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Electoral reforms

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Abstract
The article attempts to look critically at the reforms introduced by EC in the past. It also tries to highlight the low voter turnout. This article also attempts to raise the importance of making structural changes in the EC to ensure outside reforms. EC will have to adopt new strategies and seek the support of varied groups to pave the path for the development of society and the nation.

Keywords: Election commission, election rigging, voter turnout

Introduction
Election reforms have been in the discourse for a long time, but the point of contention is why we want reforms, what reforms we want, who will bring the reform and how we get these reforms (Chhokar, 2001) [2]. I am writing this article against the backdrop of the Himachal Pradesh (HP) Assembly elections set to be held on November 12, 2022. The calm and relaxed hill state is buzzing with the election rallies, sloganeering and fake or not-so-fake election promises of the candidates. This raises a fundamental question: where is the money being spent on the electioneering coming? I am sure with the current state of the economy and employment, people of the state are not capacitated to spend this vast amount. The recent cases of large amounts of money being seized by the election commission (EC) [1] strengthen the doubts about external interference and influence through money. Hence, the demand for electoral reforms to clean the elections becomes essential.

Reforms so Far
India went for a General Election in 1952 for the first time. This was when people had just gained independence and had a collective dream of seeing Indians in power. I believe the first or, at maximum, the second General election were the ones which were untouched by any malpractice (Chhokar, 2001 [2]). Though this too can be debated and researched. However, if proved wrong shall make a case for reforms all the more powerfully.

India has seen some electoral reforms, but we must ask if they are enough. The introduction of electronic voting machines (EVMs) was considered a milestone in electoral reform history. However, EVMs have been facing serious allegations, but so far, EC has been able to defend the case positively. The introduction of the voter card was another milestone for which we can surely give credit to the EC. Lowering the election age through the 61st amendment of the constitution was also considered a step towards increasing youth participation in the elections (Ramesh, 2011) [4]. The reforms since 1952 are small steps. The contemporary form in which elections are contested requires bold pragmatic steps to transform the entire election process. This can only be possible if the EC can keep itself free from political influence and benefits. Any reform in the election process impacts the ones who have been bending the system for their benefit and ulterior motives (Venkatesh Kumar, 2002) [6]. They sometimes make the EC succumb to such motives and stop it from making progressive moves. Therefore, the independence of the EC is essential. When I say freedom, I am not referring to the constitutional shield available to the Chief Election Commission (CEC) but rather the post-retirement benefits through which the EC officials are lured.

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[1]Himachal Pradesh: Illicit liquor, cash, and jewelry worth more than 21 Crores seized by Police (aninews.in); ₹2cr Cash Seized In Hp, Biggest Ever In Any Poll | - Times of India (indiatimes.com)

Role of EC

At times, the role of EC is under question. I think to some extent, this holds. In the wake of the HP elections, the Prime Minister's program was such that he was on an inauguration spree till a day before the announcement of the polls. How could the party workers be so precise in predicting when the code of conduct was to come into force? I am sure to plan the PM's visit and make all arrangements takes a lot of effort. Then, planning the PM's visits with such precision is impossible without insider information. Then can we say EC is free and fair?

EC has faced immense criticism for not acting against those spreading hate through their election speeches. In the cases during the 1970s and the 80s, EC knew that the election process in a particular constituency had been rigged by booth capturing, violence and other heinous acts but couldn't stop it (Ramesh, 2011) [4]. We can see that the rampant hate speeches are just like history repeating itself.

Overhauling

Overhauling of the EC is required on an urgent basis. There should be no additional post-retirement benefits and emoluments like Rajya Sabha seats, political or any chairmanship to CEC and other EC members. Then EC needs to fast-track its redressal mechanism where it is proved that candidates are involved in hate speech, violence and other malpractices. Such candidates must be debarred from contesting the election immediately. The matter shouldn't be delayed for an FIR and filing a charge sheet in court. This shall only help the accused as elections would be over by that time, and no one would dare to touch an elected representative. Here, I might be questioned on the person's legal rights and any false acquisition that may lead to the debarment of an innocent candidate.

EC can efficiently resolve this concern by forming a monitoring committee (MC) with investigative powers for such issues. MC must be comprised of police officials who do not have corruption charges against them. The MC must submit fact-finding reports to EC before the declaration of the results. In the true sense, if EC is serious about improving things, it is just a question of issuing a notification. During the elections, the district administration is under the control of the EC, and EC can transfer DMs, SPs and other officials who may influence the election process. So, one monitoring committee comprised of police officials identified by EC can be formed to ensure clean and fair elections.

Voter Turnout

On searching for the election data, I was surprised to find that in any of the General Elections in the history of independent India, the voting percentage has not crossed the 70% mark [2]. What are the reasons for people not coming out to vote despite campaigns run by EC? The voter turnout in the table below in the last three General Elections depicts less than 70% voter turnout. It is a question for research scholars to find out who is coming out to vote, who is not and what the reasons behind such a trend are.

If less than 70% of people vote, out of which the vote share of a party which forms the Government is 35%, then can it call itself a true representative of the majority? It is a big concern where the role of the EC and civil society becomes crucial. EC will have to start sensitization programs with school and college students, incentivize employees to come out or penalize them for not voting (Chandra Dash, 2004; Debroy, 2015) [1, 3]. At least this time, EC has roped in students to spread awareness of the election in HP.

Table 1: Voting trend in General Elections [3]

Election Year	Electors	Votes Polled	Turnout Percentage
2019	91,19,50,734	61,18,76,971	67.1%
2014	83,40,82,814	55,30,20,648	66.3%
2009	71,69,85,101	41,70,87,209	58.1%

Another critical aspect that can help increase the voting percentage is going digital. This is a mammoth task, but with technological advancement, this is the future. India, through the aarogya setu app used during the COVID-19 pandemic, data of crore of Indians was collected. So why can't an intervention for voting be introduced? An app-based voting where voter authentication can be done through facial recognition and biometrics stored with Aadhar. Digital voting can initially be taken as a pilot before rolling it out in the country. EC will have to engage and bring in reforms, or else the people in power will be substandard and not a true representatives of the population.

Conclusion

The election campaign will end, voting will happen, results will be declared, and the hills will be silent again. Year after year, election after election, we all will talk, discuss and forget. It is high time that EC realizes the gravity of the issue by waking up from the slumber it has gone in. It has to shun away the approach to acting in a ritualistic manner that it has adopted, or else we would be listening to hate speeches, election violence, rigging of the election process, and things beyond that. Correct, ethical elections are the first step towards development. Hence the role of the EC becomes essential as it is the guardian of the entire process (Saraph, 2011) [5].

During election time, all sorts of rumours surface; some say A party has kept x amount for distribution and B party has y amount, though these can never be authenticated. However, when in a state of Himachal liquor, money is being seized almost daily, one can sense that things are changing and the custodian of the entire process are acting like one of Gandhi's monkeys. EC will have to ensure that its house is in order along with the outside reforms; otherwise, we can only imagine what the state of affairs will be 25 years later.

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[2]Source: Statistical Reports - Election Commission of India (eci.gov.in)

[3]Source: Statistical Reports - Election Commission of India (eci.gov.in)