Reforming the Electoral System in India

The editorial is based on "[The ECI's lack of transparency is worrying](#)", published in The Hindu on 11/08/2025. It highlights the lack of transparency in voter deletions during the SIR in Bihar and the unclear rationale behind the revision, stressing that electoral reforms need greater accountability and justification to ensure a fair democratic process.

For Prelims: [India's electoral system](#), [Electoral bond](#), [Government of India Act, 1919 (Montagu-Chelmsford Reforms)](#), [Government of India Act, 1935](#), [Article 32](#), [61st Constitutional Amendment Act, 1989](#), [Right to Information Act](#), [Model Code of Conduct](#), [Association for Democratic Reforms](#), [Representation of the Peoples' Act, 1951](#).

For Mains: Electoral Reforms in India: Associated Issues & Way Forward

The **[Election Commission of India](#)'s recent Special Intensive Revision (SIR)** of electoral rolls has sparked concerns due to its lack of transparency. The process, which involves verifying millions of voter records, was carried out with little public information or consultation. This situation **underscores the urgent need for electoral reforms focused on improving transparency, accountability, and public trust** in the electoral system.

How has the Electoral System Evolved in India?

- **Pre-Independence Era:**
    - **Government of India Act, 1858:** British Crown assumed control; no representative governance.
    - **Indian Councils Act, 1861 & 1892:** Introduced limited participation of Indians in legislative councils but without electoral representation.
    - **Government of India Act, 1909 (Morley-Minto Reforms):** Introduced communal representation with separate electorates for Muslims.
        - Marked the first instance of limited form of electoral representation for Indians
    - **[Government of India Act, 1919 (Montagu-Chelmsford Reforms)](#):** Expanded the electorate to include property owners and taxpayers.
        - Introduced dyarchy, with partial Indian representation in provincial councils.
    - **[Government of India Act, 1935](#):** Provided for provincial autonomy and expanded electorates.
- **Post-Independence Era:**
    - **Constituent Assembly Debates:** Universal adult suffrage adopted as a fundamental principle and ensured an inclusive, democratic process for elections.
    - **Articles Governing Elections:**
        - **[Article 324](#):** Establishment of the Election Commission of India (ECI) to oversee free and fair elections.

- **Articles 325–329:** Enshrine the framework for elections, delimitation of constituencies, and prohibition of discrimination.
- **Key Developments in the Electoral System:**
  - **Initial General Elections (1951-52):** First democratic elections held with universal adult suffrage.
    - Over 173 million voters participated; **85% were illiterate**, necessitating innovative measures like symbols for parties.
  - **Institutional Strengthening of ECI:** Initially, the commission consisted of **only a Chief Election Commissioner.**
    - In 1989, ECI became a multi-member body.
    - It briefly reverted to a single-member body in 1990, but since 1993, it has been functioning as a three-member body (one **Chief Election Commissioner** and two Election Commissioners).
  - **Reduction of Voting Age:** The **61st Constitutional Amendment Act, 1989**, lowered the voting age from 21 to 18 years, enabling youth participation in the electoral process.
  - **Right to Information Act (2005):** Brought political parties under public scrutiny.
    - The Supreme Court in 2020 ordered political parties to publish the entire criminal history of their candidates for the Assembly and Lok Sabha elections.
  - **Model Code of Conduct (MCC):** Originating in Kerala (1960), the MCC was expanded by 1979 with the participation of political parties.
    - T.N. Seshan's tenure (CEC) is noted for the strict enforcement of the MCC and the introduction of Electors' Photo Identity Cards (EPICs) in 1993.
  - **Key Technological Integration:**
    - **1989:** Provision for **Electronic Voting Machines (EVM)** was made.
    - **2011:** Prototype of Voter-Verifiable Paper Audit Trail (VVPAT) was developed to enhance transparency and used for the first time in 2013.
  - **Introduction of None of the Above (NOTA):** In 2013, following a Supreme Court directive, the NOTA option was introduced in EVMs, allowing voters to abstain from choosing any candidate while maintaining ballot secrecy.
  - **Electoral Bonds Scheme:** The scheme was introduced in 2018, allowing anonymous funding to political parties.
    - In February 2024, the Supreme Court (SC) of India unanimously struck down the scheme and associated amendments as unconstitutional in the case of **Association for Democratic Reforms (ADR) vs. Union of India**.

What are the Major Issues Undermining the Effectiveness of Electoral Reforms in India?

- **Persistent Electoral Malpractices Weakening MCC Enforcement**: Voter bribery, booth capturing, and other illegal practices **exacerbated by AI, especially deepfake** continue to undermine the integrity of elections. These activities distort the will of the electorate and, in certain regions, create an atmosphere of threats and manipulation.
  - During the **2024 Lok Sabha elections in UP**, the Election Commission received over 200 complaints, including alleged booth capturing, along with voter intimidation and EVM malfunctions, highlighting the persistent challenge of electoral malpractices.
    - ECI reported record **seizures of over Rs 1,000 crore in Maharashtra and Jharkhand** during the 2024 assembly bypolls, seven times higher than in 2019.
  - The MCC is intended to ensure fairness during election campaigns, but its enforcement has been inconsistent. **Violations often go unchecked or are addressed with delays**, reducing its deterrent effect.
    - **'Star Campaigners' have been criticized** for using inappropriate language, making caste and communal appeals which undermine the integrity of the campaign process and violate the MCC.
- **Voter List Accuracy Concerns:** Accurate and up-to-date voter lists are fundamental to free and fair elections. However, issues such as duplicate entries, **incorrect details, outdated information, and wrongful exclusion of eligible voters** remain persistent.
  - **Special Intensive Revision (SIR)** of electoral rolls in Bihar ahead of the 2025 Assembly elections triggered concerns when approximately 65 lakh names were excluded from the

draft voter lists.
- This large-scale deletion **raised fears of potential disenfranchisement**, particularly among marginalised and migrant communities.
- **Criminalization of Politics:** The **Association for Democratic Reforms (ADR)** highlighted that **46% of elected MPs in 2024** have criminal cases against them, with 31% facing serious charges such as rape, murder, and kidnapping.
  - **Bibek Debroy** has highlighted the **growing trend of criminalisation of politics and the politicisation of criminals.**
  - Political parties often field these candidates because they are perceived as more **"winnable"** due to their financial resources or muscle power.
  - This criminalization of politics is a significant concern, as it **undermines public trust in elected representatives** and poses a serious challenge to the integrity of the political system.
- **Misuse of Media in Election Campaigns:** Media platforms, both traditional and digital, are often used by political parties to spread biased narratives or manipulate public opinion.
  - This includes paid news, fake news, and unverified claims being circulated widely, often without sufficient checks. **Political parties use micro-targeting techniques** to influence specific voter segments with tailored messages.
  - This **blurs the line between journalism and propaganda**, allowing parties with deep pockets to dominate the narrative.
    - This manipulation of the media undermines the democratic process and distorts the fairness of elections.
  - The **ECI's Media Certification and Monitoring Committees (MCMCs)** have been set up to combat this, yet their capacity to monitor the vast media landscape, especially regional and online outlets, remains limited.
- **Lack of Full VVPAT Verification Fueling Distrust:** The core issue with the EVM and VVPAT process is the limited scope of physical verification, which creates a trust deficit among political parties and a segment of the electorate.
  - While the **Voter Verified Paper Audit Trail (VVPAT) system** was introduced to provide a verifiable paper trail, the **ECI only conducts a mandatory count of VVPAT slips** in a **small, randomized sample of five polling stations per assembly constituency (as backed by the Supreme Court).**
    - This limited sample size, while statistically argued by the ECI to be sufficient, while the critics argue that **it is insufficient for assuaging widespread doubts about potential tampering** or machine malfunctions.
- **Unregulated Election Expenditure:** Political parties often exceed spending limits, with the Centre for Media Studies estimating that close to **₹1,00,000 crore was spent in the 2024 elections.** The lack of expenditure caps for parties allows for the disproportionate influence of wealth on the election process, fostering corruption.
  - This **unregulated spending creates an uneven playing field**, where financially stronger parties have an advantage, leading to corruption and undermining the fairness of the election process.
  - The lack of stringent regulation **exacerbates the vicious cycle of money and politics in Indi**a.
    - Additionally, this **unregulated spending contributes to the freebie culture** further distorting the integrity of the electoral system.
- **Gaps in Representation and Participation in Politics:** Women and marginalised communities continue to be left out of both the ballot and decision-making spaces.
  - In the 2024 Lok Sabha elections, women's representation in the Indian Parliament was only **13.6%.**
    - While the **Nari Shakti Vandan Adhiniyam, 2023** calls for a 33% reservation to ensure greater female participation in politics, its **implementation is scheduled to take place only after 2029**.
  - In terms of participation, millions of **internal migrants are effectively disenfranchised** as they cannot vote in their home constituencies due to logistical and legal barriers.
    - The Election Commission's proposal to introduce **Remote Voting Machines (RVMs)** has been met with both interest and criticism, particularly regarding its feasibility, particularly regarding its feasibility.

- **Lack of Inner-Party Democracy:** Political parties often lack transparency and internal democracy, leading to centralized decision-making and dynastic politics.
  - Presently, there is **no statutory backing for internal democratic regulation** of political parties in India and the only governing provision is under Section 29A of the **Representation of the Peoples' Act, 1951**.
    - This curtails opportunities for grassroots leaders and weakens accountability.
  - For instance, **30% of 2019 Lok Sabha MPs belonged to political families**, reflecting the entrenched nature of dynastic politics in India
- **Concerns over Election Commission's Independence and Autonomy**: Concerns regarding the autonomy and impartiality of the EC have emerged due to perceptions of bias and delayed actions in addressing electoral violations.
  - These **concerns have raised questions about the EC's ability** to function independently and ensure free and fair elections.
  - In March 2023, the **Supreme Court proposed a neutral three-member panel**, comprising the Prime Minister, the Leader of the Opposition, and the Chief Justice of India to appoint Election Commissioners, as an interim measure to reduce executive influence until Parliament enacted a law.
    - **CEC and Other ECs (Appointment, Conditions of Service, and Term of Office) Act, 2023** replaced the Chief Justice with a Union Cabinet Minister, giving the executive a two-thirds majority. The change has drawn concerns about diluting the Court's intent and is currently under constitutional scrutiny.

What Key Reforms are Needed to Strengthen the Electoral System in India?

- **Progressing Towards Simultaneous Elections:** Conducting simultaneous elections for the Lok Sabha and state assemblies **can reduce logistical challenges and financial costs** while minimizing governance disruption due to frequent polls as advocated by **Kovind Committee**.
  - This would **require constitutional amendments** and synchronization of terms, but it is achievable through political consensus.
  - Implementation could involve pilot testing in select states before nationwide rollout.
- **Strengthening the Enforcement of the Model Code of Conduct (MCC):** The ECI should have the authority to revoke the 'Star Campaigner' status of any leader who violates the MCC. This would deprive candidates of financial relief for their campaigns, ensuring stricter compliance with the MCC.
  - The **ECI should exercise its existing powers under the Symbols Order, 1968** to suspend or withdraw recognition of any political party that fails to adhere to the MCC or lawful directives from the ECI.
- **Strengthening ECI's Independence and Powers:** The ECI's budget should be charged upon the **Consolidated Fund of India**, similar to other constitutional bodies, ensuring financial autonomy and preventing potential political influence over the Commission.
  - As recommended by the Supreme Court, **the appointment of Election Commissioners should involve the Chief Justice of India** in the selection panel, which would increase the Commission's independence and reduce executive influence.
- **Fast-Track Courts for Political Criminal Cases:** Set up dedicated **fast-track courts** to handle criminal cases involving elected representatives, ensuring judgments within a fixed timeframe, preferably one year.
  - This would prevent prolonged trials from allowing individuals with serious charges to remain in positions of power.
  - Such a mechanism strengthens accountability, deters criminal infiltration into politics, and builds upon **Dinesh Goswami Committee's recommendations**.
- **Mandatory Inner-Party Democracy:** Internal elections within political parties should be made mandatory for selecting candidates and leaders, ensuring transparency and accountability.
  - The **Representation of the People Act, 1951 should be amended** to introduce penalties, such as deregistration of parties, for non-compliance.
    - To encourage compliance, political parties adhering to these reforms could be incentivized with additional public funding.
- **Managing Digital Campaigning:** To regulate digital campaigning effectively, the ECI should

introduce clear guidelines for social media advertising and online political content.
- This includes ensuring transparency **in paid political ads, requiring disclosure of sponsors and expenditure**, and fact-checking all digital content to prevent the spread of misinformation.
- Moreover, the **ECI should collaborate with social media platforms to create self-regulation mechanisms** and audit trails for political campaigns.
  - Additionally, introducing a **legal mandate for rapid detection and takedown of deepfake content** during the election period, with strict penalties for creators and disseminators.
- **Combating Freebie Culture:** Establish guidelines for electoral promises to differentiate between genuine welfare initiatives and unsustainable freebies.
  - The Election Commission (EC) **can require political parties to submit a fiscal roadmap for their promises**.
    - Parties proposing **unsustainable schemes should be held publicly accountable** through mandatory disclosures. Additionally, voter education on the long-term impacts of such freebies is essential to ensure informed decision-making.
  - In line with the **Indrajit Gupta Committee's recommendations** on state funding of elections, providing regulated, need-based campaign resources **could reduce the competitive populism** that fuels excessive and fiscally irresponsible promises.
- **Improving Voter Turnout:** To enhance voter turnout, the Election Commission should focus on increasing voter awareness, **particularly in rural and marginalized areas,** through targeted campaigns and community outreach.
  - The **"Main Bharat Hoon" campaign** is a significant step by Election Commission of India (ECI) initiative to promote voter awareness and participation.
  - **Mobile voter registration units and online voting facilities** can be introduced to make voting more accessible, especially for women, and migrant workers.
  - The Election Commission'**s proposal for RVMs is a promising initiative**, but it necessitates thorough testing and strong safeguards to ensure its effectiveness and security.
- **Enhancing the EVM and VVPAT Verification Process:** The sample size for the matching of EVM counts and VVPAT slips should be scientifically determined by dividing states into large regions.
  - In **case of even a single error**, full counting of VVPAT slips for that region should be mandatory to ensure statistical confidence in the counting process.
  - The **introduction of 'totaliser' machines** should be considered to aggregate votes from a set of EVMs before revealing the candidate-wise results.
    - This step would increase transparency and reduce the chances of tampering at the booth level.

Conclusion

The path forward for India's electoral system lies in continuous innovation and reform. By **prioritizing transparency, inclusive representation**, and accountable governance, the country can address the existing gaps in the system. As India continues to evolve, the **focus should be on strengthening democratic values**, fostering trust in institutions, and ensuring that every voter's voice is heard. With the right mix of policy reforms and public participation, India's electoral system can emerge as a true beacon of democracy for the world. A future-ready electoral system must be built on the **4Es- Empowerment, Equity, Efficiency, and Ethics- to safeguard the spirit of Indian democracy.**

Drishti Mains Question

India's electoral system has evolved significantly over the years, but several challenges persist. Discuss the key issues in India's electoral process and suggest reforms that could strengthen the integrity, transparency, and inclusiveness of the system."

UPSC Civil Services Examination, Previous Year Question (PYQ)

Prelims

Q. Consider the following statements: (2017)

1. The Election Commission of India is a five-member body.
2. The Union Ministry of Home Affairs decides the election schedule for the conduct of both general elections and bye-elections.
3. Election Commission resolves the disputes relating to splits/mergers of recognised political parties.

Which of the statements given above is/are correct?

(a) 1 and 2 only

(b) 2 only

(c) 2 and 3 only

(d) 3 only

Ans: (d)

Q. Consider the following statements: (2021)

1. In India, there is no law restricting the candidates from contesting in one Lok Sabha election from three constituencies.
2. In the 1991 Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies.
3. As per the existing rules, if a candidate contests in one Lok Sabha election from many constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her winning in all the constituencies.

Which of the statements given above is/are correct?

(a) 1 only

(b) 2 only

(c) 1 and 3

(d) 2 and 3

Ans: (b)

Mains

Q. To enhance the quality of democracy in India the Election Commission of India has proposed electoral reforms in 2016. What are the suggested reforms and how far are they significant to make democracy successful? **(2017)**