

## *Chapter Three*

# *ELECTION AND REPRESENTATION*

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### **1. Introduction to Elections:**

- Elections are a cornerstone of democracy, providing citizens the opportunity to choose their representatives.
- In India, elections are held at various levels, including Lok Sabha, Rajya Sabha, State Legislative Assemblies, and local bodies.

### **2. Importance of Elections:**

- Elections ensure accountability of elected representatives to the people.
- They provide a peaceful and legitimate means for leadership transition.
- Elections reflect the will of the people and promote political participation.

### **3. Universal Adult Suffrage:**

- India adopted universal adult suffrage, granting all adult citizens the right to vote, regardless of gender, caste, religion, or education.
- This is a fundamental feature of Indian democracy.

#### **4. Representation:**

- Representation is the core principle of democracy, where elected representatives speak and act on behalf of the people.
- It ensures that the government remains responsive to the needs and aspirations of the citizens.

#### **5. Constituencies and Candidates:**

- India is divided into multiple constituencies for election purposes, each represented by one Member of Parliament (MP) or legislator.
- Candidates contest elections either as independent candidates or as representatives of political parties.

#### **6. Election Commission of India:**

- The Election Commission is an independent body responsible for conducting free and fair elections in India.
- It administers elections, enforces the Model Code of Conduct, and ensures electoral integrity.

#### **7. Role of Political Parties:**

- Political parties play a crucial role in elections by mobilizing voters, forming governments, and representing the diverse interests of the people.

- Parties are essential for the functioning of a parliamentary system.

### 8. Campaigning and Public Opinion:

- Political parties and candidates engage in election campaigns to garner support.
- Public opinion, influenced by media, political rallies, and social interactions, plays a significant role in election outcomes.

### 9. Counting and Declaration of Results:

- Votes are counted, and results are declared transparently.
- The candidate or party securing the majority of votes wins the election.

### 10. Representation and Accountability:

- Elected representatives are accountable to their constituents and are expected to address their concerns in the legislature. - The principle of representation ensures that diverse voices are heard and considered in policymaking.

### 11. Challenges in Elections:

- Issues such as money in politics, voter intimidation, and electoral violence pose challenges to the conduct of free and fair elections.

### 12. Conclusion:

- Elections and representation are fundamental to Indian democracy.
- They ensure that citizens have a voice in governance and that leaders are chosen through a democratic process.

A table comparing the First-Past-The-Post (FPTP) and Proportional Representation (PR) systems of elections:

Aspect	First-Past-The-Post (FPTP)	Proportional Representation (PR)
Basic Principle	Candidate with the most votes wins the seat.	Seats are allocated to parties based on the proportion of votes they receive.
Representation	Tends to favor major parties and may lead to a two-party system.	Tends to provide representation to a wider range of political parties.
Voter's Choice	Voters choose a specific candidate from their constituency.	Voters choose a party, and seats are allocated to candidates based on the party's list.
Wasted Votes	Votes for losing candidates or surplus votes for winners are wasted.	Fewer wasted votes, as seats are distributed proportionally to parties.
Accountability	Direct accountability of elected representatives to constituents.	Greater party accountability, as elected representatives are often bound by party discipline.

Aspect	First-Past-The-Post (FPTP)	Proportional Representation (PR)
Coalition Governments	Less common as it encourages a two-party system.	More common as it allows smaller parties to win seats and form coalitions.
Geographical Representation	Ensures geographical representation but may not reflect overall vote share.	May not ensure direct geographical representation but reflects overall vote share.
Government Stability	Often leads to more stable single-party governments.	May lead to coalition governments, which can be less stable.
Voter Turnout	May have lower voter turnout due to the perceived dominance of major parties.	May have higher voter turnout due to the possibility of more parties being represented.
Minority Representation	Limited representation of minority groups.	Greater potential for minority representation.
Complexity of Ballots	Simple ballots where voters choose one candidate.	More complex ballots where voters choose parties and candidates.

Aspect	First-Past-The-Post (FPTP)	Proportional Representation (PR)
Examples	United Kingdom, Canada, India.	Germany, Netherlands, South Africa.

In India, the Rajya Sabha is the upper house of the Parliament, and its members are not directly elected by the people as in the Lok Sabha (the lower house). Instead, the Rajya Sabha members are chosen by the method of Proportional Representation (PR) by the elected members of the State Legislative Assemblies.

**Here's how PR works in Rajya Sabha elections:**

1. **Allocation of Seats:** The Rajya Sabha has a fixed number of seats allocated to each state and union territory based on their population. These seats are divided into three categories:
  - **Elected Members:** These members are chosen by the elected members of the State Legislative Assemblies.
  - **Nominated Members:** The President of India nominates a certain number of members who have distinguished themselves in various fields like art, literature, science, and social service.
  - **Representatives of Union Territories:** A few union territories have representation in the Rajya Sabha.
2. **Election Process:** When Rajya Sabha seats are scheduled to be filled, each State Legislative Assembly conducts an election. Members of the

Legislative Assembly (MLAs) cast their votes to elect representatives to the Rajya Sabha.

3. **Single Transferable Vote (STV) System:** The PR method used in Rajya Sabha elections is the Single Transferable Vote (STV) system. Under STV, each MLA has one vote, and they rank the candidates in order of preference. They can vote for as many candidates as there are seats to be filled.
4. **Vote Counting:** The votes are counted, and the candidates who cross a certain quota of votes are declared elected. The quota is determined by a formula that takes into account the number of seats to be filled and the total number of votes cast.
5. **Surplus Transfer and Elimination:** If a candidate receives more votes than the required quota, the surplus votes are transferred to other candidates according to the preferences indicated by the voters. This process continues until all the seats are filled.
6. **Representation of Parties:** In practice, political parties nominate candidates, and MLAs from the respective parties vote for their party's nominees. The number of seats a party wins in the Rajya Sabha is generally proportional to the party's strength in the State Legislative Assembly.
7. **Duration of Membership:** Members of the Rajya Sabha serve a six-year term, and one-third of the members retire every two years. This rotation ensures the continuity of the house.

**India adopted the First-Past-The-Post (FPTP) electoral system for its general elections primarily for historical, administrative, and practical reasons.**

**Here's a brief overview of why India chose the FPTP system:**

- 1. Historical Continuity:** India inherited its electoral system from the colonial British administration. The FPTP system had been in use during British rule for the election of the Central Legislative Assembly and provincial legislatures. When India gained independence in 1947, it maintained the existing electoral system to ensure a smooth transition.
- 2. Familiarity:** The FPTP system was well-established in India by the time of independence. People were already familiar with its functioning, and there was a preference for continuity in the early years of the nation.
- 3. Large and Diverse Population:** India is a vast and diverse country with a multitude of languages, cultures, and regional identities. Implementing alternative systems like Proportional Representation (PR) might have been more complex and administratively challenging in such a diverse context.
- 4. Decentralization of Authority:** India's Constitution aimed to create a federal system of government where power is shared between the central government and states. The FPTP system was seen as compatible with this federal structure, as it allows for representation at both the national and state levels.
- 5. Accountability:** The FPTP system promotes the direct accountability of elected representatives to their constituents. Voters in a specific



constituency elect a single representative who is expected to be directly responsive to local concerns and issues.

6. **Effective Governance:** The FPTP system generally leads to the formation of stable, single-party governments. This is seen as conducive to effective governance and decision-making, especially in a country as large and complex as India.
7. **Majority Rule:** The FPTP system is designed to ensure that the candidate who secures the most votes in a constituency wins. This principle of majority rule aligns with democratic values.

While the FPTP system has been the cornerstone of India's general elections, the country has also implemented variations of PR in specific contexts. For example, the Rajya Sabha, the upper house of Parliament, uses a Proportional Representation system, and some state legislative councils also employ PR.

Overall, India's choice of the FPTP system for its Lok Sabha (lower house) elections was influenced by historical precedent, administrative feasibility, and the need to balance the country's diversity with effective representation and governance.

**Reservation of constituencies in India** is a constitutional provision aimed at ensuring adequate political representation for historically disadvantaged and marginalized sections of society, particularly Scheduled Castes (SCs) and Scheduled Tribes (STs). This reservation system is an important affirmative action measure to promote social justice and inclusivity in the democratic process.

**Here's a brief overview:**

## Key Points:

1. **Constitutional Basis:** The reservation of constituencies is provided for in the Indian Constitution under Articles 330 and 332.
2. **Scheduled Castes (SCs) and Scheduled Tribes (STs):** The Constitution reserves seats in both the Lok Sabha (the lower house of Parliament) and State Legislative Assemblies for SCs and STs in proportion to their population in a particular state or union territory.
3. **Extent of Reservation:** The percentage of reserved seats for SCs and STs varies from state to state and is determined by the President of India after each Census. As of my knowledge cutoff date in September 2021, SCs had a reservation of 15% of the total seats in the Lok Sabha, and STs had a reservation of 7.5%. Similar provisions apply to State Legislative Assemblies.
4. **Delimitation:** The process of delimitation involves the re-drawing of constituency boundaries to accommodate the reserved seats. Delimitation is conducted periodically by an independent Delimitation Commission.
5. **Purpose:** The reservation of constituencies aims to address historical discrimination and under-representation of SCs and STs in the political arena. It provides these communities with a more level playing field and a direct role in decision-making.
6. **Democratic Empowerment:** Reservation of constituencies empowers SCs and STs to actively participate in the political process, articulate their concerns, and influence policy decisions that affect their communities.

7. **Challenges and Criticisms:** While reservation of constituencies has been instrumental in enhancing the political participation of SCs and STs, it has also faced criticism for various reasons, including concerns about its potential impact on overall governance and the need for comprehensive development measures alongside political representation.
8. **Ongoing Relevance:** Reservation of constituencies remains a crucial element of India's affirmative action policies, and it continues to evolve to address the changing socio-political landscape.

**"Free and Fair Elections"** are the bedrock of any robust democracy, and they play a pivotal role in India's democratic system.

Here's a short note on this crucial topic:

## **Free and Fair Elections in India:**

India, as the world's largest democracy, places great emphasis on conducting free and fair elections. This concept is fundamental to the democratic principles enshrined in the Indian Constitution and is integral to the functioning of the Indian political system. Here are some key aspects:

**Fair Representation:** Free and fair elections are essential for ensuring that the will of the people is accurately reflected in the composition of legislative bodies. Voters must have confidence that their votes will be counted accurately and that their choices will be respected.

**Electoral Commission:** To oversee the conduct of elections and maintain their fairness, India has an independent and autonomous Election Commission of India (ECI). The ECI is responsible for conducting elections at various levels, from the Lok Sabha (House of the People) to state legislative assemblies and local bodies.

**Equality of Opportunity:** In order to ensure that elections are free and fair, all candidates and political parties must have an equal opportunity to campaign, access to resources, and a level playing field. The Election Commission enforces a Model Code of Conduct to ensure fairness.

**Voter Inclusivity:** India follows the principle of universal adult suffrage, which means that all adult citizens have the right to vote regardless of their background, religion, caste, gender, or economic status. This inclusivity ensures that elections are representative and fair.

**Transparency:** Transparency is crucial in ensuring fair elections. The use of electronic voting machines (EVMs) has improved the transparency and efficiency of the voting process, reducing the chances of malpractice and manipulation.

**Electoral Practices:** The ECI regulates electoral practices, including campaign spending limits, the conduct of political parties, and the declaration of assets and criminal records by candidates. These measures are in place to promote fairness and accountability.

**Independent Judiciary:** In case of disputes and complaints related to elections, the Indian judiciary plays a critical role in upholding the fairness and integrity of the electoral process.

**Media and Civil Society:** A vigilant media and active civil society organizations also contribute to the scrutiny and fairness of elections by reporting on irregularities and advocating for transparency.

**Voter Education:** The ECI conducts voter education campaigns to ensure that voters are well-informed about the electoral process and their rights and responsibilities.

**Periodic Elections:** India conducts periodic elections, as stipulated in the Constitution, to ensure that elected representatives remain accountable and responsive to the changing needs and aspirations of the people.

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**The Independent Election Commission of India** is a critical institution responsible for overseeing and conducting elections in India.

Here's a short note on the Independent Election Commission,

**Role and Significance:** The Election Commission of India, established under *Article 324 of the Indian Constitution*, is an autonomous and impartial body entrusted with the duty of administering free and fair elections across the country.

Its key roles and significance are as follows:

1. **Conducting Elections:** The ECI is responsible for organizing elections to the Lok Sabha (House of the People), Rajya Sabha (Council of States), State Legislative Assemblies, and local bodies like Municipal Corporations and Panchayats. It ensures that the electoral process is conducted smoothly and transparently.
2. **Ensuring Fairness:** One of the primary objectives of the ECI is to ensure that elections are free and fair. It establishes guidelines and codes of conduct for political parties and candidates, monitors campaign spending, and takes measures to prevent malpractices.
3. **Electoral Rolls:** The ECI maintains and updates the electoral rolls, ensuring that eligible voters are registered and have access to their voting rights.
4. **Election Machinery:** It coordinates with various state election commissions and district-level officers to organize elections. This includes the deployment of polling officials, security personnel, and electronic voting machines (EVMs).

5. **Model Code of Conduct:** The ECI enforces the Model Code of Conduct during elections. It lays down guidelines for the behavior of political parties and candidates, ensuring that the campaign is conducted in a fair and ethical manner.
6. **Electronic Voting Machines (EVMs):** The ECI introduced EVMs to streamline the voting process, reduce malpractices, and enhance the accuracy and efficiency of the electoral process.
7. **Voter Education:** The ECI conducts voter education programs to inform citizens about the electoral process, the importance of voting, and their rights and responsibilities as voters.
8. **Independent and Autonomous:** The ECI is independent of government control and interference. It operates autonomously and is insulated from political pressures to maintain its impartiality.
9. **Quasi-Judicial Powers:** The ECI has quasi-judicial powers to settle disputes related to elections, including the disqualification of candidates and the de-recognition of political parties for violations of electoral laws.
10. **Transparency and Accountability:** The ECI promotes transparency by making electoral data and information publicly available. It is also accountable for the conduct of elections and can be approached by citizens to address grievances related to elections.

*Electoral Reforms in India: Enhancing the Democratic Process*

Electoral reforms in India refer to a series of changes and improvements aimed at making the electoral process more transparent, inclusive, and accountable. These reforms are crucial for upholding the democratic principles enshrined in the Indian Constitution. Here's a short note on electoral reforms in India:

### **Background:**

- India has a rich democratic tradition, but over the years, various challenges and shortcomings have emerged in the electoral process.
- Electoral reforms have been an ongoing process to address these challenges and strengthen the electoral system.

### **Key Electoral Reforms:**

1. **Use of Electronic Voting Machines (EVMs):** The introduction of EVMs has significantly reduced electoral malpractices, ensuring the accuracy and efficiency of the voting process.
2. **Voter Identification:** The requirement for voters to present valid identification at polling stations enhances the credibility of elections and minimizes voter fraud.
3. **Paper Trail for EVMs (VVPAT):** To further enhance transparency, Voter Verifiable Paper Audit Trails (VVPATs) have been introduced, allowing voters to verify their choices on paper before they are cast electronically.
4. **Model Code of Conduct:** The Model Code of Conduct is enforced during elections to ensure fair and ethical campaigning. It lays down guidelines for the behavior of political parties and candidates.



5. **Campaign Finance Reforms:** Measures have been taken to curb the influence of money in politics, including increasing transparency in political donations and campaign expenditures.
6. **Representation of Women:** Various efforts have been made to increase the representation of women in elected bodies through reserved seats in Panchayats and Municipalities.
7. **De-criminalization of Politics:** There have been calls for preventing individuals with criminal records from contesting elections and holding public office.
8. **Electoral Bonds:** The introduction of electoral bonds, while aimed at bringing transparency to political donations, has also faced criticism for its impact on anonymity.
9. **One Nation, One Election:** Proposals have been made to synchronize Lok Sabha and State Assembly elections to reduce election-related expenses and improve governance.
10. **Proxy Voting for NRIs:** Steps have been taken to allow Non-Resident Indians (NRIs) to participate in elections through proxy voting.

#### **Challenges:**

- Despite these reforms, challenges persist, including the influence of money and muscle power, low voter turnout in some regions, and issues related to the criminalization of politics.

#### **Conclusion:**

Electoral reforms are essential for maintaining the integrity of India's democratic process. They aim to make elections more inclusive, transparent, and accountable. While significant progress has been made, ongoing efforts are necessary to address emerging challenges and uphold the principles of democracy in India. Electoral reforms are an evolving process, reflecting the dynamic nature of Indian democracy and the changing needs and expectations of its citizens.

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