

Electoral Reforms in India, Issues and Challenges

Dr. Gaddam Adhamu

Assistant Professor (GF), Department of Political Science, BJR Govt. Degree College
(Autonomous), Narayanaguda, Hyderabad, Telangana.

1. INTRODUCTION

Considered one of the world's largest democracies, India is based on the principles of free and fair elections. The integrity of the electoral process is the foundation of our democracy. This electoral framework strengthens public trust and enables effective governance. Over the years, the Indian electoral system has constantly evolved in response to the changing socio-political environment. The strength of democracy lies in its ability to adapt and evolve, requiring continuous efforts and systematic changes to maintain its resilience and relevance.

Electoral reforms refer to systematic changes in laws and procedures, and sometimes in the institutions governing elections. These reforms primarily aim to improve fairness, transparency, participation, and accountability in the electoral process. Reforms are typically driven by landmark court rulings, legislative changes, civil society initiatives, and the proactive engagement of the Election Commission of India (ECI). The objectives of electoral reforms include combating electoral fraud, ensuring transparency in political financing, addressing the criminalization of politics, and promoting proportional representation across all constituencies.

This article analyzes the impact of key electoral reforms implemented in India. The study also aims to understand how these reforms have evolved and influenced electoral dynamics, voting behavior, and candidate profiles in the political landscape of Madhya Pradesh. The goal is also to provide insights into the local effects and broader implications for Indian democracy.

2. EVOLUTION OF ELECTORAL REFORMS IN INDIA

The evolution of electoral reforms in India since independence reflects our commitment to improving democratic practices. The Election Commission of India (ECI), established under Article 324 of the Constitution of India, has played a crucial role in implementing and enforcing electoral norms since its inception. These reforms have been achieved primarily through judicial interventions and initiatives of the Election Commission of India (ECI). Various expert committees, such as the Dinesh Goswami Committee, the Tarkunde Committee, the Indrajit Gupta Committee, and reports from the Law Commission, have had a significant impact on the reform agenda, leading to legislative and administrative changes.

The legal framework supporting these reforms includes amendments to the Representation of the People Act (RPA) of 1950 and 1951. Key Supreme Court rulings have played a crucial role in implementing a number of significant reforms, particularly those related to candidate disclosure and transparency in election financing. Simultaneously, the Election Commission of India (ECI) has adopted a range of administrative strategies and leveraged technological advancements to improve the efficiency and security of the electoral process.

The progress of these reforms highlights a key aspect of democratic development in India: electoral reform is not a separate process, but a complex interplay of institutions, where the judiciary often acts as a catalyst, motivating the executive and legislature through its decisions to introduce changes or address legal shortcomings. Meanwhile, the ECI, as an independent body, implements these reforms and continuously proposes new initiatives.

This collaboration between different institutions creates a robust system of checks and balances, where various branches of government and independent organizations work together to uphold democratic norms. On the other hand, it is also true that this interaction can lead to friction or delays, which may raise concerns about the autonomy of the Election Commission of India (ECI).

Furthermore, historical studies show that reforms are not arbitrary but are a direct response to evolving challenges in the electoral landscape. Issues such as the criminalization of politics, lack of transparency in political financing, and uncertainty about the fairness of elections have consistently led to systemic reforms. This adaptive evolution of the electoral framework underscores the inherent resilience of the Indian democratic system. Reforming Political Parties in Contemporary India

As India celebrates the sixtieth anniversary of its independence, many institutions of parliamentary democracy are under public scrutiny. The world's largest democracy is not necessarily the most robust democracy. The quality of the Indian political landscape threatens the very essence of democratic governance. The model of democratic government established in the Indian Constitution nearly sixty years ago presupposes a system of well-functioning political parties. Political parties are a vital component of such a system. They serve as channels for expressing public opinion and generating alternatives to policy decisions. Through a well-organized system of political parties, elections are held regularly to elect representatives who then form the government. Consequently, political parties in Indian democracy bear significant responsibility, both in the legislature and in the broader public sphere. Unlike the United States and Great Britain, where a stable two-party system has developed over the years, the current political landscape in India is characterized by a large diversity of political parties, many of which operate exclusively within a single state. This scenario resembles the situation in Canada and several European countries. For India's democratic institutions to function effectively, the efficient functioning of political parties is essential. This article aims to highlight some of the key democratic shortcomings in the functioning of contemporary Indian political parties.

This article identifies two types of democratic shortcomings: those related to internal democracy and those related to external accountability.

1. Internal Democracy

The internal functioning of most political parties in contemporary India exhibits serious democratic deficiencies. As political entities operating within a democracy, these parties are voluntary associations of members. The strength and political ideology of these parties are shaped by their members. Citizens voluntarily join political parties and become members based on the ideologies and action plans proposed by those parties.

Party organs, publications, leadership speeches, and election manifestos form the basis for understanding the perspectives, political options, and action plans of a given political party. In recent years, the election manifestos and documents of all political parties have become mere formalities, created rituals without any real intention of implementing them.

The membership base of most political parties also remains unclear. The Representation of the People Act of 1951 mandates that every political party maintain annual membership lists, detailing the membership fees paid by its members, and regularly submit this information to the Election Commission of India.

The aforementioned Act stipulates that the constitution of every political party recognized by the Election Commission of India must contain explicit provisions for regular elections of office-bearers, which must be strictly adhered to and reported to the Commission.

However, the current situation of most political parties shows that they are primarily focused on a family or an individual. Parties like the Congress, DMK, and Samajwadi Party essentially function as family businesses; similarly, AIDMK, RJD, RLD, BJD, and TDP are centered around individual leaders. While left-wing parties do hold internal elections, their membership and support are declining. The BJP, once a cadre-based party, has now become a coalition of convenience.

The idea of internal democracy, characterized by regular and fair elections of office-bearers and their accountability to the members, has largely become an illusion in contemporary political parties. Even when elections are held, the candidates are often predetermined and certain, usually presented on a single list – similar to the electoral processes in the Communist Party of China. Most contemporary political parties resemble feudal domains dominated by family and business interests. The selection of board members, successors, and election candidates is primarily driven by the need to expand family empires and the private business interests of the leaders and founders of these parties. This scenario is similar to that of private family businesses, with the difference that these companies do not claim to be democratic organizations adhering to the principles of democratic governance.

The lack of internal democracy in political parties has significantly facilitated the infiltration of criminal elements into their structures. Criminals and armed groups are used not only to ensure electoral success but also to infiltrate positions of board members, candidates, and representatives of various political parties.

The Vohra Committee Report highlighted the growing criminalization of the Indian political scene.

According to the ADR Election Watch Report in Karnataka (2004) (www.adrindia.org), candidates with criminal backgrounds ran in elections in 80% of constituencies across all political parties.

In the recent presidential elections in July 2007, 60 electors (members of parliament and state legislatures) were imprisoned on election day – more than 1% of the total electorate. What conclusions can we draw about the scale of criminalization in Bihar, and more recently in Uttar Pradesh? A Samajwadi Party MP in Uttar Pradesh has been declared a fugitive by the court and is wanted for the murder of a state legislator.

Is it possible to maintain democratic governance when a party leader and MP break the law and are wanted by the justice system? To counteract these trends of criminalization within political parties, the Indian Election Commission, in its report to Prime Minister Dr. Manmohan Singh in July 2004, proposed that anyone against whom a court has leveled a serious criminal charge should be barred from participating in elections.

National political parties have not yet endorsed this recommendation.

2. External Accountability

The second category of democratic shortcomings concerns external accountability. Political parties function as public institutions; they embody democracy for the people; therefore, they are expected to adhere to the highest standards of accountability and transparency in their governance.

According to Section 29C of the Representation of the People Act, 1951, all registered political parties are required to file tax returns with the Election Commission of India by October 31 of each financial year, detailing the donations and contributions received during that year. The consistency and accuracy of these returns can be assessed based on the information below.

To date, tax returns have only been filed for the financial year 2003-2004, based on data from the Election Commission of India.

A limited number of parties have filed returns: Congress, BJP, Communist Party of India (CPI), Communist Party of India (Marxist) (CPI-M), Samajwadi Party, Janata Dal (United), and AIADMK. The estimated declared amounts are as follows: Congress 30 crore rupees, BJP 10 crore rupees, SP 1.25 crore rupees, CPI 7.5 crore rupees, AIADMK 6.78 crore rupees, CPI-M 2.0 crore rupees, and JD(U) 50,000 rupees. In addition, every political party is required to file an annual income tax return under Section 139(4B) of the Income Tax Act, 1961, in a specified format. In this tax return, a political party can claim exemption from income tax only after attaching the above declaration filed with the Election Commission of India. Although obtaining the latest tax returns from political parties has proven difficult, it is clear that all their income for the financial years 2004-2005 (during the Lok Sabha elections), 2005-2006 and 2006-2007 (during which several state elections were held) should have been taxed at the highest rate at that time.

Did this happen? Are the above figures reliable? Why have major public institutions, known as political parties, taken control of free government buildings and land across the country? What annual reports do they publish regarding these free and subsidized properties? The Election Commission of India, in its July 2004 report, clearly recommended that in order to ensure public accountability of funds and assets managed by political parties, all political parties should be required to audit and publish their annual financial statements.

As mentioned above, internal democracy and external accountability of all political parties in India are currently quite weak and problematic. The parties and their leaders seem apathetic. Otherwise, the recommendations of the Election Commission of India from three years ago would have already been implemented. It is necessary for citizens to exert pressure for the implementation of such reforms.

Political parties are key elements and essential components of democratic governance in India. They are voluntary, public associations, democratically managed by their members. They mobilize significant resources from society – citizens, businesses, and governments – and must be publicly accountable for them. Besides the corruption of individual political leaders, it is the corruption and decline in the functioning of political parties as democratic entities that require our collective attention. Reforms within political parties, as mentioned above, could also reduce the likelihood of corruption among political leaders.

In contemporary society, new generations of professionals, entrepreneurs, business leaders, social activists, and academics – the middle class and intellectual elite – are distancing themselves from political parties and are not engaging in them as active members or leaders. As a result, a leadership deficit has emerged, characterized by a lack of intellectual and personal commitment to serving the public interest and the collective interests of the nation and its citizens. It should therefore come as no surprise that this void in political parties is being filled by people of questionable integrity, including criminals and self-serving individuals.

3. PROMOTING TRANSPARENCY AND EQUALITY

Electronic Voting Machines (EVMs) and Voter Verifiable Paper Audit Trail (VVPAT)

The introduction of Electronic Voting Machines (EVMs) marked a significant technological advancement in India's electoral processes. This innovation aimed to reduce irregularities such as overcrowding at polling stations, minimize invalid votes, and expedite the announcement of election results. EVMs have significantly contributed to improving the efficiency of the electoral process and thus enhancing its integrity. This is corroborated by the study "The Impact of Electronic Voting Machines on Electoral Fraud, Democracy, and Development" by Debnath, Kapoor, and Ravi (2017). However, despite their technical reliability, EVMs have sometimes faced skepticism and become the subject of political debate. To address these concerns and further enhance voter confidence, the Voter Verifiable Paper Audit Trail (VVPAT) system was later introduced, allowing voters to verify that their votes were cast correctly. Studies conducted by the Election Commission of India (ECI) have confirmed the importance of VVPAT in increasing transparency and fairness in elections.

The experience with EVMs and VVPAT systems reveals a broader dynamic: while technological solutions offer significant efficiency improvements and can eliminate specific flaws, they also require continuous efforts to build and maintain public trust. The ongoing debate about the reliability of voting machines, even without technical basis, can undermine the perceived integrity of elections. This highlights the importance of managing public perception, implementing transparent verification processes, and ensuring continuous communication from the Election Commission of India (ECI) to confirm that technological innovations genuinely strengthen democratic legitimacy.

None of the Above (NOTA)

The "None of the Above" (NOTA) option was introduced following a Supreme Court ruling, allowing voters to formally reject all candidates in an election if none meet their expectations. NOTA was intended to incentivize political parties to nominate better candidates and provide voters with a means to express their dissatisfaction. At the national level, NOTA has had a limited direct impact on election results, as votes cast for NOTA do not lead to the cancellation of elections or a second round, nor do they affect the election outcome. Its main effect is symbolic: it serves as a protest vote for voters who feel underrepresented or dissatisfied with the available options. Unless the percentage of NOTA votes reaches an exceptionally high level in a very close election, its impact on the final result will be minimal. A study by Gergely Ujhelyi, Somdeep Chatterjee, and Andrey Szabó (2018) showed that the introduction of NOTA led to an increase in voter turnout of approximately 1–2% of the eligible voting population. Most of the voters who chose NOTA were new voters who came specifically to vote for this option and would not have voted otherwise.

Campaign Finance Regulations (including election deposits)

The issue of campaign finance has traditionally been a major challenge in Indian elections, often linked to the flow of illegal funds. Several attempts have been made to regulate political donations, and the introduction of the Electoral Deposit System proved to be a significant, albeit controversial, reform. The main goal of this system was to promote cleaner financing and improve transparency by allowing anonymous contributions to political parties through designated banks.

The actual impact of this system, however, is widely debated. Critics argued that while electoral bonds allowed the tracing of donations back to the issuing bank, they concealed the relationships between donors and recipients from public scrutiny, decreasing transparency

rather than increasing it. This lack of transparency was seen as beneficial to ruling parties and large corporations, raising concerns about potential collusion and unfair practices. The involvement of the Supreme Court, which ultimately led to the abolition of the electoral bond system, highlighted these problems and underscored the need for greater transparency in political financing.

The experience with electoral bonds illustrates a broader phenomenon: reforms, even seemingly well-intentioned ones, can have unintended negative consequences or be misused in ways that undermine their original objectives. Despite the intention to promote cleaner finances, the system inadvertently created new opportunities for opacity and increased corporate influence, highlighting the need for policymakers to consider not only the direct effects but also potential indirect consequences and how political actors might adapt their behavior to circumvent new regulations.

4. FIGHTING CRIME AND PROMOTING ACCOUNTABILITY

Disclosure Requirements for Candidates

Following key Supreme Court guidelines, candidates running for election are now required to disclose information about their criminal record, assets, and education. The aim of this reform is to provide voters with crucial information needed to make informed decisions. Data from organizations such as the Association for Democratic Reforms (ADR) consistently shows that candidates with criminal records, including those with serious offenses, run for office and win elections across India.

Despite the availability of this information, a paradox persists: a significant number of candidates with criminal backgrounds continue to achieve electoral success. Voters may prioritize other factors, such as caste affiliation, charisma, party loyalty, or perceived electability, over a candidate's criminal record. Furthermore, political parties continue to nominate candidates with criminal backgrounds if they believe they have a strong chance of winning. This suggests that the disclosure requirement primarily serves an informational function rather than a deterrent one, implying that simply making information available does not automatically lead to the desired behavioral or systemic change. The problem of criminality in politics appears to be deeply rooted, highlighting the need for more fundamental social and cultural transformations rather than relying solely on legal reforms.

Anti-Defection Law

The Tenth Amendment to the Constitution, commonly known as the Anti-Defection Law, was enacted to prevent political defections and promote stability and party loyalty. While the law has had some success in curbing individual defections, it has also revealed certain limitations and loopholes. Political leaders have found ways to circumvent its purpose, particularly through mass defections.

5. PROMOTING PARTICIPATION AND REPRESENTATION

Redistricting

Redistricting involves adjusting electoral district boundaries to ensure balanced representation based on demographic statistics. This process occurs regularly and often sparks lively debate, as it can significantly impact the demographic composition and political strategies of electoral districts. While its implementation is crucial for upholding the principle of "one person, one vote," it can lead to shifts in electoral dynamics and representation patterns.

6. ISSUES AND CHALLENGES

India faces numerous challenges and obstacles in organizing effective and efficient elections. Among the most pressing are:

- **Electoral fraud:** In today's rapidly changing society, voters continue to be intimidated at polling stations. The risk of violence or assault remains a serious problem. Decisive measures against electoral fraud are essential to ensure truly free and fair elections.
- **Misuse of government resources:** Despite a clear prohibition against using government resources during elections, the ruling party often uses public funds for election campaigns and other vote-winning tactics. This practice gives the ruling party and its candidates an unfair advantage.
- **Abuse of power:** Voter intimidation, harassment, violence, and arrests at polling stations illustrate abuses of power that can be used to secure votes. This problem contributes to criminality within the electoral system.
- **Violation of the code of conduct:** The code of conduct sets out rules that candidates must follow, but these rules are often ignored. In practice, candidates promise free services such as electricity, goods, and water. They also disproportionately emphasize their own achievements compared to others. Furthermore, threats between candidates and the illegal use of public spaces and loudspeakers are common. These problems represent only a small part of the challenges that need to be addressed.
- **Financial influence:** Financial influence is used to buy votes, attract crowds to rallies, and fund various election campaigns. During the election cycle, funds are constantly transferred from major political parties to their candidates in pursuit of electoral success.
- **Abstention:** A portion of the population still chooses not to vote. This problem is noticeable even among highly educated individuals.
- **Financial influence:** The ability to utilize financial resources is used to buy votes, attract crowds to political events, and finance various election campaigns. During the election cycle, funds and finances are systematically transferred from major political parties to their candidates in pursuit of victory.
- **Abstention from voting:** A portion of society chooses not to participate in the electoral process. This phenomenon is particularly visible among the highly educated elite.
- **Caste relations / Discriminatory statements:** Political parties deliberately promote specific castes or groups to gain votes. Voters choose candidates not based on their qualifications, but rather on the candidate's caste identity. Their skills and qualifications are often ignored. Caste ultimately becomes the most important factor in choosing candidates, which deepens divisions between different caste groups.
- **Religion and sectarianism:** Some political parties exploit the sensitivities of various religious communities to gain votes. This fuels social unrest, as such actions contradict the fundamental purpose of elections. Principles of secularism, constitutional rights, and personal beliefs are completely ignored in statements aimed at gaining votes.
- **Circumvention of financial regulations:** Many candidates circumvent established limits on funding for their rallies and campaigns by accepting large, undisclosed donations, thus creating unfair competitive conditions for other candidates.
- **Ethical deficits in politics:** Political parties and their candidates have developed a corrupt mentality in which loyalty, national responsibility, public service, motivating others, and adherence to democratic principles are largely neglected, and voters are

treated merely as puppets. This leads to an increase in corruption within the electoral system.

CONCLUSIONS

Electoral reforms in India have significantly improved the fairness, transparency, and efficiency of the electoral process. The widespread adoption of Electronic Voting Machines (EVMs) and Voter Verifiable Paper Audit Trail (VVPAT) systems has increased voter confidence, streamlined the voting process, and reduced traditional forms of malpractice. Mandatory disclosure of candidate information has further enhanced transparency regarding candidates' backgrounds and provided voters with essential information about their representatives.

However, the analysis shows that the reforms have yielded mixed results in addressing deeper, persistent problems such as the criminalization of politics and the lack of transparency in political party financing.

A significant gap remains between the availability of information and actual behavioral change, as evidenced by the continued election of candidates with criminal backgrounds despite the disclosure of this information.

The electoral bond system, intended to improve transparency in financing, has also inadvertently created additional uncertainty. These shortcomings highlight that while legal and procedural reforms are crucial, they often fail to address problems deeply rooted in the broader political culture and systemic dynamics. The Madhya Pradesh case study further illustrates how national reforms interact with local political dynamics, with NOTA (None of the Above) becoming a more significant tool of protest in closely contested state elections, and the continued presence of candidates with criminal backgrounds reflecting nationwide trends.

REFERENCES

1. Ali, R. (2008). Paid news and media manipulation in the Indian elections. *South Asian Journal of Politics*, 25(1), 30-40.
2. Anand, R. (2011). Simultaneous elections and their impact on governance in India. *Political Studies Review*, 42(3), 153-167.
3. Chandra, K. (2017). Voter Apathy and the Future of Democracy in India *Journal of Indian Democracy*, 12(4), 178-190.
4. Maheswari, S. (2004). Electoral reforms in India: Challenges and solutions. *Indian Journal of Political Science*, 65(3), 200-210.
5. Quraishi, S. Y. (2014). An undocumented wonder: The making of the great Indian election. Penguin India.
6. Reilly, B. (2001). Electoral Systems and Political Reforms in India. *Asian Journal of Comparative Politics*, 7(2), 100-112.
7. Sridharan, E. (2006). Electoral Financing and Its Reform in India. *Journal of Democracy*, 17(2), 80-94.
8. Suri, K. (2015). Criminalization of politics in India: Causes and consequences. *Indian Journal of Public*
9. Thomas, L. (2013). Lily Thomas vs. Union of India: A case study on electoral reforms. *Indian Law Review*, 3(4), 105-122.
10. Venkatesh, S. (2017). The role of the Election Commission in electoral reforms in India. *Journal of Political Science*, 41(1), 50-68.
11. Yadav, Y., & Kumar, A. (2007). *Indian electoral system and political reform*. Sage Publications.