

Electoral Reforms in India: Challenges and the Path Forward

March 18, 2025 • vajiramandravi.com



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Electoral Reforms Latest News

- The Election Commission of India has invited political parties to discuss strengthening the election process.

The Need for Electoral Reforms

- The Election Commission of India (ECI) has initiated discussions with political parties to address concerns related to electoral transparency and voter integrity.
- Allegations of **electoral roll manipulation, duplicate voter IDs, and EVM transparency** have sparked fresh debates about the need for comprehensive **electoral reforms**.
- Additionally, issues such as **unregulated election expenditures, criminalization of politics, and violations of the Model Code of Conduct (MCC)** continue to threaten the integrity of India's elections.
- Strengthening electoral laws is essential to maintaining **free and fair elections**, a fundamental aspect of India's democratic framework.

Legal Provisions Governing Elections in India

- **Article 324 of the Constitution:** Grants the ECI power over the conduct of elections to Parliament and State legislatures.
- **Representation of the People Act, 1950 & 1951:** Governs voter registration and the conduct of elections.
- **Registration of Electors Rules, 1960:** Regulates the maintenance of electoral rolls.
- **Model Code of Conduct (MCC):** Establishes guidelines for political parties and candidates during elections.
- Despite these legal safeguards, recent elections have highlighted **systemic flaws** that necessitate urgent reforms.

Key Issues in India's Electoral System

- **Concerns Over Electronic Voting Machines (EVMs) and VVPATs**
 - Since the **2004 Lok Sabha elections**, India has exclusively used **Electronic Voting Machines (EVMs)**.
 - From **2019 onwards**, EVMs have been backed by **100% Voter Verifiable Paper Audit Trail (VVPAT)**.
 - A **Public Interest Litigation (PIL)** was filed in **April 2024**, demanding a return to **paper ballots** and **100% VVPAT-EVM matching**, both of which were dismissed by the **Supreme Court**.
 - However, the Supreme Court directed that **5% of EVMs in each constituency** should be verified in case of any suspicion of tampering, ensuring transparency.
- **Allegations of Electoral Roll Manipulation**
 - Recent elections in **Maharashtra and Delhi** raised concerns over **bogus/fake voters** being added to electoral rolls.
 - **Identical EPIC numbers** (Electoral Photo Identity Card) were reportedly assigned to different voters across states, leading to accusations of voter fraud.
 - The **ECI clarified** that earlier decentralization of EPIC allotment before moving to the **ERONET database** may have caused duplication, and has pledged corrective measures.
- **Rising Election Expenditure and Financial Irregularities**

- The **2024 Lok Sabha elections** saw **election spending exceed ₹1,00,000 crore**, according to the **Centre for Media Studies**.
- While candidates have an **expenditure limit**, political parties **face no cap on spending**, leading to extravagant election campaigns.
- This **excessive spending fuels corruption**, as candidates often resort to **illicit funding sources**.
- **Criminalization of Politics**
 - As per the **Association for Democratic Reforms (ADR) Report (2024)**:
 - **251 MPs (46%) in the Lok Sabha** have **criminal cases**.
 - **170 MPs (31%)** face **serious charges like murder, rape, and kidnapping**.
 - Despite **Supreme Court directives** for political parties to disclose criminal records **three times before elections**, enforcement remains weak.
- **Violations of the Model Code of Conduct (MCC)**
 - **Star campaigners** from all major parties have been accused of:
 - Using **derogatory language** against rivals.
 - Making **caste and religious appeals** for votes.
 - Spreading **misinformation**.
 - The **ECI lacks strong enforcement powers** to take strict action against violators.

Proposed Electoral Reforms

- **Strengthening EVM and VVPAT Verification**
 - The **sample size for VVPAT-EVM matching** should be determined scientifically, dividing states into regions.
 - If even **one discrepancy** is found, **full VVPAT verification should be conducted** in the affected region.
 - Introducing **“Totaliser” machines**, as recommended by the ECI in 2016, would **aggregate votes from multiple EVMs**, making it harder to manipulate results at the booth level.
- **Preventing Electoral Roll Manipulation**
 - **Linking Aadhaar to EPIC numbers** could prevent duplicate registrations, but privacy concerns must be addressed through stakeholder consultations.
 - The ECI should conduct **regular audits of voter lists** and rectify anomalies before elections.
- **Regulating Election Expenditure**
 - A **legal cap on political party spending** should be introduced.
 - Political parties should **disclose financial assistance to candidates**, ensuring expenditure remains within permissible limits.
- **Addressing Criminalization of Politics**
 - **Political parties must strictly comply** with Supreme Court orders to **publicize candidates’ criminal backgrounds**.
 - The ECI should have the power to **ban repeat offenders** from contesting elections.
- **Strengthening the Model Code of Conduct (MCC)**
 - The ECI should be empowered to **revoke the “Star Campaigner” status** of leaders who repeatedly violate MCC rules.

- Under **Paragraph 16A of the Symbols Order**, the ECI can **suspend or withdraw recognition of a political party** for severe MCC violations.
- Strict implementation of **social media regulations** to prevent the spread of fake news and hate speech during elections.

Conclusion

- Electoral reforms are vital to **strengthening democracy** in India.
- While the ECI has taken steps to enhance **voting transparency and voter integrity**, challenges such as **criminalization of politics, campaign violations, and excessive spending** remain unresolved.
- A comprehensive **legal and administrative overhaul** is necessary to ensure that **elections remain free, fair, and transparent**.
- Political parties and the ECI must engage in **meaningful discussions** to implement these reforms, **restoring public trust** in India's electoral process.

Electoral Reforms in India FAQs

Q1. Why are electoral reforms necessary in India?

Ans. Electoral reforms ensure free and fair elections by addressing issues like EVM transparency, voter roll integrity, and election expenditure regulation.

Q2. What are the major concerns related to EVMs in India?

Ans. Concerns include tampering allegations, demand for 100% VVPAT verification, and transparency in the counting process.

Q3. How does criminalization of politics impact elections?

Ans. Nearly 46% of MPs in 2024 had criminal cases, undermining public trust in democracy and increasing political corruption.

Q4. What reforms can reduce excessive election spending?

Ans. Introducing spending caps on political parties, strict auditing of campaign finance, and disclosing financial assistance to candidates.

Q5. How can electoral roll manipulation be prevented?

Ans. Regular audits, removing duplicate voter IDs, and Aadhaar-EPIC linking with strong privacy safeguards.

Source: TH

Source: <https://vajiramandravi.com/current-affairs/electoral-reforms-in-india-challenges-and-the-path-forward/>

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