



Electoral System in India

Astha Rayal

Uttaranchal University

ABSTRACT :

The electoral system in India is a critical aspect of its democratic framework, deeply entrenched in its constitutional fabric. This study delves into the intricacies of India's electoral system from a constitutional perspective, analyzing its historical evolution, constitutional provisions, and the principles underlying its functioning.

India's electoral system is governed primarily by the Constitution of India, which provides the foundational framework for the conduct of elections at various levels – from local bodies to the highest legislative bodies. The Constitution delineates the powers, responsibilities, and procedures pertaining to the conduct of elections, ensuring democratic representation and the expression of the popular will.

One of the distinctive features of India's electoral system is its adoption of a mixed-member proportional representation system, wherein citizens directly elect representatives to the Lok Sabha (House of the People) through a first-past-the-post system, while also allocating seats to political parties based on proportional representation. This hybrid model aims to balance the principles of constituency representation with proportional representation, thereby ensuring both local accountability and fair representation of diverse political opinions.

Moreover, the Constitution enshrines various principles and provisions to safeguard the integrity and fairness of the electoral process. These include the independence of the Election Commission of India, which oversees the conduct of elections, the principle of universal adult suffrage, and the guarantee of free and fair elections.

However, the Indian electoral system also grapples with several challenges, including electoral malpractices, money power, and issues related to political financing. Additionally, the first-past-the-post system has been criticized for sometimes leading to disproportionate outcomes, where parties with significant vote shares may not be adequately represented in legislative bodies.

Keywords: Electoral system, Constitution, representation

"Democracy is a government by the people, a form of government in which supreme power is vested in the people and exercised by them or by their elected agents under a free electoral system."

- **Thesaurus Dictionary**

1.1.Introduction :

Democracy existed in ancient Greek and Roman Republics but with little success. In ancient India also only a very little scope of democracy existed. The golden stage of democracy was seen from twentieth century. And today as many countries as 123 in the world have democratic government. The term democracy is derived from the Greek word *demokratia* which means rule of the people.

Democracy is defined as a form of government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodic free elections

In India, the democratic setup has been recognized as a part of the basic structure of the constitution.¹ Since, free and fair elections are the backbone of a democracy, logically they ought to be considered as a part of the basic structure of the Constitution. Election as a process can be an effective instrument of ascertaining popular will both in reality and form only if it is free and fair. Free and fair elections require that the candidates and their agents should not resort to unfair means or malpractices as impinge upon the process of free and fair elections². There cannot be a free and fair election if the majority of the electors by reasons of irregularities in the mode of conducting the election, have been prevented from electing the candidates they preferred³. Again, there cannot be a free and fair election if the party in power misuses official machinery.

The preamble of our Constitution proclaims that we are a Democratic Republic. Democracy being the basic feature of our constitutional set up, there can be no two opinions that free and fair elections to our Legislative bodies alone would guarantee the growth of a healthy

¹ Keshavananda Bharathi V. Stat of Kerala AIR 1973 SC1461

² Indira Nehru Gandhi v. Raj narayan 1975 Supp SCC1, p.87

³ Woodward v. sarsons (1875) LR 10 CP 733