

Lesson 18

Electoral System in India

Summary –

Election is a complex exercise, it involves schedules rules and machinery, the voting procedure, filing of nominations, their scrutiny and the campaigns carried out by the parties and the candidates before actual polling. Election Commission is for electoral system in India and suggestions for electoral reforms.

Election Commission of India

Election Commission of India which is responsible for superintendence direction and control of all elections.

It is responsible for conducting elections to both the Houses of Parliament and State Legislatures and for the offices of President and Vice-President.

It is also responsible for the preparation revision, updating and maintenance of lists of voters.

Composition–

The Election Commission consists of the Chief Election Commissioner and a larger number of other officials.

Tenure and Removal– Chief Election Commissioner and other Election Commissioners are appointed for a term of six years, or till the age of 65 whichever is earlier.

- ✚ They are appointed by the President, they cannot be removed by him, no changes can be brought in the conditions of service and the tenure of office after their appointment.
- ✚ Chief Election Commissioner cannot be removed from office.
- ✚ S/he can remove on the grounds and in the manner on which the Supreme Court judges can be removed.

Powers and Functions of the Election Commission-

1) Delimitation of Constituencies - The task of delimiting constituencies is generally performed by the Delimitation Commission consisting of five serving or retired judges of the Supreme Court and the Chief Election Commissioner who is its ex-officio member.

2) Preparation of Electoral Rolls-

Each constituency has a comprehensive list of voters. It is known as the Electoral Roll or the Voter's List. The Commission prepares the Electoral Roll for Parliament as well as Legislative Assembly elections.

- A person can be registered as a voter if She/he:

1. a citizen of India,
2. 18 years of age,
3. resident of the constituency.

3) Recognition of Political Parties-

Election Commission is to recognise political parties as all India (National) or State (Regional) Political Parties. If in a general election a particular party gets four percent of the total valid votes polled in any four states it is recognised as an all India (National) Party. If a party gets four percent of the total valid votes in a state it is recognized as a State or regional party.

4) Allotment of Symbol-Political Parties have symbols which are allotted by the Election Commission.

The symbols are help to:

1. The illiterate voters who cannot read the names of the candidates
2. In differentiating between two candidates having the same name.

Officers on Election Duty - To ensure that elections are held in free

Commission appoints thousands of polling personnel to assist in the election work.

There are three main officials - Returning Officer, Presiding Officer and Polling Officers.

Returning Officer-

In every constituency one Officer is designated as Returning Officer by the Commission in consultation with the concerned State government. an Officer can be nominated as Returning Officer for more than one constituency. All the nomination papers are submitted to the Returning Officer and scrutinised by him/her,

Presiding Officers-

She/he supervises the entire process polling in the polling booth and ensures that every voter gets an opportunity to cast vote freely. After the polling is over, She/he seals all the ballot boxes and deliver them to the Returning Officer.

Polling Officers-

Every Presiding Officer is assisted by three to four polling officers. They check the names of the voters in the electoral roll put indelible ink on the finger of the voter issue ballot papers and ensure that votes are secretly cast by each voter.

Electoral Process -

Notification for Election -

Seven days are given to candidates to file nomination. Scrutiny of nomination papers is done on the day normally after the last date of filing nominations.

The candidate can withdraw her/his nomination on the second day after the scrutiny of papers. Election is held not earlier than twentieth day after the withdrawal.

✚ Filing of Nomination

A person who intends to contest an election is required to file the nomination paper in a prescribed form indicating his name, age, postal address, and serial number in the electoral rolls.

✚ Security Deposit –

Every candidate must make a security deposit at the time of filing nomination. The security deposit is forfeited if the candidate fails to get at least 1/6 of the total valid votes polled.

✚ Scrutiny and Withdrawal –

The Returning Officer is empowered to reject a nomination paper on any one of the following grounds: (i) If the candidate is less than 25 years of age, (ii) If S/he has not made security deposit, (iii) If S/he is holding any office of profit, (iv) If S/he is not listed as a voter anywhere in the country.

✚ Election Campaign–

Campaigning is the process by which a candidate tries to persuade the voters to vote for him rather than others. number of campaign techniques are involved in the election process:

i. Holding of public meetings,

ii. Distribution of handbills, highlighting the main issues of their election manifesto,

iii. Door to door appeal by influential people in the party,

iv. Broadcasting and telecasting of speeches by various political leaders.

✚ Model Code of Conduct –

During the campaign period the political parties and the contesting candidates are expected to abide by a model code of conduct evolved by the Election Commission of India, the code of conduct is as follows:

- (i) Political Parties and contesting candidates should not use religious places for election campaign
- (ii) Such speeches should not be delivered in a way to create hatred among different communities belonging to different religions, castes, and languages
- (iii) Official machinery should not be used for election work,
- (iv) No new grants can be sanctioned, no new schemes or projects can be started once the election dates are announced
- (v) One cannot misuse mass media for partisan coverage.

✚ Scrutinization of Expenses –

Election Commission has the power to scrutinise the election expenses to be incurred by the candidates.

Every candidate is required to file an account of his election expenses within 45 days of declaration of results.

✚ Polling, Counting & Declaration of Result –

After polling, ballot boxes are sealed in the presence of agents of the candidates. Agents ensure that no voter is denied right to vote provided the voter turns up comes within the prescribed time limit.

Electronic Voting Machines (EVMs) –

- ✚ EVM's are tamper proof electronic voting machines.
- ✚ It can accommodate maximum of 16 candidate's details.
- ✚ After voting the sealed EVMs are shifted to the counting centre.
- ✚ Counting takes place under the supervision of the Returning Officer and candidates and their agents.

Evaluate yourself –

1. Describe the use and importance of a party symbol in Elections.
2. Write down the role & responsibility of Chief election commissioner.
3. India is having a defined electoral process, in reference to the statement write your views.

Shortcomings of Indian Electoral System -

Money Power - The role of unaccounted money in elections at some places becomes problem.

Muscle Power - At some places criminals supports the candidates by intimidating the voter according to their direction,

Caste and Religion - Communal loyalties of the voters are used at the time of propaganda campaign,

Misuse of government machinery - All the political parties do not have equal opportunity in respect of access to resources. The party in power is always in advantageous position then the opposition parties.

Electoral Reforms –

To restore the confidence of the public in the democratic electoral system, many electoral reforms have been recommended from time to time by Tarkunde Committee and Goswami Committee, under the chairmanship of the then Chief Election Commissioner, T.N. Seshan, that Election Commission initiated many more measures to ensure free and fair elections:

- 1) voting age has been lowered from 21 years to 18 years.
- 2) increase in the amount of security deposit.
- 3) photo identity cards have been introduced.
- 4) Introduction of Electronic Voting Machine.