

CHALLENGES TO THE ELECTORAL SYSTEM IN INDIA

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Received : 14/11/2017

1st BPR : 15/11/2017

2nd BPR : 18/11/2017

Accepted : 21/11/2017

ABSTRACT

India is the largest democratic and republic country in the world. In any democratic and republican country elections are necessary and also a heart to the democracy. In a democracy have the privilege of being ruled by a government of their own choice. People choose their representatives through elections which are the normal features of democracies all over the world. But these elections should be held freely, fairly, transparently and impartially. For this purpose the constitution of India provides an Election Commission with autonomous (Art. 324-329), consisting a Chief Election Commissioner and other Election Commissioners. Election Commission has been striving to conduct elections fairly and impartially at regular intervals as per the principles of constitution of India. Many steps taken up the government and EC of India to improve the election system in India. Many committees have been appointed like V.M. Tarkunde Committee, Dinesh Goswamy committee, to improve the elections, even though it has been suffering with numerous defections among them few of the following discuss.

Key words : Elections, Reforms, Issues, Money Power, Democracy

Introduction:-

Elections at regular interval are an important feature of democracy. It gives a chance to people to elect government of their choice. It provides an opportunity to the people to express their faith in the government from time to time and change it peacefully whenever there is any need.¹ But the elections at present are not being hold in ideal conditions because of the enormous amount of money required to be spent and large muscle power needed for winning the elections. The major defects which come in the path of electoral system in India area: money power, muscle power, criminalisation of politics, poll violence, booth capturing, communalism, castism, non-serious and independent candidatures etc.

1. Money Power:-

Electioneering is an expensive affair in every democratic polity which play a more vital role in India. Money power plays in our electoral system destructive role affecting seriously the working of periodic elections. It leads to all around corruption and contributes mainly to the generation of black money economy which rules at present our country. A prospective candidate in each constituency has to spend millions of money towards transport, publicity and other essential items of election campaign. The election was not as costly in 1952 as they have become today. But today elections in India polity are becoming increasingly by expensive and the gap between the expenses incurred and legally permitted is increasing over the years. Elections in India so far from a common man, only those people can participate in elections as a candidate who has a lot of money, because today vote is not a mean of public opinion. It is being purchased.²

2. Muscle Power:-

Violence, pre-election intimidation, booth capturing etc. are instances of muscle power. In states, like Bihar, Western Uttar Pradesh, Maharashtra etc. use of muscle power during election is common. Criminalisation of politics and politicization of criminals are responsible for the manifestation of muscle power at elections. Through violence, force, threatening, creating fear in the mind of voters the political parties try to collect maximum vote in order to win elections.³

3. Non-Serious candidates in Political Parties:-

In recent years there has been a steady increase in the number of candidates in elections. The number of candidates has swelled due to the participation of Independents. They contest elections light heartedly and lose their deposits. Non-serious candidates are largely floated by serious candidates either to cut sizeable portion of voters of rival candidates or to split the voters on caste lines or to have additional physical force at polling station and counting centres⁴.

4. Criminalisation of Politics:-

This is a serious problem in India. A person is debarred from contesting election if he or she has been convicted of any criminal charges according to Indian Law. This provision has been evaded by many in the past and such instances are still taking place. Numerous people charged with serious offences such as murder, rape, black-mailing, extortion, etc. contested and won elections. This "Criminalisation of politics has become a peculiar as well as a regular phenomenon of Indian Politics⁵.

The 16th Lok Sabha will have the highest number of MPs with criminal cases against them. According to the Association for Democratic Reforms (ADR), which analysed the election affidavits filled before the election commission, 34 percent of the new MPs face criminal charges. The percentage in 2009 and 2004 stood at 30 and 24 respectively⁶.

5. Misuse of Government Machinery:-

It is generally complained that the government in power at the time of election misuse official machinery to further the election prospects of its party candidates. The misuse of official machinery takes different forms, such as issue of advertisements at the cost of government and public exchequer highlighting their achievements, disbursements out of the discretionary funds at the disposal of the minister, use of government vehicles for canvassing etc. The misuse of official machinery in the ways mentioned above given an unfair advantage to the ruling party at the time of elections. This leads to misuse of public funds for furthering the prospects of candidates of a particular party⁷.

6. Communalisation:-

Communal politics in India has led to enormous bloodshed and misery to the vast majority of the people belonging to different religions. Even the sad and sudden partition of the country has not ended the communal politics. If a party is bearing the name of a religion, race or caste then the party shall not be registered as a political party to contest election. Besides communal polarization, rather multi-polarization, has posed a threat to the Indian 'political ethos of pluralism, parliamentarianism and federalism. There should be strict laws to stop the political parties from exploiting caste, communalism and regionalism to fulfill their ambition of holding political power. The tendency of exploiting caste, communal, religious sentiments of people would affect national unity and integrity and also communal harmony. Political parties having secular character should alone participate in elections to presume and promote secular fabric of the constitution.⁸

7. Caste:-

Caste plays an important role in Indian society and this is very much visible during elections. In India, there are many places where local patterns of caste and affiliations decide the voting behaviour. People belonging to a particular caste tend to support a contesting candidate depending upon caste affiliations and local politics. A common phenomenon very prevalent in India is that people vote for those candidates who belong to their own caste and sometimes different caste join hands to build alliances.

During elections an important role is played by the local caste leaders in organizing and mobilizing support, forming favourable alliances and impelling voters to support a particular candidates or political party by offering them incentives⁹. These local leaders in order to gather support for a particular candidate use all means their influences power and force to get votes for their candidate.⁹

8. Law polling percentage:-

In India, many voters do not cast their votes. The voting percentage generally is almost 50 to 60 percent. Therefore, the representative bodies are not truly representative.

9. Delay in the disposal elections petitions

In India, it takes a long time in the disposal of election petitions and sometimes the very purpose of election petition gets defeated.¹⁰

10. Majority System:-

The present majority system leads to many problems. It decides only who get majority among the contesters irrespective of getting voting percentage, but sometimes this percentage is less than 25 percentage of total votes, even through they win in elections, it leads a winning person represents to a constituency with minority votes, but he/she represents 100 percent people. This system leads to divisive politics in the society on the caste and communal, instead of this to win one should get more than 50 percent of votes in any election. If anyone can't get at the first round, the second round election should be held between top two candidates. This leads to the collectiveness among the people and also declines the devise politics, like caste politics and communalism. Any political party should get support from all groups of the people otherwise no one can win in elections.¹¹

11. Opportunistic Coalition Governments

A coalition after elections is also a major defect in our political system. They contest with different ideologies in elections but after elections only for the power, on the name of the pre-venting re-elections join together to form the government is also against the public opinion. So the coalitions before the elections only will be permitted, for that required amendments will be made to law.

12. Political Defections

Political defections also a major issue especially at the state level politics. Elected from one party with a particular ideology which is supported by the public but after elections they jump from one party to other party. It should be no allowed either 1/3 or any part, of the party. After resignation or completion of term or merging the party will be allowed. At present speaker is given power to disqualify the political defections, but in many cases, the speaker takes decision on the guidelines of which he belongs the party, so this authority should keep with the election commission of India.

13. Voling Age-Contesting Age

At present any person gets right to vote at the age of 18 but they can contest in elections after completion of 25 years to the Lok Sabha or Legislative Assemblies. By 25 years they enter into a different profession, they may not come in to political field. Hence the voting age and contesting to the Lok Sabha and Legislative assembly are also should be the same. By this, the youth will be entered into the direct elections as representatives not mere voters.

14. Paid News:-

Paid News is a latest serious issue in Indian electoral system. According to the Press council of India, "Any news or analysis appears in any media either print or Electronic for a price in cash or kind as consideration". In reality it is being difficulty to scrutiny, so the mechanism will be strengthened.

15. Illiteracy:-

The problem of widespread illiteracy cause ignorance and prevents adequate understanding of various democratic practices and processes. Despite of several developmental steps including opening of schools and colleges across the country still illiteracy is a major problem. With illiterate population democracy based on adult franchise cannot serve the people property.¹³

16. Politicization of the Police:-

Politicization of Police has emerged as another serious problem in our democracy. Political leaders very often misuse police agencies in order to sort out personal problems and intimidate their opponents. Politicians exercise considerable power through threats of transfer or make attractive offers of alternative postings. There are several instances where police is expected to exhibit neutrality in the law and take prompt action but behaved just opposite¹³. The politicization of police has led to bad performance of police in its role as neutral broker during elections. Sometimes partisan attitude of police encourages ruling parties to abuse executive power and also compromises the electoral process.¹⁴

17. Booth Capturing:-

It is a very serious as well as a common problem for many states in India like Bihar, Uttar Pradesh, West Bengal etc. Application of muscle power to win in election by hook or by crook is an age old process followed by political parties in India. In this process, the parties hire notorious criminals who campaign door to door and threaten the innocent villagers to franchise votes in favour of a particular political party. This is one of the most popular means normally adopted by the political parties.

Another form of booth capturing takes place in absence of sufficient police force in polling station. Taking such advantage the criminals well equipped with arms and ammunitions, scare away genuine voters and forcibly cast votes in the name of enlisted voters. In such case, the elections officers are bribed in order to hand over the ballot papers to them for quickly stamping in favour of selected party. Booth capturing is also carried out by dividing villagers on caste basis. The weaker section of people of the village being afraid of the gunmen employed by the political parties, give up voting by not going to polling booth. The stronger party in absence of the weaker section then casts the votes of weaker section in their favour.¹⁵

Steps Taken up the Government

In 1974, Shri Jayaprakash Narayan Set up the committee on Electoral Reforms under the chairmanship of V.M. Tarkunde, popularly known as the Tarkunde Committee. It submitted its report in 1975, The Dinesh Goswami Committee report of 1990, the Indrajit Gupta Committee Report of 1998, the Law Commission report in 1999 etc. gave number of recommendations regarding electoral reforms and few of them have been implemented but yet a lot has to be done. The whole country is now expressing serious concern over the anti-social and criminal elements entering into the electoral area.

The Elections Commission of India has also taken new initiatives towards suggesting electoral reforms such as state funding of elections, model code of conduct for parties and candidates, measures to check criminalization of politics, auditing of financial sources of parties etc.

Thus it becomes necessary to take effective steps to control and eliminate the distortions by introducing appropriate amendments in the law that governs the conduct of elections¹⁶.

SUGGESTIONS

The following suggestions should be taken into consideration for making electoral system free and fair manner:-

1. At present, the EC does not have independent staff of its own. Whenever elections take place, the Election Commission has to depend upon staff of central and state Governments. The dual responsibility of the administrative staff, to the government for ordinary administration and to the EC for electoral administration is not conducive to the impartiality and efficiency of the commission. So EC should have its own staff.
2. Political corruption should be stopped by providing funds to genuine candidate through political parties whose account should be auditable. Candidate involving in corruption should be disqualified.

3. For having a true democracy the registration and recognition of the political parties should be fair and without any kind of influences.
4. Mass Media should play a non-partisan role in election and as a safeguard of democracy.
5. Every voter must be perfectly free to vote.
6. Parliament must pass a law dealing with this serious problem of delisting of valid electorates from electoral rolls because illiterate electorate residing in far villages cannot watch over publication of electorate lists.
7. Unearth and confiscate black money, which is widely used for buying votes.
8. Make politicians as well as voters law abiding.
9. Strictly apply the code of conduct and punish those who violate it.
10. Revise voters lists in time to avoid bogus polling and correct mistakes in the lists.
11. Prompt action by the judiciary, if any kind of violation is detected during elections.
12. Declare elections results in mandatory.
13. Preparation of electoral rolls by EC are to be supervised at village level and certificates from officials who prepare electoral rolls to have been thoroughly revised.¹⁷

Conclusion

Some useful suggestions were suggested, but still the problems remain as critical and challenging as ever. Thus it become necessary to take effective steps to control and eliminate the distortions by introducing appropriate amendments in the law that governs the conduct of elections. It is high time to bring out some changes in our constitution to keep away these anti-social elements from legislature and parliament.

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