



# Electoral Reforms In India: A Study On Constitutional Provision, Issues And Emerging Challenges

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**Abstract:** Elections are considered a very important and integral part of politics in a democratic country. A strong democracy can only be imagined when elections are conducted in a free and fair manner without any manipulation. In a democratic system, the Election Commission cannot function properly due to various reasons, which results in the disruption of the electoral process. Such as widespread corruption in elections, rigging, fake votes, occupation of polling stations, excessive election expenditure, use of government administrative machinery for elections, political influence on the Election Commission - in view of all these, the electoral system in India has become a farce. In this context, electoral reforms play a key role in shaping the democratic framework of India, besides ensuring free, fair and transparent elections. Over the past few decades, several issues have come to light, various new trends that have hindered the electoral and democratic process. Even though legal changes have been made, they are not effective enough. Hence there is an urgent need for electoral reform and many government committees have demanded it. So, this paper critically examines of the electoral reforms India. Also, the study focusses on issues, challenges and the steps taken by the legislature and election commission of India.

**Keywords:** India, Electoral provision, Electoral Reform, Issues, Emerging Challenges.

## I. INTRODUCTION

Electoral reforms are essential for strengthening democracy and ensuring free and fair elections in a country. In India, the electoral system is primarily governed by the Constitution of India, which lays down the framework for conducting elections and upholding democratic values. Over the years, India has developed a robust electoral mechanism under the supervision of the Election Commission of India. However, despite these constitutional safeguards, the electoral process continues to face several challenges.

The need for electoral reforms arises from various issues such as money power, criminalization of politics, communalism, low voter awareness, and lack of transparency in political funding. These problems not only undermine the fairness of elections but also weaken public trust in democratic institutions.

Additionally, emerging challenges such as the misuse of technology, spread of misinformation through social media, and increasing political polarization have further complicated the electoral landscape.

This study aims to examine the constitutional provisions related to elections in India, analyze the major issues affecting the electoral process, and explore the emerging challenges in the contemporary political environment. It also seeks to highlight the importance of continuous reforms to ensure transparency, accountability, and inclusiveness in the electoral system. Strengthening electoral democracy is crucial for maintaining the integrity and stability of India's political system.

## II. Constitutional Articles and Laws related to Election in India:

Articles 324 to 329 in part XV of the Constitution make the provisions with regard to the electoral system in our country

- **Article 324**

According to Article 324 of the Indian Constitution, the "superintendence, direction, and control" of elections to Parliament, State Legislatures, and the offices of President and Vice-President is vested in the Election Commission of India. It ensures that an independent body oversees electoral rolls and conducts free, fair elections.

- **Article 325**

Under Article 325 of the Constitution of India, no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds of religion, race, caste, sex or any of them.

- **Article 326:**

Under Article 326 of the Constitution of India, election to the house of the people and to the Legislative Assemblies of state to be on the basis of adult suffrage.

- **Article 327:**

Article 327 of the Indian Constitution provide power of Parliament to make provision with respect to election to legislatures.

- **Article 328**

Under Article 328, State Legislature has the power to make provision regarding elections to such legislature, subject to the provisions of the Constitution of India.

- **Article 329:**

Article 329 of the Indian Constitution, titled "Bar to interference by courts in electoral matters". This provision restricts judicial intervention in election disputes and ensures that challenges to parliamentary or state legislative elections can be made only through specialized election petitions. It ensures that delimitation laws and election results are resolved through designated legal processes, not general judicial reviews.

## III. Election Laws in India:

### **Representation of the people Act, 1950:**

The Representation of the people Act, 1950, was passed to provide for the allocation of seats in the House of the People and the Legislative Assemblies and Legislative Council of the States. However, the Act makes following provisions relating to the elections:

- Allocation of seats in the House of the People, State legislative Assemblies and the State Legislative Councils.
- Delimitation of Parliamentary, Assembly and Council Constituencies
- Election officers like chief electoral officers, district election officers, electoral registration officers and so on.
- Electoral rolls for Parliamentary, Assembly and Council constituencies
- Manner of filling seats in the Council of States to be filled by the representatives of union territories.

- Local authorities for purposes of elections to the State Legislative Councils
- Barring jurisdiction of civil courts.

### **Representation of the People Act, 1951:**

Representation of the People Act, 1951, deals with conduct of elections. This Act contains to the following Key provisions:

- Qualification and disqualification of candidates
- Election procedures
- Corrupt practices and election offences
- Election disputes and by-elections
- Registration of Political parties

### **Delimitation Act:**

The Delimitation Act is a law passed by Parliament to **fix and redraw the boundaries of electoral constituencies** in India. Its main aim is to ensure that elections are conducted on the basis of **equal representation of population**.

The primary objective of the Act is to provide **fair and equal representation to all citizens**. As population changes over time, some areas become more populated than others. Delimitation helps to **balance the number of voters in each constituency**, so that each vote has equal value.

Under the Act, an independent body called the **Delimitation Commission** is set up. It works in coordination with the Election Commission of India. The Commission includes a retired Supreme Court judge, the Chief Election Commissioner, and State Election Commissioners.

Delimitation in India was carried out several times (1952, 1963, 1973, 2002). However, it has been **frozen until 2026** to maintain balance among states based on population control policies.

### **IV. Major Committees and Commissions on Electoral Reforms in India:**

India is a democratic and secular nation. Voting and election procedures are crucial in a democratic society. However, elections and voting in a large and diverse democratic country like India face many difficulties, including the influence of money, the use of force, intimidation, booth capturing, communal tensions, religious factors, the involvement of criminals in politics, and unethical voting practices. There is a growing need for electoral reforms in India to ensure free, fair, impartial, ethical, transparent, efficient, smooth and effective elections free from electoral corruption or unfairness.

Therefore, various committees and commissions have been constituted in India to recommend or suggest electoral reforms in India, which are as follows:

1. Tarkunde Committee in 1974.
2. Jaya Prakash Narayan Committee in 1974.
3. Goswami Committee on Electoral Reforms in 1990.
4. Vohra Committee Report in 1993.
5. Indrajit Gupta Committee on State Funding of Elections in 1998.
6. Law Commission Report on Reform of the Electoral Laws in 1999.
7. National Commission to Review the Working of the Constitution in 2001.
8. Election Commission of India – Proposed Electoral Reforms in 2004.
9. Jeevan Reddy Committee in 2004.
10. The Second Administrative Reforms Commission in 2008.
11. Tankha Committee (Core Committee) Appointed in 2010 to look into the whole gamut of the Election Laws and Electoral Reforms.
12. J.S. Verma Committee Report on Amendments to Criminal Law in 2013.
13. Law Commission of India 244th Report on Electoral Disqualifications in 2014.
14. Law Commission of India 255th Report on Electoral Reforms in 2015.

## V. Electoral Reforms in India:

The major electoral reforms in India are as follows:

- The 61st Constitutional Amendment Act of 1988 reduced the voting age for Lok Sabha and Legislative Assembly elections from 21 years to 18 years.
- **Electronic voting Machines (EVMs):** In 1989, a measure was introduced to enable the use of Electronic Voting Machines (EVMs) during elections. The initial trial of EVMs took place in 1998 in certain constituencies during the elections for the Assemblies of Rajasthan, Madhya Pradesh, and Delhi. The EVMs were first deployed in the general elections for the Assembly of Goa in 1999.
- **Deputation to Election:** Under the Representation of the People Act, a new Section 13CC was added. It states that officers and staff who work on preparing, revising, and correcting electoral rolls are placed on deputation to the Election Commission of India during that period. While on deputation, they work under the control, supervision, and discipline of the Election Commission.
- **The Elector's Photo Identity Card (EPIC):** In 1993 a decision was taken by the election commission of India to issue photo identity cards to voters throughout the country also known as Electro's Photo Identity Cards or EPIC.

Generally, the electoral rolls are revised 1<sup>st</sup> January in every year. Any Indian citizen, who is 18 years or above as on that date, he is eligible for inclusion in the electoral roll or can apply for it. Once registered in the electoral roll, he would be eligible for getting an Electro's Photo Identity Cards or EPIC.

- **Voting through Postal Ballot:** In 1999, a rule was introduced that allowed some people to vote through a postal ballot. The Election Commission of India, along with the government, decides which groups of people can use this process. People who belong to these approved groups can vote by post instead of going to a polling booth. therefore, they are not allowed to vote in any other way in their constituency.
- **Introducing of Braille Signage Features in EVMs:** The Election Commission first tested Braille features in EVMs in 2004 during a bye-election in Andhra Pradesh. in 2005, It was used in Assembly elections in Bihar, Jharkhand, and Haryana. It was again used in elections in Assam, West Bengal, Tamil Nadu, Puducherry, and Kerala in 2006. In 2008, it was used in all Assembly constituencies of NCT of Delhi during the Assembly elections. Later, the commission introduced similar Braille signage features on the Electronic Voting Machines during the General Elections to the Fifteenth Lok Sabha (2009) and Simultaneous Assembly elections in some states.
- **Increase in number of proposers:** Number of electors who are required to sign as proposers in nomination papers for elections to Council of States and State Legislative Council has been increased to ten percent of the electors of the constituency or ten such electors, whichever is less, to prevent frivolous candidates.
- **Prohibition on Sale, etc., of Liquor:** No liquor or other intoxicants shall be sold, given or distributed at any shop, eating place, hotel or any other place, whether public or private, within a polling area during the period of 48 hours ending with the hour fixed for the conclusion of poll. Any person contravening the law shall be punishable with imprisonment up to six months or with fine up to 2,000 or with both.

## V. Issues and Challenges of Indian Electoral Politics:

There are various issues in the Indian electoral process which directly or indirectly influence the electoral politics.

**1. Money and Muscle Power:** Money and Muscle Power, are serious issues in Indian electoral politics, because in every election whether parliamentary, state assembly or local self-government elections, candidates have to spend huge amount of money for their election campaigning and publicity. Candidates who are financially strong use their muscle power such as booth capturing and threatening, killing of the opponents are very common. Now, Distribution of money, gifts, liquor, or other incentives directly influences voter choice.

**2. Criminalization of Politics:** Criminalization of politics refers to the increasing participation of individuals with criminal backgrounds in the electoral process. In India, many candidates contest elections despite having serious criminal cases against them. This trend weakens the moral foundation of democratic governance or democratic System.

**3. Low Voter Awareness:** A large number of voters in India do not have proper knowledge about elections and their voting rights. They are often unaware of the importance of voting and informed decision-making. Another important thinking is that some voters do not understand the background, policies, or qualifications of candidates. Due to this, they may vote based on caste, religion, or influence rather than issues. In urban areas, many educated people also avoid voting, showing voter apathy. Low awareness weakens democracy and affects free and fair elections.

**4. Misuse of Government Machinery:** There is a common perception that the party who is in power misused government Machinery or agencies specifically at the time of elections and threaten their opponents for winning elections. Another thinking is that ruling party is misusing public property, such as; government vehicles for canvassing, advertising and other means to improve the chances of their candidates winning.

**5. Caste Politics:** Caste system plays a pivotal role in Indian political system. There is a common perception that a particular caste supports to a particular political party or candidate in caste-based politics. Political parties give tickets to many candidates on the basis of caste to win elections. Moreover, both candidates and voters try to pressure political parties to give tickets to their respective castes.

**6. Communalism:** One of the most serious problems in the Indian political system is the communalization of politics. It is a major threat to the unity of the nation, national integrity, and the values of secularism, multiculturalism, democracy, federalism, and pluralism given in the Constitution of India. Many political parties and organizations try to influence elections by creating religious divisions, using hate speeches and other communal activities.

**7. Lack of Moral Values:** It is often believed that many Indian politicians lack moral values and ethics. According to thinker Morgenthau, politics is a "struggle for power", and Lord Acton said that "Power tends to corrupt and absolute power corrupts absolutely". In India, corruption has made politics look like a business. Many politicians focus mainly on earning money and personal gain. They often think about their own benefit instead of public welfare. There is a lack of clear ideology and moral responsibility. As a result, many political actions are taken only for self-interest.

**8. Electoral Malpractices:** Electoral malpractices refer to illegal, unethical, or unfair activities carried out by candidates, political parties, or voters to influence the outcome of elections. For example, Booth Capturing, Vote Buying, Rigging or Fake Voting etc.

## VI. Electoral Reforms: Suggestions

**1. Cleaning and Updating Electoral Rolls:** One important reform is to make voter lists more accurate. Many times, electoral rolls contain duplicate or fake names. The Election Commission of India is taking steps to regularly update and correct these lists. This helps ensure that only eligible citizens can vote and improves the fairness of elections.

**2. Use of Technology and Digital Platforms:** Technology is being used to improve the election process. Online voter registration, digital correction of details, and monitoring systems make the process faster and more transparent. Digital tools also help in tracking election expenses and managing data efficiently.

**3. Curbing Money Power:** Money power is a major issue in elections. Recently, attention has shifted to digital transactions like UPI and online transfers used to influence voters. Authorities are trying to monitor such activities to prevent corruption and ensure fair competition among candidates.

**4. Strengthening Electoral Roll Accuracy:** Efforts are being made to improve the accuracy of voter lists through better coordination with local officials. Booth Level Officers (BLOs) play an important role in verifying voter details. This reduces errors and increases trust in the electoral system.

**5. Increasing Voter Accessibility:** To make voting easier, more polling stations are being set up and the number of voters per booth is being reduced. This helps avoid long queues and encourages more people to participate in elections, especially in rural and remote areas.

**6. Transparency in Political Parties:** There is a growing demand for transparency in political parties. Parties should disclose their funding sources and select candidates in a fair and democratic way. This will grow accountability and strengthen democracy.

**7. Common Electoral Roll Proposal:** Another suggestion is to have a single voter list for all elections (Lok Sabha, Assembly, and local bodies). This will reduce duplication, save time, and lower administrative costs.

**8. Control of Hate Speech and Misinformation:** Strict monitoring of social media and election campaigns is needed to control fake news and hate speech. This will prevent communal tension and help voters make informed decisions.

**9. Electoral Process Modernization:** The Election Commission of India has introduced several new initiatives to modernize elections. These include better management systems, improved voter services, and increased transparency.

**10. Legal and Institutional Reforms:** There is a need to strengthen existing laws like the Representation of the People Act, 1951. Fast-track courts should handle cases of criminal candidates to reduce delays and improve the quality of political leadership.

**Conclusion:** Electoral reforms in India remain a continuous and evolving necessity for strengthening the foundations of democracy. The constitutional framework, as laid down in the Constitution of India, provides a strong basis for conducting free and fair elections through an independent authority like the Election Commission of India. Over the years, several legal provisions, including the Representation of the People Act, 1951, have been introduced to regulate the electoral process and ensure transparency and accountability. However, the practical functioning of elections reveals a gap between constitutional ideals and ground realities.

Major issues such as money power, criminalization of politics, communalism, lack of internal democracy within political parties, and low voter awareness continue to undermine the credibility of the electoral system. These challenges not only distort the will of the electorate but also weaken public trust in democratic institutions. Furthermore, emerging challenges like the misuse of digital technology, spread of misinformation through social media, and increasing political polarization have added new dimensions to electoral concerns in contemporary India.

In conclusion, electoral reforms are not a one-time process but an ongoing requirement to adapt to changing political, social, and technological environments. Strengthening legal mechanisms, ensuring greater accountability of political parties, promoting ethical political behavior, and increasing voter awareness are essential steps toward improving the electoral system. A participatory approach involving citizens, institutions, and political actors is crucial to uphold democratic values. Only through sustained reforms and collective responsibility can India ensure that its electoral democracy remains vibrant, inclusive, and truly representative of the people's will.

### References:

- Laxmikanth M., Indian Polity, McGraw Hill Education (India) Private Limited, 2020.
- Pylee M.V., India's Constitution, S. Chand Publishing, 2021.
- Fadia B. L. & Fadia K., Indian Government and Politics, Sahitya Bhawan, 2021.
- Bhattacharya S., Sachdev B.K. (2021), "Electoral Reforms – The Road to Strengthen Democracy", International Journal of Scientific Development and Research (IJS DR), Vol.6, Issue 4, pp 339-342.
- Dash D.K. (2022), "Electoral Reforms in India: Problems and Prospects", The Third Voice Reality and Vision, Vol.4, Issue 1, pp 87-93.
- Eqbal M. N. (2019), *Electoral reforms in India: An analysis*, International Journal of Political Science and Governance 2019; 1(1): 43-45.
- Fernandes S. (2025), "Electoral Reforms in India – Constitutional Articles, Committees and Commissions on Electoral Reforms", Journal of Emerging Technologies and Innovative Research (JETIR), Volume 12, Issue 3, pp 24-33.
- Narayanaswamy A. (2020), "A Critical Analysis of Electoral Reforms in India", International Journal of Creative Research Thoughts (IJCRT), Vol.8, Issue 4, pp 2169-2174.
- Sahu S. (2025), *Electoral Reforms in India: Strengthening Democratic Integrity for Free, Fair and Transparent Elections*, International Journal of Creative Research Thoughts (IJCRT), Volume 13, Issue 2, pp 865-871.
- Singh G. (2022), "Electoral Reforms in India: Issues and challenges in Present scenario", International Journal of Novel Research and Development (IJNRD), Vol.7, Issue 10, pp a311-a318.
- Singh P. (2025). Theoretical background of electoral reforms: A 'one nation one election' perspective, International Journal of Political Science and Governance 2025; 7(6): 06-08.
- Singh, M. N. (2021). Election Commission, Electoral Democracy and Constitutionalization of Elections in India. Indian Journal of Public Administration, 67(2), 165-176.
- Yadav S. (2021), *Electoral Reforms in India: An Analysis*, International Journal of Law Management & Humanities, Vol. 4 Iss 4; 3024.