

ELECTORAL REFORMS

Prelims- Polity governance- Constitutional Bodies, Regulatory Bodies

Mains- GS-2 Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

GS2E - Structure, organization and functioning of the Executive and the Judiciary Ministries and Departments of the Government; pressure groups and formal/informal associations and their role in the Polity.

- ✚ Context-Discussion in the Rajya Sabha on electoral reforms

Major Reforms Areas:

- ✚ Appointment system for Election Commissioners and Chief Election Commissioner (CEC);
- ✚ Money power; Electronic Voting Machines (EVMs);
- ✚ The idea of simultaneous elections;
- ✚ Role social media
- ✚ The use of government data and surrogate advertisements to target certain sections of voters.

Appointment System for Election Commissioners and Chief Election Commissioner (CEC)

Present System of Appointment

- ✚ The appointment of the Chief Election Commissioner and other Election Commissioners shall, subject to the provisions of any law made in that behalf by Parliament be made by the President.
- ✚ The President appoints the Election Commissioner based on the recommendations of the cabinet under the Transaction of Business Rules of 1961.

B R Ambedkar on Appointment of EC:

- ✚ The **tenure can't be made a fixed and secure tenure** if there is no provision in the Constitution to prevent a fool or a naive or a person who is likely to be under the thumb of the executive.

Collegium System:

- ✚ Communist Party of India (CPI); the Communist Party of India-Marxist (CPI-M); the Dravida Munnetra Kazhagam (DMK) and the Bahujan Samaj Party (BSP), all of whom demanded the **introduction of a collegium system**

Money Power:

Various Documents and Report on money power in election

- ✚ 1962 private member's Bill by Atal Bihari Vajpayee;
- ✚ The Goswami committee report on electoral reforms (1990);
- ✚ The Indrajit Gupta committee report on state funding of elections (1998).
- ✚ Independent think tank report on poll expenditure released in June, discussed at length the regressive impact of amending the Foreign Contribution (Regulation) Act (FCRA) and removing the 7.5% cap on corporate donations.

State Funded Election

- ✚ Proposal for state funding (of political parties) based on either a National Electoral Fund or the number of votes obtained by the respective parties.
- ✚ Crowdfunding in the form of small donations. Current expenditure cap on candidates is unrealistic and should either be raised or removed to encourage transparency.

Simultaneous Elections:

In favour:

- ✚ There is electoral fatigue, more expenditure and governance Issue in separate elections.
- ✚ Simultaneous elections will give stability to governments.

Ambedkar on Election (Accountability tool) and stability

- ✚ Accountability should hold precedence over stability.

Proportional representation system

- ✚ Proportional representation system was put forth by the DMK, the CPI and the CPI (M).
- ✚ Explanation why proportional Representation
 - ❖ BSP's performance in 2014 Lok Sabha elections, when the party got a vote share of nearly 20% in Uttar Pradesh but zero seats.
 - ❖ No representation for 20% of population.
- ✚ A number of MPs argued for a **mixed system**, where there was a provision for both First Past the Post and Proportional Representation systems.

Reforms that can be done

- ✚ Reducing the number of phases in elections by raising more security forces;

- ✚ Depoliticisation of constitutional appointments by appointing Commissioners through a broad-based collegium;
- ✚ State funding of political parties by means of a National Electoral Fund or on the basis of the number of votes obtained;
- ✚ Capping the expenditure of political parties;
- ✚ Giving the Election Commission of India (ECI) powers to de-register recalcitrant political parties;
- ✚ Inclusion of proportional representation system; and
- ✚ Revisiting the Information Technology Act, to strengthen social media regulations.

