



## Electoral Reforms in India : Issues and Challenges

*India is the largest Democracy in the World but we feel that due to certain reasons, Democracy is not working properly. So, now the researchers feel that why this largest Democracy is not working properly? There is some thing wrong in the Electoral process. Here I have indicated the total happenings in the present days Electoral exercise and also suggested some remedies for the betterment of the Electoral system.: This has been amongst the most widely discussed electoral reforms in India. Multi-cornered contests have become a norm in India rather than an exception due to the increase in the number of smaller and regional parties. There have been cases in the state assembly elections where a candidate has been declared winner with the victory margin of less than 100 votes. Apart from this anomaly, in most cases, a candidate wins the election by securing just 30-35 per cent of the total number of votes polled. Hence he or she cannot be deemed to be a choice of majority of the electorate. To overcome this limitation, the first-past-the-post system should be replaced with a two-stage electoral process. In this, a second round of election will be held if none of the candidates in the fray is able to get 50 per cent of the total number of votes polled in the first round. The two candidates who have obtained the maximum number of votes in the first round will fight in the second round. Whoever between the two gets more than 51 per cent of the total votes polled in the second round is declared the winner. Simultaneous elections for Union and state legislatures: Currently 3-4 states in India go for elections every year. This undermines the working of the union government as the regime in power cannot take tough decisions due to the fear of a backlash in the next round of assembly election. Hence simultaneous elections will not only ensure that governments at the centre and the states carry out their responsibilities in a smooth manner but also curtail unnecessary election expenditure. The arrangement of simultaneous elections can be extended to the elections for the municipal corporations and other Panchayati Raj institutions.*

**DR. M. RAMANA REDDY**

India has the distinction of being the largest democracy of the world. Elections are the most important and integral part of politics in a democratic system of governance. While politics is the art and practice of dealing with political power, election is a process of legitimization of such power.

### **(I) Issues in Electoral Politics of India :**

The election 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 are: money power, muscle power, criminalisation of politics, poll violence, booth capturing, communalism, castism, non-serious and independent candidates etc.

**Money Power :** Electioneering is an expensive affair

in every democratic polity which plays 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 round corruption and contributes mainly to the generation of black money economy which rules at present our country. 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.

**Muscle Power :** Violence, pre-election intimidation, post election, victimisation, most of the riggings of any type, booth capturing both silent and violent are mainly the products of muscle power. These are prevalent in many parts of the country like Bihar, Western Uttar Pradesh, Maharashtra etc. and this cancerous disease is slowly

*Lecturer in Public Administration, SKSC Degree College, Proddatur Town, YSR Dist. (Andhra Pradesh)*

spreading to south like in Andhra Pradesh, Criminalisation of politics and politicalisation of criminals, freely indulged in now, are like two sides of the same coin and are mainly responsible for the manifestation of muscle power at elections. By using of violence, the criminals are able to achieve success at elections for their benefactors.

**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 ministers, use of government vehicles for canvassing etc.

**Criminalisation of Politics :** During the election period, newspapers are usually full of information about the number of criminals in the field sponsored by every party. The reason of the criminals behind entrance to politics is to gain influence and ensure that cases against them are dropped or not proceeded with. They are able to make it big in the political arena because of their financial clout.

**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.

## **(II) Problems of The Political Instability, Hung Parliament and Assemblies :**

There has been a great deal of political instability during the last decades. The result has been unstable administration and unstable policies, the hallmark of minority governments. The reasons are not far to seek. The Westminster Model adopted by us, works mainly on the basis of a limited number of political parties. In the United Kingdom, there are only two major political parties. Contrarily in India, politicisation at ground level coupled with a highly fragmented society, has given rise to a multiplicity of political parties. Each one of these exists not on a different ideology or economic programme, but on the basis of having nursed a narrow parochial, mostly caste or religion based, identity for itself and its band of followers. Even this support is usually earned not by doing some constructive work for the concerned group but negatively by bad -mouthing others and all the time pitting one group against the other. The common citizen has been the victim of all resultant misgovernance. This situation has generated its own debate and suggestions have been made to limit the number of political parties as well as independent candidates that are allowed to contest for national elections.

**Castism :** Although there is hardly any instance in India of a political party being totally identified with any particular caste group, yet there are cases of certain castes lending strong support to particular political parties. Thus

while political parties struggle among themselves, to win different caste groups in their favour by making offers to them, caste groups too try to pressurize parties to choose its members for candidature in elections. Communalism: The emergence of India as a 'secular' state, the politics of communalism and religious fundamentalism in the post independence period has led to a number of separate movements in various states and regions of the country. Communal polarization, rather multi-polarization, has posed a threat to the Indian political ethos of pluralism, parliamentarianism and federalism. Despite the adoption of the principle of Secularism as a constitutional creed, which ironically allows communal parties to compete, the trend towards communalism and fundamentalism in Indian politics have been growing day by day. The spirit of tolerance that is essential for a secular society seems to have completely vanished from the body politics of India.

**Lack of Moral Values in Politics :** There has been very sharp erosion in the ideological orientation of political parties. Party dynamics in India has led to the emergence of valueless politics much against the ideals of the father of the nation, Mahatma Gandhi, who suggested that the Congress party should be disbanded after the achievement of Independence and its members should engage themselves in the service of the people. While Gandhi taught us tremendous selflessness, self sacrifice and service, to the people, such inspirational values, the democratic norms and institutions have been destroyed systematically over the last years of the working of the Constitution. In the process, both the politicians and political parties have lost their credibility, the ultimate value that should bind them with the masses. There seems to be a crisis of character amongst the politicians, as the system does not encourage the honest leader.

## **Steps Taken by the Government :**

The reports of various EC and a number of formal informal group discussions at various forums and by individuals have categorically pointed out the defects in the electoral system, some of them have ventured to come out with some useful suggestions, yet the problems remaining to be as critical and challenging as ever. The Joint Parliamentary Committee on Amendments to Election Law (1971-72), the Tarkunde Committee Report of 1975, the Goswami Committee Report of 1990, The Constitution Bill 1994 and the Representation of the People (Second Amendment) Bill, 1994 (passed by Parliamentary), the Election Commission Recommendations in 1998 and Indrajit Gupta Committee Report of 1998 etc. produced comprehensive set of recommendations regarding electoral reforms. A few reforms have been implemented but 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 arena.

## **(III) Suggestions :**

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

(i) 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 an efficiency of the Commission.

(ii) Efficient Electoral Commission is a requirement of the day to conduct free and fair elections. Democracy and fearless elections cannot exist without each other. To stop unfair practices in elections like rigging by using official machinery and to ensure existence of democracy, following methods or means should be adopted.

(iii) The CEC should not be at the mercy to Executive and Parliament for its requirements. He should have separate and independent election department to enhance its objectivity and impartiality.

(iv) Political corruption should be stopped by providing funds to genuine candidates through political parties whose account should be auditable. Candidate involving in corruption should be disqualified.

(v) For having a true democracy the registration and recognition of the political parties should be fair and without any kind of influence.

(vi) Mass Media should play a non-partisan role in election and as a safeguard of democracy.

(vii) Periodic elections are the foundation of a democratic system. For fair electoral system every aspiring candidate must have fettered freedom to offer himself as a candidate for election and to conduct his election campaign in his own way so long as he keeps him within the law.

(viii) Every voter must be perfectly free to vote as he likes without any fear of consequences and without being unduly influenced by anyone by improper means and inducement or pressure of any kind.

(ix) The secrecy of voters preference to any candidate should be maintained. The election machinery must function honestly and impartially at every stage.

(x) Parliament must pass a law dealing with this serious problem of de-listing of valid electorates from electoral rolls because illiterate electorate residing in far villages cannot watch over publication of electorate lists.

(xi) Preparation of electoral rolls by EC are to be supervised at village level and certificates from officials who prepare electoral rolls to the effect that the electoral rolls have been thoroughly revised. They do not include that persons and legally disenfranchised citizens and intentionally no name should be left in them. Accountability to be fixed for intentional exclusion of name of voters from electoral rolls.

(xii) The names of the voters may be included in the electoral rolls even at the time of casting of votes by the polling officer, when he finds a genuine case.

(xiii) Unearth and confiscate black money, which is widely used for buying votes.

(xiv) Make politicians as well as voters law abiding.  
(xv) Strictly apply the Code of Conduct and punish those who violate it.

(xvi) Revise voters' lists in time to avoid bogus polling and correct mistakes in the lists.

(xvii) Prompt action by the judiciary, if any kind of violation is detected during elections.

(xviii) Declare elections results in mandatory.

In democracy the public is most powerful entity. If the public do not vote in favour of criminals, dishonest and corrupt politicians who wish to purchase their votes by money or muscle powers, everything shall function nicely and the democracy will shine in the dark spectrum of hitherto corrupt and criminalised political system. So, though the EC is working hard in this direction, but it cannot succeed unless all political parties and voters realize their responsibility. Finally there should proper mechanism, fully functional and fully equipped to fight with any triviality.

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## Peoples Participation, Democracy in Good Governance- A Roving Eye

*The Constitution of India guarantees a democratic republic polity in the country committed to the welfare, development and social justice. The working of Indian polity in the last five decades has proved its maturity. The democratic norms and values are taking roots in the hearts of common people in the country. Democracy integrates participation into the political life of the country and provides a basis for legitimacy of government. Diverse societies have become democratic. Indeed, eclectic and often indirect approaches are needed since the future of democracy is highly interdependent and no one feature is sufficient on its own. Transitions towards democracy do not necessarily present the same characteristics as mature democracies. Nevertheless, certain principles seem inherently desirable. These revolve round the concepts of consent, legitimacy and accountability to the people: whether participatory processes exist, whether the government is governing with the consent of the governed, whether the latter are allowed an effective voice in the governments conduct and have the possibility of withdrawing their consent and participating in a peaceful replacement of one government with another. If sections of the population like women and minorities cannot participate fully in these processes, it implies that the governed do not have an effective voice. Periodic free and fair elections are one of the essential features of functioning democracies. To make formal democratic processes sustainable and to develop an authentic democratic culture, external assistance should also support broad-based and long-term development of the systems and institutions necessary for the democratic process to function in a way, which is accepted by all elements in the nation. The paper also discusses peoples participation and governance thereby cresting a strong nation.*

**DR. M. RAMANA REDDY**

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Important linkages exist between the features of democratization and other aspects of participatory

*Lecturer in Public Administration, SKSC Degree College, Proddatur Town, YSR Dist. (Andhra Pradesh)*

development and good governance, such as the rule of law and respect for human rights. Human resource development, which requires individuals capable of making informed choices. Also, basic to democratization is the development of a pluralist civil society comprising a range of institutions and associations, which represent diverse interests and provide a counterweight to government. Interaction between the formal political regime and civil society contributes to, and also requires, a responsive government, which is one of the characteristics of a functioning democracy. Supporting pluralism, e.g., the development of autonomous civil associations, professional and interest organizations, is an important step in fostering democratization.

Support for democratization must be designed in light of a comprehensive understanding of the country's specific socioeconomic contexts and trends towards a more or less democracy. Examples of support for democratization processes are as follows :

(i) diplomacy, whether public or quiet, referring to internationally accepted norms and the expectation that they will be respected;

(ii) strengthening pluralism in civil society through, for example, support for professional associations advocacy groups, trade unions;

(iii) supporting the role of women in the political process and in civil society generally;

(iv) supporting the pluralism and professionalism of the media and increased access to information;

(v) helping improve the functioning of representative political institutions;

(vi) supporting electoral process in their various stages including assistance for information and education campaigns, maintaining support beyond first-time elections to ensure continuity in democratic practices through monitoring of the aftermath, and assistance for subsequent elections;

(vii) encouraging the acceptance by governments of lawful opposition and the incorporation of the interests and concerns of opposition parties into the decision-making process through appropriate consultative mechanisms such as parliamentary committees. etc; and

(viii) strengthening national capacity for independent social, economic and political analyses.

Repeated economic failures can fuel discontent and political instability, and jeopardize democratization processes. Financial support for economic reforms and, where necessary, for social safety nets, may facilitate sustainable democratization. Severe economic constraints during difficult stages of democratization and economic reform can be ceased by timely and quick financial support.

Good governance and democracy include the basic values in their own right, such as human rights and the principles of participation, and others such as accountability, transparency and high standards of public sector management, which are also means to developmental ends. Some of the objectives, such as the rule of law, must be

viewed as both ends in themselves and means to viable development. In a democratic system, the legitimacy of government depends on the existence of participatory processes and the consent of those who are governed. The accountability of the political and official elements of government for their actions, depends on the availability of information, freedom of the media, transparency in decision-making and the existence of mechanisms to call individuals and institutions to account for their conduct. Accountability also exists at the political level through representative government and the political process. The competence of government is also needed to formulate appropriate policies, make timely decisions, implement them effectively and deliver services. Respect for human rights and the rule of law, to guarantee individual and group rights and security, provides a viable framework for economic and social activity and allows and encourages individuals to participate.

#### **Participation :**

Participation comprises every kind of citizen intervention in administrative action. However, participation can only be described as such in the real sense of the term when the person who participates is fully conscious of the responsibility that he assumes in doing so. In a democratic society, participation gives the ordinary citizen a means of voicing his opinion and of showing by his behaviour and action that he is able to take the responsibilities. "It gives the ordinary citizen who shows his willingness to carry out constructive public work and to demonstrate his good citizenship by other means than periodically exercising his right to vote". "Participation involves a factor of determination on the part of the persons participating: participation means self-motion".

Popular participation or what is sometimes referred to as participatory development, may be defined as a process by which people take an active and influential hand in shaping decisions that affect their lives. Popular participation may involve difficult and long processes but brings many benefits such as the contribution of local knowledge to activities, an increased chance of objectives and outputs being relevant to perceived needs, greater efficiency and honesty of officials and contractors because they are under public scrutiny, and ownership of the activity by community-based organizations Through empowerment, participation can also lead to changes in knowledge, skills and the distribution of power across individuals and communities thus improving social equity. Popular participation is essential for at least two reasons:

(a) it strengthens civil society and the economy by empowering groups, communities and organizations to negotiate with institutions and bureaucracies, thus influencing public policy and providing a check on the power of government; and

(b) it enhances the efficiency, effectiveness and sustainability of development programmes.

'Empowerment' is essential to participatory development. Empowerment is enhanced when the organizations in which people participate are based on a democratic approach, strengthening the capacity of members to initiate actions on their own, or negotiate with more powerful actors. It thus builds up the capacity of people to generate and influence development at various levels, increasing their access to and influence over resources and institutions, including by groups hitherto marginalized such as low-income populations and most particularly women. Examples of how participatory approaches can be assisted are :

(i) supporting intermediary organizations such as interest and professional associations, women's organizations, consumer groups and trade unions, and encouraging governments to develop adequate mechanisms to include them in the policy making process through representation on boards or in advisory structures;

(ii) supporting grassroots organizations, such as village groups, and their networking beyond the local level, which may require special flexibility, such as having more open initial phase to enable intended beneficiaries to elaborate their own development activities, not earmarking all funds in advance, so as to match needs as they occur;

(iii) involving all project stakeholders in programme design, implementation, monitoring and evaluation, including the self-selection of performance indicators and taking into account from the outset appropriate forms of participation; and

(iv) providing support for decentralization programmes and enhanced people participation at local government level.

To ensure peoples participation, the 73rd and 74th amendments to the Constitution of India brought about a third tier of representative government at the district level and below. Cutting short needless discussion on details, it may be added that the 73rd Amendment Act has the potential of establishing at least the procedural part of good governance. The decentralized system of elected governance has certain inherent advantages. For example, it will bring efficiency as decision-makers, who live locally, are likely to know about local conditions and would be in a position to match resources and needs more precisely. Secondly, it will also bring accountability in the sense that the decision-makers live and work in close contact with the users and as such are exposed to more effective scrutiny and greater pressure to deliver the goods.

Apart from these advantages, there are also more opportunities for local people to participate in planning services and to pay for them in the form of local taxes. It is an established worldview that local governments tend to give higher priority than central government to human development. The most striking point with regard to these amendments is one-third reservation of elected officers for women and SCs&STs in proportion to their population.

Adequate representation of women and weaker sections will certainly bring qualitative change in the functioning of panchayats. We do not agree to the cynicism that women will be representing only by proxy. In initial stages, some cases of functioning by proxy may be reported. But, once women taste power, they would assert their independence as is evident in West Bengal, Kerala and Karnataka, and to certain extent, in Madhya Pradesh. Added to this is the fact that, with regular elections and performance audit by the electorate, the existing power elite would loose power gradually and, thus, transfer of power to the weaker sections will be a smooth affair.

Thus, democracy, participation and good governance are closely interlinked and interconnected with each other. It has become increasingly apparent that there is a vital connection between open, democratic and accountable systems of governance and respect for human rights, and the ability to achieve sustained economic and social development. Although these links are neither simple nor uniform, varying greatly from case to case and with respect to both time and place. Sustainable development requires a positive interaction between economic and political progress. This connection is so fundamental that good governance, democracy and participation must be central concerns of analysis.

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