis–sion has put a restricted on individual candidates' spending. For the Lok Sabha elections, it is Rs. 50 – 70 lakh and Rs. 20 – 28 lakh for an assembly election.

2. Restriction on exit polls: Indian Election Commission announced a statement in 2019 Lok Sabha Elections that, the results of the elec–tions are declared only after all the final phase of the elections is over. It was done to avoid anticipated voters being misguided, misleads and distorted 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 de–tention; voters on election duty and Notified voters.

4. Creating Awareness about Voting: To create awareness among the citizens, National Voters Day, celebrated annually on January 25th, highlights the importance of voter participation in a successful de–mocracy. First celebrated in 2011, this day aims to spread awareness about the significance of voting and motivate citizens, especially the youth, to take active part in the electoral process actively.

Conclusion

India's electoral system in its present form, despite being strong and extensive, is confronted with many challenges that adversely affect its legitimacy and fairness. The technological reforms like Electronic Vot–ing Machines (EVMs) and Voter IDs are not suitably to overcome the problems arising due to vote buying, bribing, criminalization of politics, corruption and mafia in the systems of elections. The problems faced out here demand for many reforms that should not just address the technolog–ical advancements, but the socio–political the caste–based voting, the role of criminal elements in elections are also serious issues that need to be taken care of. To ensure the morality of the democratic process, there is a need to strengthen the ECI and enforce the electoral laws. By desperately

connecting these developments the study provides insights into the strengths and limitations of existing electoral reforms and highlights areas requiring further future policy interventions and legislative action.

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Conflict of interest:

The Authors have no conflict of interest to declare that they are relevant to the content of this article.