

Electoral Malpractices and Reforms in India: Importance of Right to Vote in a Democracy

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ABSTRACT

Electoral reforms submit to systematic amendment designed at enhancing the good organization, clearness, integrity and fairness of the electoral development in a country. Elections are essential factors of democratic process; it is helping as an important method for citizens to implementing their right to choose their representatives and leaders. The paper also emphasizes the importance of election process. This paper highlights the honesty, integrity, and responsibility of all election-related processes, from voter registration to result declaration. This paper also enhances the decriminalization of Politics and The Election Commission of India. Elections guaranteed citizen involvement, the passive transfer of power, and the authority of government.

Keywords: **Electoral, reforms, democracy, system, responsibility political, election and commission.**

Introduction: India is the largest democracy in the world. Elections are the most essential and significant part of politics in a democratic system of governance. The right to vote is a Constitutional Right in India. It is the foundation of our democracy, permitting citizens to have a say in who governs them. It maintains this principle by granting the right to vote supported on general adult suffrage. Elections are a foundation of political authority and citizen involvement. Under the constitutional values and guidelines of election commission is free. Electoral Reforms in India assists in creation of Indian democracy an existent democracy in the letter as well as in spirit. The Election Commission of India (ECI) is a self-governing constitutional body responsible for organizing free and fair elections in India.

India got its freedom through a long struggle. With this freedom, India achieved Universal Suffrage, which means that every citizen above the age of 18 is allowed to vote. The vision of our freedom fighters thus got embarked in the right to vote. Voting is the agent of change and is a Constitutional right of citizens over 18 years of age in India. It offers every citizen a medium of expression and the process of voting allows every citizen to have a say in what should constitute the matters of importance by voting for the candidate he or she deems fit for the purpose. Though the outcome of elections is hardly ever predictable, yet if citizens don't cast their vote then they are giving up on the chance of getting heard.

In a populous democracy like India, a voter might think that a vote doesn't matter but when this thought prevails over the nation; then citizens might miss out from helping the best candidate win the election. Both as a right and responsibility, voting lays the foundation of the Indian democracy. Citizens need to be careful about their power of casting a vote in order to strengthen the existence of the democratic Republic.

Voting is a sort of honour granted to the citizens by the founding fathers of the Constitution of India. Citizens demonstrate their respect for the history of the country through exercising their right to vote. By not casting their vote, the citizens in a way improve the chances of the unsuitable ones winning the polls. And as a whole, the voter has to suffer through poor governance at the end.

Being the most essential element of the electoral system, the right to vote is universal and equal and gives to the citizens the freedom to choose among various candidates or political parties in elections. As every vote counts, so the responsibility lies on every individual to vote responsibly. The voters in India have also been offered the provision to exercise their vote even if they aren't happy with any of the candidates. Known as NOTA- 'None of the above' is an important vote to cast for those who aren't satisfied by any of the standing parties. Fair and free election is the necessity of democracy but it is no secret that money and muscle power plays a crucial role in the elections and whosoever has the capacity to spend more stands better chance of winning. Politics has become a lucrative business to amass wealth sufficient to sustain and maintain many generations. Though there are limits for spending during elections, money flows like water and on the eve of elections currency notes change hands and elections are won. People have no choice but to elect the rich candidates only because capable and selfless persons, but with meager means, dare not stand to contest elections. Out of the elected candidates those

who are lucky enough to get ministerial positions are in a more advantageous position to loot the exchequer and wallow in ill-gotten wealth

Electoral Malpractices: As the signpost of democracy, elections at regular intervals make the most significant features of a democratic polity. These act as a medium of reflection of the attitudes, values and beliefs of the people towards their political environment. Acting as the central democratic procedure for selecting and controlling leaders, elections also symbolize the sovereignty of the people and provide legitimacy to the authority of the government. “Election Commission organised an open hackathon on 3 June 2017 encouraging people to attempt hacking of EVMs used by the commission in various Indian elections. While none of them participated, functioning of the EVM and VVPAT machines were demonstrated in the event” (Prabhu, Sunil 2017)]

But the electoral system in India has been restricted by many obstacles and dampening factors that encourage the anti-social elements to jump into the electoral battle. “The commission is headed by the chief election commissioner and consists of two other election commissioners. The chief election commissioner does not have overruling powers and any decision is taken by the opinion of the majority among the three” (Laxmikanth, M (2017:42).

Efforts should be made to minimize the influence of money on elections so that capable and up righteous people may stand in the elections to serve the people and enhance the prestige of the loftiest institute of democracy ever evolved by man, otherwise elections would become a mockery and it will be suicidal for democracy. To dilute money power the functioning of political parties should be regulated by law and their accounts be audited by independent auditors. Income Tax department can play a dominant role in this regard. It should keep a watch on the expenditure being incurred by a candidate taking into consideration his or her financial position. If the expenditure exceeded the prescribed limits the candidates should be debarred.

It is the interference with the process of election in an illegal manner. It can be done either by Electoral malpractice, also known as electoral fraud, electoral manipulation or electoral rigging increasing the share of the vote of the favoured candidate or by depressing the share of the vote of the rival candidate.

Electoral malpractice can be in the form of use of money power or muscle power or evim manipulation through media. Right from the distribution of tickets by the political parties, the use of money power begins. Those candidates who can contribute maximum money to the party corpus and have fat bank balance to purchase votes, are given importance and this way the personal qualities of the prospective candidates get ignored by most political parties.

Clubs and organizations are given handsome donations and crowds are rented for parn, meetings, mad shows, rallies and campaigns. Public morality thus gets ignored this way by political parties in their struggle to capture power. “The commission is empowered to prohibit the dissemination or publication of voting trends that seek to influence voters by opinion polls or exit polls” (Chopra, Ritika, 2017)

One of the biggest challenges in elections remains the use of muscle power that dictates the selection of candidates and party, forcing people against voting freely. Widespread use of muscle power can be seen in the form of heavy monetary demands to candidates, imposing ban on filing nominations, ban on election campaigns and even forcing people whom to vote for or not to vote

Besides these, the deteriorating law and order is often capitalized by many candidates to their advantage to win elections. The free employment of muscle power has erupted election related violence at several places during the polls. Political ethics have been forgotten by most of the political parties who openly take support from banned armed groups. “Instances of violation of the code by various political parties and misuse of official machinery by the candidates are dealt according to the law” (Chhibber, Maneesh, 2015)

Media has also contributed to the electoral malpractices in spite of playing a neutral role in a democratic society. Whereas in a democratic election, the media reporting and publication of political views including the projection of party and candidates' images impact the voting pattern directly, media plays a crucial role in the same. Favoritism and misquoting have become the recent trend of the media. Media persons are often found indulged in publication of misleading news and views.

Other malpractices include freebies, booth capturing, proxy voting, unfair means of election conducting, hate speeches against the contesting parties and vote bank politics to name a few Electoral Reforms: The Election Commission has expressed its concern and anxiety many a time for removing obstacles in the way of free and fair polls. “At the states and

union territories, the elections are supervised by a chief electoral officer appointed by the Election Commission. At the district and constituency levels, election related work is carried out by the district election officers, electoral registration officers and returning officers" (Election Commission of India, 2012) A number of recommendations have thus been made and the government has been repeatedly reminded about the necessity of changing the existing laws so that the electoral malpractices are checked.

Electoral reforms include following aspects:

- 1) Freeing the election process from muscle and money power
- 2) Transparency about the background of the candidates
- 3) Prohibiting the nexus between business and politics
- 4) Upholding the secrecy of voters
- 5) Fair registration and recognition of the political parties without any kind of influence
- 6) Solution of delisting of illiterate voters
- 7) Non-partisan role of media
- 8) Applying model code of conduct efficiently
- 9) Expediting and rationalizing the electoral processes

India already has laws to check electoral malpractices in the form of the Representation of the People Act, 1951, Election Code of Conduct and so on. "EVMs are manufactured by two public sector undertakings, Bharat Electronics and Electronics Corporation of India Limited. Voter-verified paper audit trail (VVPAT) was introduced on a trial basis in a by-poll in September 2013 in Noksen (Assembly Constituency) in Nagaland" (Singh, Bikash 2013)

Political party funding reform has been enacted through various changes to the Company Laws, through Money Bills, the Income Tax Laws, through Supreme Court orders and so on. "The Election Commission sets limits on poll related expenditure by the candidates during election campaigns. The commission appoints officers of Indian Revenue Service from the Income Tax Department as election observers" (Kumar, Pradeep, 2017)

Anti-Defection Law: Passed in 1985, through the 52nd Amendment to the Constitution, this law intends to combat the evil of political defections by elected politicians for the lure of office. Supreme Court in 2002 has directed all contesting candidates to furnish all personal information, including the criminal record at the time of filing nomination papers. "The Election Commission of India did not have data with regard to disabilities of voters as ascertained by a RTI application filed in 2014" (Gohain, Manash Pratim 2014)

State funding of political parties by means of a National Electoral Fund or on the basis of the number of votes obtained is a valid proposal. Capping the expenditure of political parties and giving the Election Commission of India the powers to deregister unruly political parties are few of the proposed reforms. Revisiting the Information Technology Act is also another requisite for strengthening the social media regulations and inclusion of the proportional representation system along with depoliticization of constitutional appointments by appointing of the Commissioners through a broad-based collegium makes sense.

CONCLUSION

The Election Commission invites political parties to discuss ways to strengthen the election process. Electoral reforms develop the electoral process, guaranteed honesty, clearness, equality, integrity and democratic contribution. In India, the need for electoral reforms has become gradually more obvious to tackle confrontation and challenges such as voter deception, fraud, caste politics, criminalization of politics, and the influence of money power. India's election system is one of the largest and most multifaceted and complex in the world. It plays an important role in the world's largest democracy; make sure that the voices of over a billion people are heard.

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