

# Electoral Reforms in India

## [UPSC Notes]

### What are the Electoral Reforms in India?

India is one of the largest democracies in the world. The power in a democratic country lies with its citizens as they are equipped with the ability to choose representatives and change the government - what better way to enhance the democracy of a country than to provide people with fundamental electoral rights?

However, the reality remains that Indian democracy has a long way to go before it rids itself of the demons of deviance. This has been articulated quite forcefully in public forums by our political leaders, which is a source of hope. Electoral Reforms In India are a testament to the evolution and optimistic changes in the election process to promote fair competition, the practice of clean politics, give equal representation, etc. The Electoral Reforms In India can be divided into two major phases-

- Electoral Reforms in India before 2010
- Electoral Reforms in India after 2010

### Electoral Reforms in India Latest News

Recently, Sushil Chandra, Chief Election Commissioner of India, wrote to Ravi Shankar Prasad, the Law Minister of India, to request to expedite action on the Electoral reform proposals pending with the government. This includes the enhanced two-year jail term that could bar the candidates from contesting the elections for the next 6 years.

### The need for Electoral Reforms in India

The Electoral Reforms in India were set up to bring better participation of Indian citizens in the electoral process. Here are the basic needs that led to the Electoral Reforms in India-

- The Goswami Committee on Electoral reform in 1990 observed the crippling effect of money and muscle power in elections.
- The N. Vohra committee, which submitted its report in October 1993, studied the problem of criminalisation of politics and the nexus among politicians, bureaucrats, and criminals in India. According to the committee CBI, IB had unanimously expressed their opinion that the criminal network is virtually running a parallel government.
- The Law Commission has said that in the last ten years since 2004, 18% of the candidates contesting national and state assembly elections had one or more criminal cases against them.
- The 18th report presented by a parliamentary committee to the Rajya Sabha in March 2007 said that there should not be a person from criminal background.
- The report said, "criminalisation of politics is the bane of society and negates democracy."

### Major Challenges in the Indian Electoral System

No matter how strong the Indian electoral system is, it has to face many challenges. The significant challenges in the Indian Electoral System are-

- **Money Power:** Election is an expensive affair in every democratic polity. Money power plays a destructive role in our electoral system affecting the working of periodic elections seriously as candidates have to spend a lot of money for their publicity and campaigning. The money spent by an individual sometimes exceeds the limit.
- **Muscle Power:** Criminalisation of politics and politicisation of criminals are like two sides of the same coin and mainly responsible for the muscle power in the election. There are a lot of reports of untoward and illegal acts like booth capturing, violence, etc.
- **Misuse of Government Machinery:** It generally complains that the government in power often misuses official machinery to further the election prospects of its candidates. They use government vehicles or disbursements from the discretionary funds when the ministers are disposed of.
- **The criminalisation of Politics and Politicisation of Criminal:** Nexus between the two groups of Politician and Criminals ensure each other's survival in Indian Democracy. Criminals use money and muscle powers to enter politics and ensure that the cases against them have not proceeded. Political parties also field such candidates with a criminal background to secure a seat for the Party.
- **Casteism:** In India, many political leaders use the caste issue as a political agency to divide the people for their benefit of votes.
- **Freebies in the election:** Free liquor or some goods to voters are acts of enticing voters.
- **Paid News and Fake news:** Paid news is published as a news item in the form of an advertisement. Social media also transmit fake information.

## Steps Taken by the Government

The government has taken the following initiatives to enhance the Election process in India-

- **Electoral bonds:** Electoral bonds are like a promissory note that can be bought by an Indian citizen or company incorporated in India from select branches of the State bank of India. It was introduced with the Finance Bill (2017). On January 29, 2018, the government of India introduced the Electoral Bond Scheme 2018.
- **Introduction of VVPATs:** It is a method of providing feedback to voters using a ballot-less voting system. It is an independent printer system attached to an Electronic voting machine that allows the voters to verify their votes. VVPAT generates a paper slip when a voter casts his vote, recording the party to whom the vote was made. The voters affirmed paper audit slip is kept under a sealed cover.
- **Guidelines for social media during the election:** Voluntary Codes for ethics are given by the election commission for a fair and accessible election.
- **Lowering of voting Age:** The 61st constitutional amendment act reduced the minimum age for voting from 21 years to 18 years.
- **Introduction of Electronic Voting Machines:** EVMs were introduced in 1998 during the state elections of Delhi, Madhya Pradesh, and Rajasthan. EVMs are used widely now because they are fool-proof, efficient, and a better option in terms of the environment.
- **Restricting candidates from contesting in more than two constituencies-** It shall lead to disqualifying the person for six years from contesting to the Parliament and State legislatures when a person violates the National Honors Act, 1971.
- **Increasing the number of proposers and the security deposit:** The no of electors required to sign as proposers in the nomination papers for election to the Rajya Sabha

and the State Legislative Councils has been increased to 10% of the electors of the constituency or ten such electors. It helped in reducing the non-serious candidates in the election. It is restricted by law to go to the polling booth bearing arms, and taking arms to the polling booth is punishable by imprisonment for up to 2 years.

- **Prohibition on the sale of liquor:** Liquor or other intoxicants shall not be sold at any shop, eating place, or other sites within the polling area during forty-eight hours. Forty-eight hours were ending, with the hour fixed for the conclusion of the poll.
- **The ceiling on election expenditure:** For the Lok Sabha election, a candidate can spend nearly 50-70 lakh and Rs 20-28 lakh for an assembly election.
- The government decided to observe January 25 as 'National Voters Day' to mark the EC's founding day.
- Voting through the postal ballot is another reform taken up by the Government.
- Political parties need to report any contribution above Rs 20000 to the Election Commission for claiming income tax benefit.
- The candidates require a declaration of criminal record, assets, etc., and declaring false information in the affidavit is now an electoral offence punishable with imprisonment up to 6 months, a fine, or both.

## Electoral Reforms in India

The Electoral Reforms undertaken in India by the authorities can be divided into two major categories. These are Electoral Reforms in India before 2010 and after 2010. Both of these Electoral Reforms in India is as under-

### Electoral Reforms in India before 2010

The critical details of the Electoral Reforms in India before 2010 are as follows-

- According to the 61st Constitutional Amendment Act of 1988, the voting age was officially reduced and 21 years to 18 years for Lok Sabha and assembly elections.
- Electronic voting machines were implemented by a provision made in 1989.
- The election commission 1993 issued the use of the elector's photo identity card or EPIC to make the electoral process more straightforward and efficient.
- Upon violating the National Honour Act of 1971, the candidate will be disqualified for six years from contesting any state legislatures or Parliament elections.
- In 1989 a provision was made for adjournment of a poll or countermanding elections in case of booth capturing.
- There was a ban on the sale of liquor within the polling for 48 hours.
- In 1980, a provision was made that stated any staff or officers involved in the preparation, correction, or revision of the electoral process will be considered on the delegation of the election commission during the employment period.
- In 1988 there was a hike in the number of candidates for elections to legislative councils and Rajya Sabha.

### Electoral Reforms in India After 2010

The critical points of the Electoral Reforms in India after 2010 are as under-

- The election commission put a restriction on the election expenditure. The Lok Sabha election was 50 to 70 lakhs, and it was 20 to 28 lakhs for assembly elections.
- Jan 25th was to be observed as National Voters Day to mark the founding of the Election Commission.

- In 2013, the Election Commission decided to expand the postal ballot services in the country.
- Before the 2019 Lok Sabha elections, the EC announced that the exit poll results would only be broadcasted after completing the final phase of elections.
- NOTA or none of the above was introduced as a ballot option.
- In January 2018, the government of India made election funding more transparent by introducing an electron bond scheme.
- VVPAT, or Voter Verified Paper Audit Trail, was introduced to help voters verify if their vote was cast correctly.
- Candidates who declare false information in the affidavit are liable to punishment of imprisonment of up to 6 months, a hefty fine, or both.

## Committees on Electoral Reforms in India

There are three different Committees on Electoral Reforms in India. These committees are-

- Dinesh Goswami Committee
- Jeevan Reddy Committee
- Tarkunde committee

