
UNIT 21 ELECTIONS

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21.0 OBJECTIVES

After going through this unit you will be able to understand:

- The significance of elections in India and its relationship with democracy;
- Election system in India;
- The factors which smoothen and hamper the election processes in India;
- The role of caste, class, religion, etc., in the elections;
- The issues in the elections; and
- The changing social profiles and elections.

21.1 INTRODUCTION

Elections are the most significant means of realising the aspirations of the people in a democracy. These enable every adult citizen of the country to participate in the process of the government formation. In India those who have attained the age of 18 are eligible to vote and elect their representatives. This was not possible before the implementation of our Constitution. Earlier only the privileged sections of the society had the role in the formation of the government in our country. The grant of voting rights to all adult citizens belonging to all social groups – castes, sects, tribes, religions and genders has enabled them to elect their representatives, and indirectly participate in the process of governance. All sections of the society have participated in the elections by contesting as the candidates or as the voters. Reservation of the seats to various legislative bodies for the SCs, STs and following the passage of the 73rd and 74th Constitutional amendments for women (33%) and OBCs in the institutions of local governance has further deepened the democracy in India. You have already read in unit 10 about the strength of the Lok Sabha and Rajya Sabha.

21.2 ELECTION SYSTEM IN INDIA

Elections to the Lok Sabha and the Vidhan Sabha are carried out using the first-past-the-post electoral system. The country is divided into different geographical areas, known as the constituencies. Different political parties contest the election, though there is no ban on independent candidates for contesting the election. During election different political parties put up their candidates and people can cast one vote each for a candidate of their own choice, to elect their representatives. The candidate, who gets the maximum number of votes, wins the election and gets elected. So election is the means by which the people elect their representatives.

21.2.1 Who is Allowed to Vote?

While there is no maximum age prescribed for the voter, as per the original provisions of the Indian Constitution, all Indian citizens, above the age of 21 years are entitled to vote at the time of elections. The minimum voting age of the citizens was reduced to 18 years by the constitution 61st amendment act in the year 1988, by the then Prime Minister, Rajiv Gandhi, which came into effect since 28th of march 1989. Besides to be registered as a voter in any constituency, one should not be disqualified under the law on grounds of non-residence, or a person of unsound mind or disqualified on the grounds of crime or corrupt or illegal practice.

21.2.2 Who Can Contest Election?

You have already studied in unit 10 as to who is eligible to contest election for the Lok Sabha, Vidhan Sabha, Rajya Sabha and the Vidhan Parishad. All contesting candidates have to make a deposit of Rs. 10,000 if contesting for the Lok Sabha election and of Rs. 5,000 if contesting for the Vidhan Sabha elections. This is considered as the security deposit of the candidates. The security deposit for candidates belonging to either the Scheduled caste or the Scheduled tribe community is Rs.5,000, if contesting the Lok Sabha election and Rs. 2,500 for contesting the Vidhan Sabha elections. This security deposit is returned to all those candidates who get more than one-sixth of the total number of valid votes polled in that constituency. All other candidates lose their security deposit.

Further, the nomination must be supported by at least one registered voter of the constituency from which the candidate wishes to contest, in case of the candidate being sponsored by any registered political party, and at least by ten registered voters in case of independent candidate.

21.3 HISTORY OF INDIAN ELECTIONS

In India, we have a federal form of government, where we have two sets of government, the Central Government at the national level and the State government at the state level. As you have read in unit 18, under the Constitutional 73rd Amendment Act, 1992, the local self-government had also been given the constitutional status for the third-tier of government. At the moment, we also have the third tier of government in the form of Village Panchayat in the rural areas and the Municipality in the urban areas. All these three levels of government are the popularly elected government, and people vote to elect their representatives for all these three bodies, the Parliament, the Assembly and the Village Panchayat. Here we would concentrate only on the Parliamentary and the Assembly Elections held in our country.

As per the provisions of the Indian Constitution, the routine election should take place after every five years, but in case of the untimely dissolution of the house (Lok Sabha in case of Parliament or Vidhan Sabha in case of State Assembly) for whatever reasons, the next election should take place as soon as possible. The first general elections (Parliamentary Elections) were held in our country in the year 1952. Since then there have been 13 General Elections (Lok Sabha elections) till 1999. Though most of the Lok Sabha elections have been held after the completion of the five years of term of the house, yet there have been elections much before the schedule. When elections are held much before the scheduled, it is considered as the "Mid-term Election". The Lok Sabha elections of 1980, 1991, 1998 and 1999 were the mid-term elections held much before the schedule. Though the 1971 Lok Sabha election was held only four years after the 1967 Lok Sabha elections, this was not a mid-term election. In the history of Indian Elections, only the 1977 Lok Sabha elections was deferred for about two years on account of the proclamation of the National emergency in the country.

Most of the states were created at the time of independence, but there are states, which have been created even after that. As you have read in unit 17 the most recent addition to the list of states had been that of Uttaranchal, Chattisgarh and Jharkhand created out of the states of Uttar Pradesh, Madhya Pradesh and Bihar. At present there are 28 states and 7 Union Territories in India.

In some of the states, there is the bi-cameral house, the Lower house is called the Vidhan Sabha and the Upper House is called the Vidhan Parishad. The states, which have bi-cameral legislature, are Bihar, Jammu and Kashmir, Karnataka, Maharashtra and Uttar Pradesh. In all other states, the state legislative assembly constitutes of one single house the Vidhan Sabha. As per the constitutional provisions, the total number of seats in the lower house in any state assembly should not exceed 500, and at the same time the house should not be less than 60 members. The states of Sikkim, Mizoram and Goa are exception to this as the number of seats in the Vidhan Sabha is less than 60 in all these three states.

As per the total number of members in the upper house in the state assembly (Vidhan Parishad), it should not be more than one third of the total numbers of members in the lower house (Vidhan Sabha), but at the same time it should not be less than 40 members (Article 171). While the members of the Vidhan Sabha are directly elected by the people, the members to the Vidhan Parishad are indirectly elected by an electoral college.

The total strength of the Vidhan Sabha varies from state to state. The Uttar Pradesh has the largest number of 403 Vidhan Sabha seats in the assembly and the lowest number is that of in the state of Sikkim, which has the total of 32 seats in the Vidhan Sabha.

If we look into the State Assembly elections, there have been 263 state assembly elections held in this country till the year 2002.

Check Your Progress Exercise 1

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of the unit.

1) What did the 61st Constitutional Amendment envisage?

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2) What do you mean by 'Mid-term Election'?

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21.4 WHO CONDUCTS ELECTION?

The Election Commission of India is the highest constitutional authority to conduct elections in India. The power of superintendence, direction and control of the preparation of the electoral rolls for conducting all elections to Parliament and to the Legislature of every state and also of the election to the office of the President and the Vice-President are vested with this constitutional authority.

The Election Commission shall consist of the Chief Election Commissioner and such number of other Election Commissioners, as the President may from time to time fix and make appointment. As per the elections laws, if the Election Commission becomes the multi-member body, the Chief Election Commissioner has to act as the Chairman of the Election Commission.

From the beginning, the Election Commission consisted of the Chief Election Commissioner only. But it was only in the year 1989, few weeks before the 9th Lok Sabha elections, the Election Commission was made a multi-member body by the then Congress government. The National Front government amended the rules in the year 1990 to again make the Election Commission, a single member body. But in the year 1993, when Congress came back to power, it promulgated an ordinance to again make it as a multi member body. The two Election Commissioners were appointed and since then, the Election Commission had remained to be a three-member body. Till date, there had been 12 Election Commissioners in India. Mr. Sukumar Sen, was the first Election Commissioner of India. At present Mr. J.M. Lyngdoh, is the Chief Election Commissioner of India, who succeeded Dr. M.S.Gill in June 2001.

Besides, the Election Commission of India, there is one Chief Electoral Officer in each state, who is the overall in-charge of conducting the elections in the state.

21.5 ELECTION PROCEDURE

The entire election procedure takes a couple of months to be completed. Though the schedule for holding the election is announced by the Election Commission of India well in advance, the actual process begins by a formal declaration by the Election Commission of India calling upon a constituency to elect its representative. This is what is referred as the Notification.

The second stage is that of *Filling* of the *Nomination* by those desiring to contest elections. Earlier, ten days period was given to all the candidates for filling of their nomination papers. But with the constitutional 40th amendment act, 1961, the total number of days for filling of nomination had been reduced to seven. As of now, the 7th day from the day of notification is the last day for filling of the nomination papers. In case the 7th day is a holiday, the day immediately after that is considered as the last day for filling of the nomination papers.

The third step is the *Scrutiny of Nominations*. Earlier the second day after the nomination was fixed for scrutiny of nominations, but with the constitutional 47th amendment act, 1966, the day immediately after the nomination is fixed for the scrutiny of the nominations.

The next step is *Withdrawal of Candidates*, which was earlier fixed for the third day after the scrutiny of the nominations, but later amended in the year 1966. At present, the second day after the scrutiny is the last date for the withdrawal of the candidates. In case that day happens to be a holiday the day immediately after that is fixed as the last day for withdrawal.

The next stage of election before the voting takes place is that of *Campaigning*. This is the time when the political parties put forward their candidate and arguments with which they hope to persuade people to vote for their candidates and parties. Earlier the campaign period lasted for three weeks, but since 1996, the time of campaign period had been reduced to only two week's time. As of now, the official campaign lasts for two weeks from the date when the final list is put up by the Election Commission and officially ends 48 hours before the polling takes place. During the campaign period, the political parties and contesting candidates are expected to abide by a model code of conduct evolved by the Election Commission of India on the basis of a consensus among political parties. The model code lays down broad guidelines as to how the political parties and contesting candidates should conduct themselves during the election campaign. It is intended to maintain the election campaign on healthy lines, avoid clashes and conflicts between political parties and their supporters and to ensure peace and order during the campaign and till the results are declared. The campaigning is carried out in the form of slogan shouting, distributing pamphlets and posters, rallies and meetings in the constituency. During this period, the candidates try to travel through their constituency, to influence as many voters as possible to vote in his favour.

In the recent times, the Election Commission had granted all the recognised National and State parties, free access to the state owned electronic media, the All India Radio (AIR) and the Doordarshan to do their campaigning. The total free time is fixed by the Election Commission, which is allotted to all the political parties keeping in view, their performance during the last election in the state.

Though the Election Commission provides free access for a limited time to all the recognised National and State parties for their campaign, yet this does not mean that political parties do not spend anything on their election campaign. The political parties and the candidates contesting election spend large sum of money on their election campaign, but there is a legal limit on how much a candidate can spend on his election campaign. For most of the Lok Sabha constituencies, the legal limit for expenditure campaign has been fixed for Rs.15 Lakhs though in some states the limit is of Rs.6 Lakhs. The legal limit for campaign expenditure for the Vidhan Sabha election had been fixed for Rs. 6 Lakhs and in some states it has been fixed for Rs.3 Lakhs.

The final stage of election is the Voting. With regard to polling, the earlier practice had been to have single day polling, but the recent practice have been for the phased polling in which polling takes place on more than one day with a gap of couple of days between the two days of polling. This facilitates the movement of security forces from one place to another, which is engaged in managing the law and order situation during the polling.

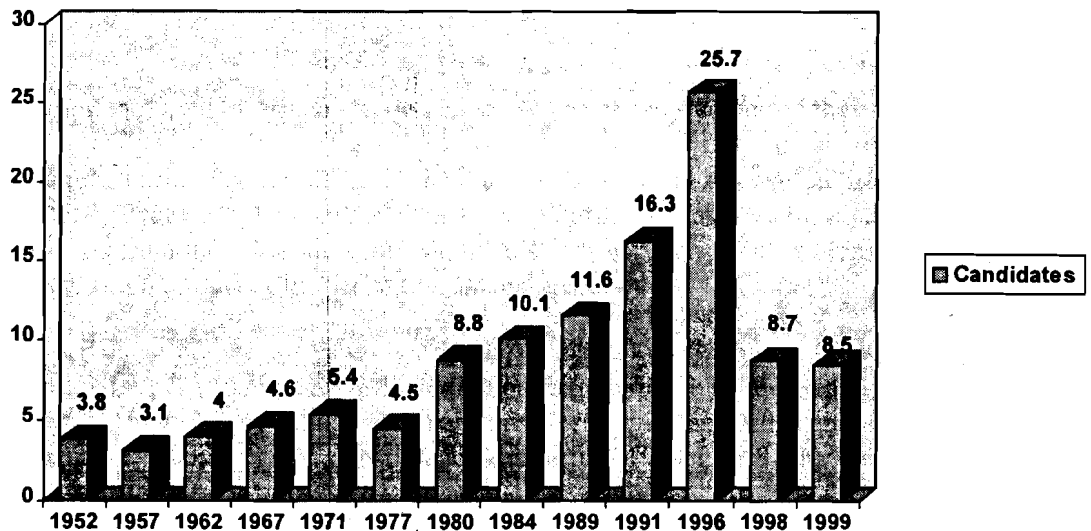
21.6 INCREASING NUMBER OF CANDIDATES

It should also be noted that, during the past fifty years, there had been enormous increase in the number of candidates contesting the Lok Sabha elections in India.

During the first Lok Sabha election only 1874 candidates contested the election, which went up to 13,952 during the 1996 Lok Sabha elections. But during this due to some changes in the election law, like increasing the security deposit etc. there had been a steady decline in the number of candidates during the last two Lok Sabha elections. The total number of contesting candidates was 4753 in 1998, which, further went down to 4648 during the 1999 Lok Sabha elections.

The average number of candidates contesting the Lok Sabha election was only 3.8 candidates per constituency, which did not increase much till the year 1977, but went up to as high as 25.7 candidates per constituency. It has further gone down to 8.5 candidate per Lok Sabha constituency during the 1999 Lok Sabha elections.

Graphic 1: Average number of candidates per constituency in Lok Sabha elections, 1952-1999



Source: CSDS Data Unit

21.7 HOW DOES THE VOTING TAKE PLACE ?

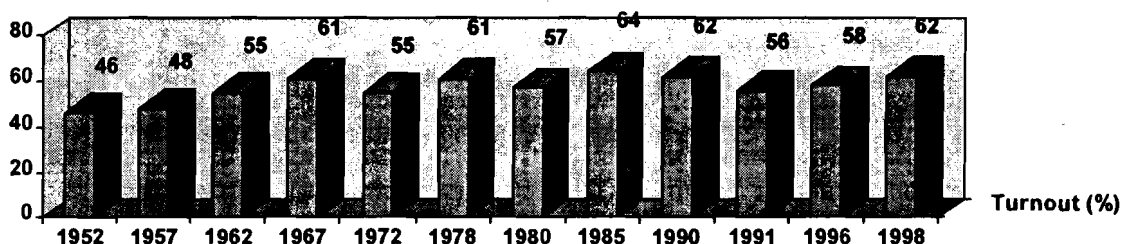
We, in India, have the system of secret ballot, which implies that the vote of all the voters is kept secret. The traditional pattern of voting had been the use of the ballot papers and the ballot box, which in the recent times are being replaced by the use of Electronic Voting Machines (EVM).

It is the duty of the Election Commission to make all necessary arrangements so that the voters can cast their vote. The Election Commission tries to ensure that a polling booth is located not more than a distance of 2 kilometres of every voter and the polling booth should not have more than 1200 registered voters. On the polling day all the polling booths are expected to be open for at least 8 hours. When the voters go to vote, the entry of his name in the voters list is checked and then allotted a ballot paper and a rubber stamp. The voters are required to stamp the symbol of the candidate they would wish to vote, fold the ballot paper and then put the ballot paper in the ballot box. Once this process is completed, the voter had cast his vote. In the recent times, with the introduction of the EMV, the voter is required to push the button for the symbol of the candidate one wishes to vote and his vote is registered.

21.8 VOTER TURNOUT IN INDIAN ELECTIONS

happen and the large number of registered voters who do not vote due to different reasons. The percentage of those who vote is referred to as the polling percentage popularly called the “Turnout of Voters”. If we look at the figures of the last 13 Lok Sabha elections held in our country, we would find that the voters turnout has increased to a great extent in the 80’s and 90’s compared to the elections held during the early days. The lowest voters turnout of only 45.7 per cent was recorded during the first Lok Sabha elections held in the year 1952 and the highest turnout of 64.1 per cent was recorded in the year 1984 when the Lok Sabha election was held following the assassination of the then Prime Minister Mrs. Indira Gandhi. During the last two Lok Sabha elections held in the year 1998 and 1999 the turnout had been fairly high as 62 and 60 per cent respectively. There is no uniform trend in the voter’s turnout in the state assembly elections. While some states do register the voter’s turnout as high as 90 per cent, we do have assembly elections when the voters turnout remains as low as nearly 45 per cent. Generally the smaller states, and specially the North Eastern hill states had shown higher voter turnout compared to other states.

Graphic 2: Turnout (%) in Lok Sabha Elections, 1952-1999



Source: CSDS (Centre for the Studies of Developing Societies, New Delhi), Data Unit

After the polling is over all the votes are counted constituency wise. Earlier, when only ballot paper was used, all the votes were manually counted and the counting of about 5 lakhs votes for one Lok Sabha constituency used to take couple of days, but with the introduction of the electronic voting machines, the counting has become much simpler and faster.

On counting the votes, one, who gets the maximum number of vote, gets elected given the system of first past the post, which we have adopted in our country. The majority vote is not required in order to win an election either for the Lok Sabha or for the Vidhan Sabha. There are few candidates who win election polling more than 50 per cent of the valid votes.

Check Your Progress Exercise 2

- Note:** i) Use the space given below for your answer.
 ii) Check your answers with the model answers given at the end of the unit.

1) Mention the stages through which the election process passes.

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2) What is the alternative to the traditional pattern of voting – use of ballot paper and ballot box?

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21.9 WHO FORMS THE GOVERNMENT?

The political party which has a simple majority, which implies that the party should have won at least one seat more than half the total number of seats in the Lok Sabha in case of the Centre or in the Vidhan Sabha in case of the State forms the government. The results of the 13 Lok Sabha elections held in our country indicates that it is the Congress party which won the majority of seats in Indian election on many occasions, but the party has never managed to get more than 50 per cent of the valid votes polled in the election. The most spectacular victory for the Congress party had been in the 1984 Lok Sabha election when the party won the highest tally of 415 seats, but still it could manage to poll only 48 per cent votes. In fact that had been the best ever performance of any political party in the electoral history of this country.

But there has been a major shift in the trends in Indian politics especially in the 1990s. There had been four Lok Sabha elections in India during last decade, but no political party managed to get the majority. The best performance even during these elections was that of the Congress party during the 1991 Lok Sabha elections, when it won 244 Lok Sabha seats and polled 36.6 per cent of the popular votes. When no political party gets the majority of seats in the house, it is considered as the “Hung House”. Under such circumstances, two or more parties jointly form the government or the political party, with the maximum number of seats, forms the government and is supported by other smaller political parties from outside. When two or more parties jointly form a government, it is considered as the Coalition Government. You will read about the coalition government in unit 23. But, if a party forms the government even if it does not have the majority and gets out side support from other political parties, it is considered as the Minority Government.

21.10 ELECTIONS AND SOCIAL CHANGE

You will study in the unit 31 that the elections- periodic elections voters’ turn out and large scale participation of the people have deepened the democracy in India. Reservation of seats for the SCs, the STs at all levels of the legislative bodies – national, state and the local, and with the passage of the 73rd and 74th Constitutional Amendments has enabled even the women and the OBCs to get elected to the seats reserved for them in the village panchayats and municipalities. These sections have not only been elected to various legislative bodies but have become the Chief Ministers, ministers and the President of the country Political Scientist Ashutosh Varshney has argued that with the entry of the groups like dalits and OBCs into the electoral processes, India has become more democratic. However, women’s entry has not been a smooth process. In fact, in large number cases, especially in the village panchayats, the women elected members are the proxies of male members of their families.

But the democratic essence of the elections get hampered due to the social and economic inequalities, crimes and corruption. Those who do not possess the resources,

have no connections with the criminals, etc., find it difficult to contest elections or some time vote. Generally the candidates are given tickets by the political parties on the considerations whether the candidates can muster the support of numerically larger castes and communities and possesses enough resources. Even the electorates vote on the caste and communal lines. A large number of elected representatives have criminal background or have criminal cases registered against them. The relationship between the politicians and criminals exists in the elections at all levels – parliamentary, state legislative assemblies and councils, and panchayats and municipalities. Such nexus became conspicuous, especially since the 1990s. This is a reflection of erosion in the credibility of the democratic values. You will also read in unit 32 that the V N Vohra sub-committee also pointed out that there exists a nexus between criminals, bureaucracy and politicians. Because of the decisive role of the crime, caste, communalism and corruption, the real problems of the people – law and order, development- health, education, basic needs of the people are relegated to the secondary position. Though these issues are also raise by the politicians in every election, it is mainly done as a rhetoric.

Check Your Progress Exercise 3

Note: i) Use the space given below for your answer.

ii) Check your answers with the model answers given at the end of the unit.

1) What impact have the elections in India had on the weaker sections of the society?

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2) What are the main constraints of the electoral politics in India?

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21.11 LET US SUM UP

Elections form an integral part of the democratic polity. In India every adult citizen, who has attained the age of 18 has the right to participate in the elections. The elections are conducted by the Election Commission of India. From 1952 several elections have been held in Independent India for electing the representatives to the parliament, state assemblies and councils as well as the local bodies. These have enabled all sections of the society including dalits, STs, OBCs and women to elect their representatives and to get elected as the representatives. This is an indication of the positive relationship between the elections and the social change. But the democratic essence of elections in India is marred by the increasing role of the crime, money and other unfair means. On the whole, elections in India have made tremendous contribution to the social change.

21.12 SOME USEFUL BOOKS

Bhambhri, C.P., *Elections 1991: An Analysis*, B R Publishing Corporation, Delhi, 1991.

Mitra, S. K. and Chiriyankandath, James (eds.), *Electoral Politics in India: A Changing Landscape*, Segment Books, New Delhi, 1992.

Mitra, S. K. and Singh, V.B. (eds.), *Democracy and Social Change in India: A Cross Sectional Analysis of the Electorate*, Sage Publications, New Delhi, 1999.

21.13 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress Exercise 1

- 1) The 64th Constitutional Amendment reduced the voting age of citizens to 18 years.
- 2) When election are held much before the schedule, it is called the 'Mid-term Election'.

Check Your Progress Exercise 2

- 1) The election process passes through the following stages in an order: notification, filling of the nomination, scrutiny of nominations, withdrawal of candidates, campaigning and voting.
- 2) It is the Electronic Voting Machines (EVM).

Check Your Progress Exercise 3

- 1) The elections in India have enabled the weaker sections like the SCs, STs, OBCs and the women to participate in the democratic Decision-making by electing their representatives, and by getting themselves also elected as the representatives. It has deepened the democracy in India.
- 2) The main constraints of the electoral politics in India are – crime, black money, corruption, and social and economic inequalities.