

Improving voter turnout in elections

JUNE 2013

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Preface

Rakshak Foundation is a non-profit organization which researches different public policy issues and creates awareness about them. The basic objective of Rakshak is to help strengthen the foundations of our society and bolster the confidence of a common man in the system by creating awareness about the issues affecting him.

I am a student of IIT Kharagpur and pursuing Electrical Engineering (B.Tech). I have done my schooling from Delhi Public School Dwarka.

I feel myself lucky to get this project as it can give me an insight of how elections work in India and what are their flaws and what are the steps government is taking to enhance true voter turnout in the country.

In a democratic system, where people choose their representatives and send them to legislative assembly / council or to the parliament, election is the only medium through which voters can decide future of the country. Basically election is being considered as "Festival of Democracy". This can really be called festival when free and fair elections will be conducted and more important than this is when maximum number of voters will cast their precious votes. So my project is just how to improve this festival of democracy.

It has been a wonderful association working with Rakshak Foundation so far. If not for this internship programme, I don't think I ever would have got a chance to meet such eminent people personally and discuss with them about the issues affecting the society. I feel that India today suffers a huge communication gap between the government, which makes laws, and the citizens, for whom these laws are made, and this is one of the most fundamental problems of the society.

Acknowledgements

I would like to thank first of all **Rakshak Foundation** for giving me an opportunity to work on such a interesting and mind boggling project. Then I would like to thank my mentor Mr Sujeet kumar who really helped me how to proceed about my project and how things work actually as he himself had worked as ARO. Also my coordinators helped me a lot who guided me how to actually work and how to conduct field surveys and reports. In fact all of the Internship coordinator were cooperative and are proving a commendable job in the program.

I have conducted field survey in three areas to study the role of religion, caste, money and muscle power in elections. At last I would like to thank all of the persons to whom I interviewed during my field surveys.

Besides I would also like to thank Mr. Sachin Bansal, Founder and President, Rakshak Foundation, for giving me this opportunity to work on this project and do my bit for the society.

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List of Abbreviations

CEC	Chief Election Commissioner
IIDEM	International Institute for Democracy and Election Management
CSSEIP	Centres for Study of Social Exclusion and Inclusive Policy
LS	Lok Sabha
RS	Rajya Sabha
EVM	Electronic Voting Machine
ECI	Election Commission of India
BLO	Booth Level officer
RO	Returning Officer
IFES	International Federation of Electoral Systems
SAARC	South Asian Association for Regional Cooperation
LCI	Law Commission of India
CIC	Chief Information Officer
UPA	United progressive Alliance
ADR	Association of Democratic Reforms

Executive Summary

The project is on improving voter turnout in the Lok sabha as well as assembly elections. Voter turnout in the 2009 general elections was meagre 58.19% when our literacy rate was around 68%[1]. So first of all, various acts and regulations governing election process of India were studied. The foremost act was Representation of people Act 1950, 1951. Then, role of religion, money and muscle power in elections and the steps taken by the Election Commission of India were analysed to curb this menace. In the field surveys, it was found that in an area where people of different religion resides, religion still plays a dominant role for example the area where survey was done, religion matters a lot for both the candidates as well as the voters. One of the key finding was that incumbent had the highest rate of losing the election. This was because of unsatisfactory work done by the incumbent. Also people tend to flow in the caste sentiments irrespective of the candidate nature and character.

So to have a free and fair election process, ECI should be given more power. One of my recommendation is that the Commission should be given the power to frame rules under the R.P. Act, 1950 and 1951. Concept of vulnerability mapping should be introduced in the whole country (at present it is functional in only some districts of U.P.) Booth Level officer should be given more attention and their capacity building should be properly emphasised.

Rules should be amended to provide for the use of totalizer for counting of votes at EVM elections. By using totalizer (group of 14 EVMs together) trend

of voting in individual polling station areas would be unknown and this will prevent post-election intimidation and victimization of electors.

Recently, Government said that ECI can not disqualify a candidate if he has filed his income details (whether correct or incorrect). This would cut the teeth of ECI and would enhance the role of money power in elections. Also the decision by CIC that political parties fall within the ambit of RTI is also a welcome step and would increase democratisation of political parties.

Universal adult suffrage has been a game changer in India and has given a big boost to empower marginal people by ensuring that each vote carries equal value.

This project has been divided into several chapters containing sections and subsections for the readers' perusal. The first chapter gives an introduction to the electoral system of India and the problems which our present system faces while the second chapter deals with the methodology adopted for the completion of the project. The third chapter talks about the current NGO's working in this project and Government's efforts to increase voter turnout. The fourth chapter talks about the results gathered from field visits, literature search and the gap analysis that is what is the difference between existing model and the desired one. The fifth chapter covers the recommendations which can enhance the credibility of this festival of democracy. The recommendations put were both from official sources as well as informal sources (example-Newspaper, Magazine, News etc). The sixth chapter contains the final conclusion and covers the main point discussed in the report.

The recommendations given in this report includes suggestions for effective implementation of various projects of the Election Commission of India.

1.Introduction

1.1 Background Information

Conducting election in India has been a mammoth task considering the size of the country and literacy rate. But nonetheless ECI has done a commendable job in ensuring free and fair elections. Violence during elections has come down progressively in recent years. Up till today there have been 14 general elections and numerous state elections. Election Commission of India has started as a statutory body regulating and conducting elections and over the years has increased its reach and staff and is one of the reputed body of India.

Presently, the United Progressive Alliance (UPA) led by the Congress Party is in power, while the National Democratic Alliance (NDA) forms the opposition. Manmohan Singh was re-elected the Prime Minister of India. In 1992, the heretofore one-party-dominant politics in India gave way to a coalition system wherein no single party can expect to achieve a majority in the Parliament to form a government, but rather has to depend on a process of coalition building with other parties to form a block and claim a majority to be invited to form the government. This has been a consequence of strong regional parties which ride on the back of regional aspirations.

Electoral Process in India takes at least a month for state assembly elections with the duration increasing further for the General Elections. Publishing of electoral rolls is a key process that happens before the elections and is vital for the conduct of elections in India. In the 2009 general elections, 499 out of the total 543 Parliamentary constituencies were newly delimited constituencies. As in the 2004 election, this election was also conducted completely using electronic voting machines (EVMs), with 1,368,430 voting machines deployed across the country. 2009 GE was held in 5 phases because conducting elections in entire country on a single day is impossible.

1.2 Main Problems, their scope and impact on the society

Main problems afflicting elections and causing low turnout are:

- Role of religion: Religion still plays a dominant role in deciding fate of candidates contesting elections. Though India is a secular country and has faced the brutalities of religious violence in 1947, use of religion has been continuing with unhindered stoppage. This sometimes result into religious violence as was the case in 2002 in Gujarat, in 1993 Babri Masjid, etc.
- Growing use of money and muscle power: ECI prohibits expenditure by candidates beyond a certain limit (Rs 20 lakh for LS elections) but it's the unofficial fact that candidates spend much more than this amount and the result is evident in the form of bogus voting and intimidated voters. The following figure gives the State wise details of MP crorepatis in India.

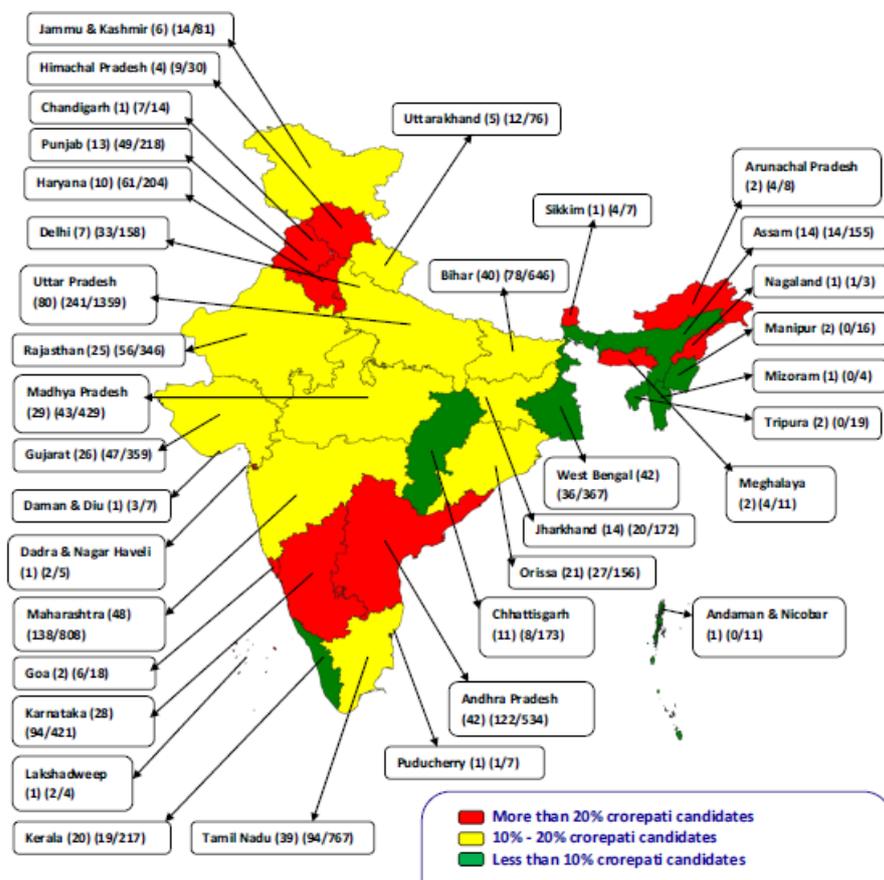


Figure 1MP crorepatis in India (Source :ADR Report on Election Expenditure)

MPs with pending criminal cases

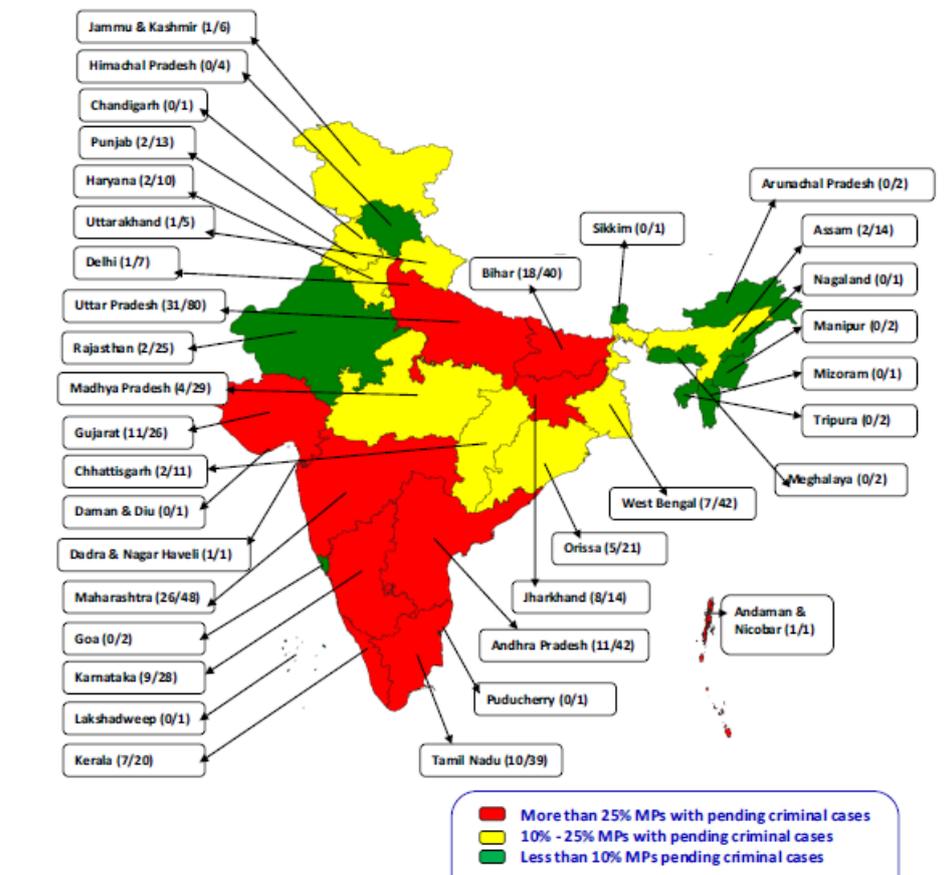


Figure 3 MPs with pending criminal cases against them (Source: ADR Report on criminalisation of Politics)

- Menace of paid news: Paid news has been growing unabatedly despite strong actions by Press Council of India (PCI). For example former Chief Minister Ashok Chavan has been accused of paid news scandal and his case is yet to be disposed of. This led to delusion of the society.
- Intimidation of voters by upper castes: In traditional areas like that of U.P, Upper castes intimidates lower castes and forced them to vote for either a particular candidate or not to vote in elections. During the mammoth 2007 U.P. elections(for Legislative Assembly) ECI identified as many as 27,831 polling stations (out of 1,10,763 polling stations spread over 403 constituencies) as “vulnerable” on the basis of past incidents and current feedback[3].
- Undemocratisation of political parties: Today almost all parties are run by a single person or a group of people who are not accountable

to anyone and ruling the party as dictators, giving tickets to anyone (who suits party requirement and not people's). As a result, doing development work is the last thing for the elected representatives.

- Incumbent and corruption: In 2009 General Elections a total of 304 MPs re-contested elections and only 157 won out of them. But the percentage increase in the growth of assets of these incumbents was 288% which shows the amount of influence direct or indirect these incumbents exerts when it comes to monetary transactions.

To improve credibility of electoral system, it is necessary to go beyond the domain of criminality and to judge the suitability of candidate on the touchstone of certain enumerated standard. Such an approach would ensure accountability of political parties.

1.3 Goals and Objectives

The goal was to suggest step which can increase voter turnout in elections. Low turnout is often considered to be undesirable, and there is much debate over the factors that affect turnout and how to increase it. In spite of significant study into the issue, intellects are divided on causes of the decline. Its cause has been attributed to a wide array of economic, demographic, cultural, technological, and institutional factors. There have been many efforts to increase turnout and encourage voting. But theory always does not yield desirable practical results and often there is a distortion in methodologies applied.

So the study was to gather information keeping in mind the following objectives:

- To study the change in voting pattern/ voting percentage for India.
- To study Various measures taken by election commission to sensitize people towards their voting rights and the impact these measures have actually had
- Study the work done by various NGOs and independent bodies like Association for Democratic Reforms and their impact.
- Role of money and muscle power during the elections and how it influences the voting pattern.

- Role of caste and religion in voting.
- How to make electoral registration process more efficient?
- How can the appointment of BLOs (Booth Level Officers) can be done in a more efficient and willing manner?

2.Methodology

2.1 Literature Search: India is a constitutional democracy with a parliamentary system of government, and at the heart of the system is a commitment to hold regular, free and fair elections. These elections determine the composition of the government, the membership of the two houses of parliament, the state. So first of all the representation of people Act 1950, 1951 which is the cornerstone of election in India, was studied. This Act provides for the allocation of seats in, and the delimitation of constituencies for the purpose of election to, the House of the People and the Legislatures of States, the qualifications of voters at such elections, the preparation of electoral rolls, the manner of filling seats in the Council of States to be filled by representatives of Union territories, and matters connected therewith¹. The law gives detailed provisions for a candidate as well as voter concerning elections. The original law contains seven schedules but at present there are only 4 schedules as last 3 schedules have been repealed due to their redundancy. Regarding recommendations by ECI, Political parties Bill 2011 is being drafted and the bill talks of two important issues. One is the need for inner party democracy. This includes a democratic process for electing or selecting party office bearers, and candidates for election. Some countries have also imposed term limits on the number of times a person can hold office. The second issue is transparency and accountability in funding of political parties and elections. There are several issues here related to limits on donations by individuals and corporations, penalties for noncompliance on parties or donors, whether funding can be accepted by political parties from banned organizations, and the vexed question of how to deal with support groups that spend money but are officially not part of the candidate's election expenses. Vohra Committee reports also proposes reforms on the same line. ECI releases RO handbook for the conduct and responsibilities of RO's.

¹ <http://admis.hp.nic.in/himpol/Citizen/LawLib/C247.htm>

In 2009 GE, the % of votes polled for major parties clearly show that none of them got anywhere close to the 50% mark. Total voting in the country was 58%. INC managed approx. 29 % of the votes cast which was about 17% of the registered voters. BJP managed just 19% votes or 11% registered voters. The total electorate in the country was 71,37,76,525 and the total votes cast were 41,71,58,432[4].

Female participation has been very low in the political sphere, even in developed countries, and is generally because of the socialization of women which tends to under-endow them with the resources, opportunities and the desire to participate. In a survey conducted in the Kodarma district, nearly 35% of women surveyed reported that they were prevented by their families from voting, and also a considerable percentage of women voters reported going to the polls because they observed other women doing so. This underlies the advantage in promoting Self Help Groups for women which will not only ensure financial assistance but also social inclusion and empowerment.

Out of 8070 candidates who contested in Lok Sabha 2009 elections, only 556 or 7% were women. Out of these 556 only 59 or 11% emerged as MPs.

MP crorepatis have doubled in number in 2009 compared to 2004 . And the chances of winning an election in 2009 progressively improved with the value of their assets (0.43% with assets under Rs.10 lakhs to 32.65% with assets over Rs.5 crore). Yet election expenses continue to be underreported. Obviously in fear of admitting to a corrupt practice under the law, and rendering their election liable to be declared null and void by the High Court. According to Article 325 of the Constitution of India, there shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House or either House of Legislature of a State and 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 only of religion, race, caste, sex or any of them. Section 22 of the Representation of the People Act, 1950 empowers the Electoral Registration Officer for a constituency to take remedial action after giving the person

concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him, in the event of any entry being erroneous or defective, entry should be transposed to another place in the roll on the ground that the person concerned has changed his place of ordinary residence within the constituency or deletion of the entry on account of death of a person or the person ceases to ordinarily reside in the constituency or is otherwise not entitled to be registered in that roll. The Registration of Electors Rules, 1960 is the nodal act to be followed in the preparation or revision of electoral rolls[5].

The 21st Law Commission of India has suggested amendment in the R.P Act of 1951 in the following areas.

Sr. #	Broad Area	Sub-sections
1	Decriminalization of politics & disqualification of candidates	Examine existing provisions [Constitutional as well as Statutory], decide if disqualification should be triggered upon conviction or upon framing of charges, standards of public life and statutory provision to examine "fitness" of a candidate etc.
2	Period of disqualification	Examine existing provisions, should new offences be included for the purpose of disqualification
3	State funding of elections	If yes, what should be the criteria, allowed quantum, mechanism, accountability
4	Donations to political parties	Enhanced accuracy and transparency in processes linked to donations
5	False affidavits	Whether filing of a false affidavit under Section 125A of RPA '51 should be ground for disqualification?
6	Electronic & Print media	Paid news impact on elections, restrictions on governmental advertising highlighting its achievements etc.
7	Enhancement of punishment for electoral expenses	Review existing provisions
8	Adjudication of election disputes	Review existing scheme of adjudication including timely disposal of such cases
9	Others	Review limits on election expenses, explore the question of disqualification in cases of false/incomplete statements, any other

Figure 4 Proposed electoral reforms by LCI (Source: http://www.firstpost.com/blogs/want-to-change-how-elections-are-held-in-india-heres-your-chance-934103.html?utm_source=voices&utm_medium=cat_business)

2.2 Field Visits: Although much has already been reported in the literature, it was essential to collect primary information for the research by conducting field visits. Field visits were conducted in 4 areas namely Kazipur (a village on the outskirts of Delhi), Chandni Chowk and Okhla (Muslim dominated areas), Delhi University. The questions asked were: Role of religion, caste, money, muscle power in elections, why low voter turnout, satisfaction regarding work done by the incumbent, work done by Booth Level officers in the area and the role that youth can play in elections. To analyse the voting pattern in rural and urban areas I chose 1 village (Kazipur), 1 urban area (Chandni Chowk), 1 industrial region (Okhla). Also a field survey was conducted in Delhi university. The questions asked were primarily related to the youth participation in elections. The details of all these field visits have been provided in annexure A and the findings from these visits have been discussed in chapter 4.

2.3 Mentor Discussions: He guided me to study R.P act 1950, 51 and RO handbook. He himself has served as an ARO so he told me about ground realities. He mentioned about Sec-49-O which deals with the no voting option. He also gave reference to Kerala model of elections and directed me to go through it.

3.Current NGO and Government Efforts

- **Association of Democratic Reforms:** The Association for Democratic Reforms (ADR) was established in 1999 by a group of professors from the Indian Institute of Management (IIM) Ahmedabad. They aim to improve governance and strengthen democracy by continuous work in the area of Electoral and Political Reforms. The ambit and scope of work in this field is enormous, Hence, ADR concentrate its efforts in the following areas pertaining to the political system of the country:
 - 1) Corruption and criminalization in the political process.
 - 2)Empowerment of the electorate through greater dissemination of information relating to the candidates and the parties, for a better and informed choice.
 - 3) Need for greater accountability of Political Parties.
 - 4) Need for inner-party democracy and transparency in party-functioning.²
- **Following are government efforts in enhancing voter turnout:**
 - Proper training and capacity building of Returning officers for proper conduct and management of elections. This is meant to equip them with all the unintended circumstances that can happen at the time of elections.
 - Computerisation of records so as to have a central database of all voters in the country so that efficiency of elections is enhanced.

² <http://adrindia.org/>

- EPIC (elector photo identity card): This will reduce bogus voting on the Election Day. This card contains the updated photo of the voter so that polling officer can recognise his face.
- Recently Supreme Court approved or say gave clearance to this scheme (EPIC) so that it is now compulsory to have EPIC to enable voting. ECI has boosted the infrastructure so that more people can now have EPIC and as a result EPIC penetration in the country is 92.33 % and in some states like Gujarat Delhi it is 100%.
- To have a disabled friendly Election, ECI has made provisions for ramps in every polling booth.
- To have a proper registration of new entrants in the electoral roll and elimination of dead names, ECI has come up with the idea of Booth level officer (BLO). It is not anywhere mentioned in the R.P. Act 1950. It is an innovative concept introduced by ECI.
- To reduce role of muscle power, ECI has introduced the concept of **vulnerability mapping** accordingly districts were identified which were vulnerable and proper police force was provided.
- To have grievances solved at the earliest, proper GRM has been put up and also online facility for grievances has been enabled so as to have a faster solution.
- The model Code (by ECI) lays down broad guidelines as to how the political parties and candidates should conduct themselves during the election campaign. It is intended to maintain the election campaign on healthy lines, avoid clashes and conflicts between political parties or their supporters and to ensure peace and order during the campaign period and thereafter, until the results are declared. This model code is upgraded every election considering that new forms of frauds and cheating are taking place.
- ECI earmarks a substantial amount of funds (around 2-3 %)for awareness campaign so as to increase voter turnout.

- The Election Commission appoints a large number of Observers to ensure that the campaign is conducted fairly, and that people are free to vote as they choose. This step is to combat frauds taking place on the Election Day.
- In keeping with its practices which resulted in free and fair elections in Bihar during 2005 Assembly polls and the 2009 Parliamentary elections, the ECI has decreed that a special account must be opened by every candidate. This measure, initiated with a view to making the candidates more accountable, is said to be the first of its kind in the country. This step also should be scaled up for the entire country.
- Trained videographers are recruited by the ECI who would keep a strict vigil on the candidate's activities during the month-long run-up to the polls.
- The Election Commission of India (ECI) has made arrangements to distribute Voter's Identity Slips (VIS) at the door-step of the voters. This is part of Systematic Voters' Education and Electoral Participation (SVEEP) mooted by the ECI.
- During 2009 GE to reach out to the masses, ECI used information technology for data collation, generation of requisite information and data analysis.
- ECI is making efforts to make available online the affidavits of contesting candidates so that the voter can have a better knowledge of financial and criminal background of the candidate.
- ECI took a wide number of steps for data dissemination like setting up of new websites and initiating SMS and helpline campaigns. Latest SMS technologies were used to run a country wide SMS campaign to provide financial, criminal and education details of all candidates from their constituency via SMS to the users.

- A number of workshops/press conferences were conducted in all states during 2009 general elections for organising common platforms where candidates were invited and interact with voters[6].
- The reason why voters do not come out to vote is that they do not want to choose any among those contesting. Section 49-O is a welcome step in this direction. Rule 49-O of the Conduct of Elections Rules, 1961, provides that if an elector goes to the polling station and after going through the legal formalities of his identification, application of indelible ink on the finger and affixing of signature in the register of voters decides not to vote, the elector has to inform the Presiding Officer/polling officer about the decision not to vote, and the latter will then record a remark to that effect against the entry relating to that election in the register of voters and take the signature/thumb impression of the elector concerned against that remark. The voter can then leave the polling station without voting for any candidate.

In today's atmosphere where everybody in India is charged with corruption, ECI is said to be the one of most reputed organisation in country. ECI is guaranteed full freedom and independence and this step taken by government has bore fruitful results over the years.

4.Results and Discussions

4.1 Findings from the literature

The need of the hour is to make Indian democracy more participatory rather than more representative. We have enough representatives on the ground but the fixed tenure and lack of accountability often makes them vulnerable. No model of development, inclusive or otherwise, can replace popular participation in decision. Particularly at the grassroots level. In a diverse country with different geo-climatic conditions and agricultural pattern, no single model can offer a single solution to all the problems. We have enough laws but it's their implementation which have let us down. Elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. The major laws are Representation of the People Act, 1950, which mainly deals with the preparation and revision of electoral rolls, the Representation of the People Act, 1951 which deals, in detail, with all aspects of conduct of elections and post-election disputes. A peculiar feature of this act is that it is totally zonal and took into account the various socio-economic-political factors prevailing in an area for example the state of Sikkim has a different criteria for selection of candidates contesting in areas of Bhuta Lepcha region, sangha region and so on. This peculiarity is on account of its special status accorded by Constitution at its birth i.e. 16 May 1975. The Supreme Court of India has held that where the enacted laws are silent or make insufficient provision to deal with a given situation in the conduct of elections, the Election Commission has the residuary powers under the Constitution to act in an appropriate manner. Conduct of General Elections in India for electing a new Lower House of Parliament (Lok Sabha) involves management of the largest event in the world. In 2009 General elections, voter turnout was 58.19 % as compared to 58.07 % in 2004 General Elections. Total number of votes polled in 2009 were 417236311 when our population was 1.15 billion. ECI has performed wonderfully and today it's a 3 member body comprising Chief Election Commissioner and two election commissioners. We have an adult franchise system but no compulsory voting.

The most adverse impact on our constitutional democracy has been our electoral system and electoral politics. Corrupt electoral practices, the high cost of elections and abuse of money power and muscle power and lack of representational legitimacy have eaten into the vitals of our democracy.

The Election Commission has started using tamper proof electronic voting machines to ensure free and fair elections. But its short coming is that sometimes it can malfunction and display haphazard or arbitrary result. This problem is eliminated by using Voter-verified paper audit trail (VVPAT) system.

Returning Officer is the overall in charge of the efficient and fair conduct of elections in the concerned constituency. According to Sec. 64 of the R. P. Act, 1951, votes are counted by or under the supervision / direction of the Returning Officer of the Constituency. When the counting is completed, the Returning officer declares the result as per provisions of Sec. 66 of R. P. Act, 1951.

A recent report released by the Internet and Mobile Association of India and IRIS Knowledge Foundation has revealed that of India's 543 constituencies, 160 can be termed as 'high impact', that is, they will most likely be influenced by social media in the next general elections. High impact constituencies are those where the numbers of Facebook users are more than the margin of victory of the winner in the last Lok Sabha election, or where Facebook users account for over 10% of the voting population. Bharatiya Janata Party (BJP) has been the first national political party to have embraced technology to reach out to voters, with a Twitter account, Facebook page, YouTube channel, mobile app and live streaming over the internet.

4.2Comparative Analysis with Other Countries: There are 9 sub families of electoral systems practiced all over the world. They are as follows:

- Alternative Vote System
- Block Vote System
- First Past the Post System

- List Proportional System
- Mixed Member Proportional System
- Parallel System
- Single Non Transferable System
- Single Transferable Vote
- Two Round System

Indian Model of Parliamentary System follows First Past the Post System. It is a simplest form of plurality majority electoral system using single-member districts, categorical ballot and candidate centered voting. The winning candidate is the one who gains more votes than any other candidate, but not necessarily a majority of votes.

Alternative Vote (used in the three Oceania countries of Australia, Fiji and Nauru) leads with an average turnout of 91%, while the two countries with Single Non-Transferable Vote (Jordan and Vanuatu) have an average of only 43%. An interesting result is the relatively small difference between the two most widely used systems, List Proportional Representation at 73% and First Past the Post at 67%. Following

Chart gives voter turnout of other countries.

Figure 11: League table by country vote to registration ratio, parliamentary elections, 1945-2001

Country (no. of elections)	vote/reg %		
1 Australia(22)	94.5	42 Bulgaria(4)	81.4
2 Singapore(8)	93.5	43 Andorra(3)	81.4
3 Uzbekistan(3)	93.5	44 Turkey(10)	81.3
4 Liechtenstein(17)	92.8	45 Fiji(3)	81.0
5 Belgium(18)	92.5	46 Philippines(7)	80.9
6 Nauru(5)	92.4	47 Belize(5)	80.4
7 Bahamas(6)	91.9	48 Norway(15)	80.4
8 Indonesia(7)	91.5	49 Peru(9)	80.3
9 Burundi(1)	91.4	50 Israel(15)	80.3
10 Austria(17)	91.3	51 Venezuela(10)	80.0
11 Angola(1)	91.2	52 Uruguay(11)	80.0
12 Mongolia(4)	91.1	53 Greece(16)	79.9
13 New Zealand(19)	90.8	54 Kuwait(5)	79.6
14 Cambodia(2)	90.3	55 Chile(11)	78.9
15 Italy(15)	89.8	56 Latvia(4)	78.7
16 Luxembourg(12)	89.7	57 Namibia(3)	78.6
17 Cyprus(7)	89.7	58 Aruba(3)	78.5
18 Iceland(17)	89.5	59 Bahrain(1)	78.4
19 South Africa(1)	89.3	60 San Marino(7)	78.4
20 Cook Islands(1)	89.0	61 Paraguay(9)	78.3
21 Tajikistan(2)	88.7	62 Mozambique(2)	78.0
22 Guyana(7)	88.5	63 Kiribati(4)	77.9
23 Thailand(15)	88.3	64 Brazil(14)	77.8
24 Malta(14)	88.2	65 Costa Rica(12)	77.7
25 Albania(4)	88.0	66 Iran(1)	77.3
26 Netherlands(16)	87.5	67 Azerbaijan(2)	77.0
27 Sweden(17)	87.1	68 Portugal(10)	77.0
28 Seychelles(2)	86.6	69 Slovenia(3)	76.6
29 Tunisia(5)	86.2	70 Kazakhstan(1)	76.2
30 Malawi(2)	86.2	71 Finland(16)	76.0
31 East Timor(1)	86.0	72 Nicaragua(6)	75.9
32 Denmark(22)	85.9	73 Panama(4)	75.5
33 Germany(14)	85.4	74 Armenia(2)	75.4
34 Slovakia(4)	85.2	75 Palestinian Authority(1)	75.4
35 Mauritius(6)	84.4	76 United Kingdom(16)	75.2
36 Argentina(18)	84.2	77 Tanzania(2)	74.6
37 Czech Republic(4)	82.8	78 Dominica(12)	74.4
38 Western Samoa(3)	82.3	79 Sri Lanka(11)	74.3
39 Bolivia(11)	82.2	80 St. Kitts & Nevis(11)	74.2
40 Tuvalu(2)	81.9	81 Suriname(6)	74.2
		82 Cameroon(4)	74.0
		83 Canada(18)	73.9
		84 France(15)	73.8
		85 Spain(8)	73.6
		86 Gambia(5)	73.4
		87 Ireland(16)	73.3

Figure 5 Voter turnout in other parts of World (Source: Report By Rafael López Pintor, Maria Gratschew and Kate Sullivan)

Difference between Parliamentary and presidential System of governance:

Parliamentary and Presidential systems are the two possible forms of governance in a democracy. In the Parliamentary system the Prime Minister (PM) and Chief Minister (CM) are fully dependent on their respective legislatures in the matter of the selection of ministers. Under the Presidential system, the President is not hampered by any considerations. He is not subordinate to or tied to the legislature. He is free to choose his cabinet of ministers from outside the members of the legislature. Executive is totally independent from legislature. In the Parliamentary system, the ministers are not able to provide effective leadership. As they do not have the requisite expertise, they have to depend largely on the civil servants, their secretaries, and under-secretaries. The Presidential system suffers from no such

disadvantages. The ministers have the necessary expertise, and so are not dominated by the civil servants. They know their business, and can see to it that their policies and programs are faithfully carried out. Participation at parliamentary elections is only marginally higher than at presidential elections. In terms of voter turnout, in an analysis 1,175 parliamentary elections saw an average turnout of 75 % as compared to 72 % across 369 Presidential elections[11].

Women and Elections: The Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly in 1979 and subsequently signed by 165 nation states, emphasizes the importance of equal participation of women with men in public life. Yet two decades later women remain far from parity worldwide at the apex of power, as heads of state at prime ministerial and presidential levels, in the executive branch as ministers and as senior public officials, and within parliamentary assemblies. Laws restricting women's rights to vote and to stand for election persist in a handful of Middle Eastern countries, including Kuwait, Qatar, Saudi Arabia, Oman and the United Arab Emirates. In newer democracies, such as Namibia and South Africa, most women have only recently acquired voting rights[12].

4.3 Finding from the fields and impact on the theoretical focus of the project:

The key findings were that religion still plays a dominant role despite economic and social advancement of the society. Also most people were not influenced by the use of religion in a region where a particular religion dominates. People tend to flow in the caste sentiments irrespective of the candidate nature and character which results in differential development in the society and act as a fuelling theme for riots or violence. For example in the field survey conducted there was a predominance of jat community in the constituency and so the winner candidate was also from jat community.

Though women outvoted man in the voting process but they were just 8.6% inside the Assembly which shows the patriarchal attitudes prevailing in the society. Another finding was that as many as 223 political parties (including independents)

contested in the elections out of which only 6 were national parties which shows that in a big state like U.P., regionalism is the key to electoral success. There was not a single constituency where only single candidate contested. Minimum number of candidates contesting for a particular constituency was 6 and maximum was above 15. On the ground level, people still are unaware of the various acts, rules and regulations. Though ECI prescribes a limit of Rs 20Lakh on expenditure side, there is much more in actual resulting in increase in use of money power. People are intimidated and therefore the actual notion of democracy is missed out in this process. Notwithstanding the legal provisions, almost every election after Independence witnessed violence, threats and intimidation of SC voters. Reporting on the Indian elections a journalist of Associated Press was to write:

“Armies formed by local politicians have intimidated villages during every election in the underdeveloped farmland of northern India ... on election day, hired thugs prevent many voters from reaching polling stations. Other voters arrive to find their ballots have already been cast” (Arthur Max, “Private Armies,” Associated Press, April 12, 1996)”³

Basically this upsets the link between One Man One vote and very dangerous in a democratic set up.

There is a growth of regionalism in the state (as evident from U.P where SP is ruling party, Bihar where JDU is ruling party and many more). This regionalism has certain advantages as well as disadvantages as discussed below:

Advantage: This gives more space to people’s choices and they are directly connected with the political executive. This certainly have enhanced people credibility in elections. This regionalism is a recent phenomenon and has come into existence only in 1990s.

Disadvantages: This form of governance is disadvantageous at centre where these regional parties form coalitions and hinder the policy development process. For

³ <http://www.thehindu.com/todays-paper/tp-opinion/an-innovation-that-changed-the-poll-landscape/article4808707.ece>

example: Trinamool congress had not favoured FDI policy which would led to economic revival at the centre level fearing that these policies would affect their interests. For example though FDI in multi-retail is much needed but because of whimsical Mamta Banerjee this step was not introduced in some states like West Bengal.

Therefore regionalism is certainly more participatory but not responsive which is harmful in long term.

The major finding from the field survey conducted in Delhi University showed that youth is both sceptical as well as cynical about electoral politics and even if they are interested they are unable to vote as hometown of some students is not Delhi and they refrain from going to their hometown just for the sake of voting. The scepticalness of youth can pose serious challenges in this changing atmosphere where youth has to be actively involved in the entire decision making. If India has to reap demographic dividend, all policies should be youth-centric and this will require necessary and active role of youth.

Today we have all laws pertaining to elections but still there are various malpractices. This problem is attributed to the fact that Model Code of Conduct is followed in breach. Even the Supreme Court once ruled that the model code of conduct must be followed and the norms and rules set by the Election Commission must be respected.

Comparative analysis of different states shows that states like Bihar, Rajasthan, Karnataka, Andhra Pradesh, Madhya Pradesh, Uttar Pradesh have a big difference between male and female voter turnout. Female turnout was very low in these states. But states like Nagaland, Mizoram, Kerala, Assam, Punjab, Pondicherry have negligible difference between men and women turnout. The trend in low female voter turnout was also verified in rural areas from the field visits conducted. The following figure shows the female and male turnout in state assembly elections in

India.

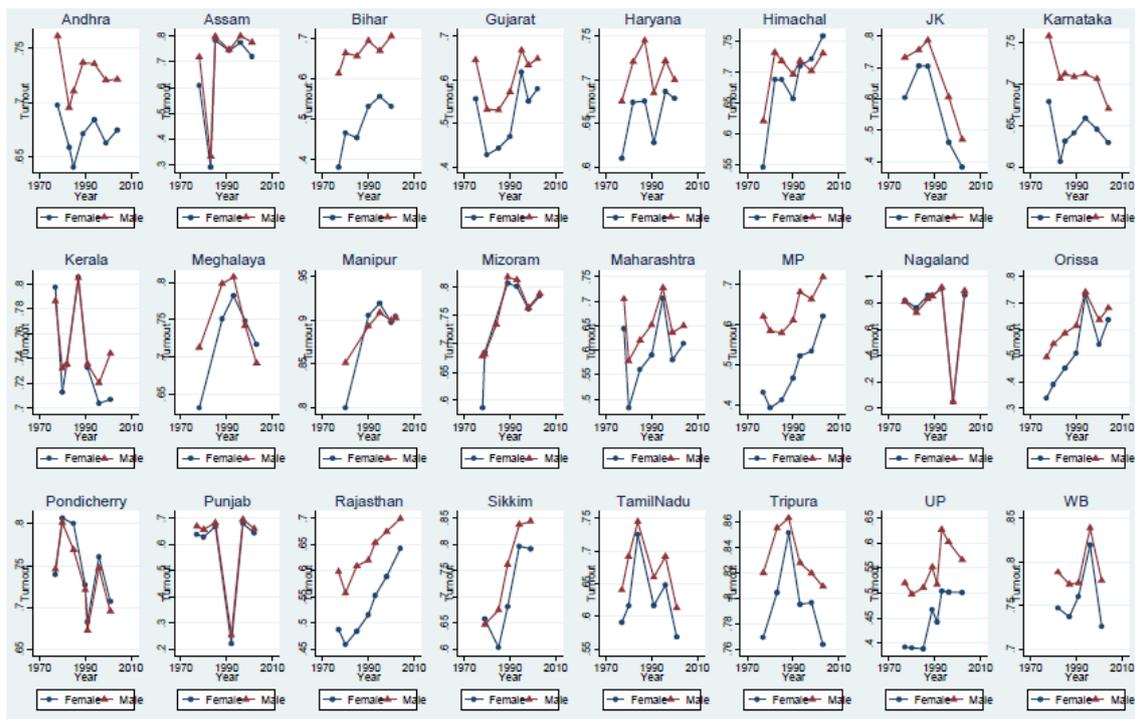


Figure 6 Comparative Analysis of male-female voter turnout in Indian states (report by Commission for Women on Women Participation in elections)

The arguments put up by ADR so that political parties fall within the ambit of RTI were that all political Parties are substantially financed by the Central Government in the form of allotment of land in Delhi/state capitals, accommodations/bungalows at concessional rentals, total tax exemption, free airtime on Doordarshan & All India Radio.

4.4 Gap analysis

“It’s very dangerous to put dreamers into power (Guru Charan Das) “. Same is true for Election reforms in India. We have a multitude of laws, rules and regulations but still we have not much higher voter turnout. Here the gap between existing law/regulation and their loopholes have been enumerated.

- Firstly related to the Representation of people Act 1950, 1951: At present only government can enact law under this act and they will tweak the law so

as to fit their requirements. So ECI should be given power to enact law under this act

- Expenditure limit by ECI is followed in just words and there is actually much more extravagance by candidates (because ECI can administer candidates only and not their associates).
- Today governance is democratic but not political parties as a result deserving candidates (who suits people's aspirations and not party) are not given tickets.
- People still are not still aware of their rights despite earmarking of funds by ECI for awareness generation.
- Today ECI provides for police protection for polling booth but what about the security of those who are intimidated by upper caste in the constituency itself.
- There are certain areas where people live in fear of political parties and contestants and that fear has to be removed by intervening in two respects- youth and women.
- The electoral rolls are not up-to-date in some constituency (like in areas of North East). If the electoral rolls are improved, the overall voting will be more as more people will avail the facility of voting.
- The present selection procedure of CEC is opaque and results in less efficiency of this election watchdog. For example in January 2009, the then CEC N Gopalaswami sent his recommendation regarding removal of election commissioner Navin Chawla to the President of India. The CEC alleged that Chawla had discharged his duties as Election Commissioner in a partisan manner, seeking to further the interests of one party. But the government rejected the CEC recommendation against Chawla and even appointed him as CEC on 20 April 2009[7].
- Though ECI has started its online initiatives but still it has a lot of work to do so as to become parallel to the needs of present generation. In fact, awareness generation should also promoted through online social media tools like facebook, twitter etc.

- A number of organizations (like Association of Democratic Reforms) and some eminent personalities, like Mr Prashant Bhusan, expressed concern about the misuse of print and electronic media by certain political parties and candidates contesting the 2009 elections and about media organisations allowing themselves to be thus abused. They pointed out that such practices would breach the trust of readers and viewers who are entitled to expect unbiased and fair news coverage, especially during elections. While covering elections, the Indian media tend to focus more on personalities than on issues. This creates the incorrect impression that matters such as the state of the economy do not matter much to ordinary voters.
- The overall responsibility of managing a district lies with the District magistrate and he is supposed to do anything which will be beneficial to all the people of that district. But today very less attention is paid to management of elections in terms of riots, vehicles movement on the election day and other contingency plans.

5. Recommendations and Scope

- The Commission recommends that the law should be amended to specifically provide for neutral voting. For this purpose, law may be suitably amended adding a provision that on the ballot paper, in the column relating to names of candidates, after the entry relating to the last candidate, there shall be a column -**None of the above**, to enable a voter to reject all the candidates, if he chooses so. Also decision by ECI to vigorously promote section 49-O is also a good step. The purpose for both the above step is same thing.
- Concept of VULNERABILITY MAPPING should be enforced in the whole country so that intimidation of voters of lower castes is reduced. Vulnerability Mapping provides for police protection inside the constituency and sub polling booths bypassing the upper caste areas thus safeguarding the backward castes which are intimidated by the upper castes to not vote or to vote for a particular candidate. The exercise of Vulnerability Mapping in the context of the Elections is to be undertaken with the aim of clearly identifying in advance, such sections of voters who are likely to be 'vulnerable' and taking adequate corrective action well in advance on the basis of such identification. In 2009 General Elections, this concept was tested on a pilot basis in Uttar Pradesh.
- Proper Capacity building of Booth Level Officer should be enhanced. As they are the most de-centralized element proper management of these officer is crucial. Capacity building will include giving them know-how to register names /elimination of names etc.
- The political parties must be required to publish their accounts annually for information and scrutiny of the general public, for which purpose the maintenance of such accounts and their auditing to ensure their accuracy is a pre-requisite. This step will increase

democratisation of political parties and parties will be compelled to field good candidates.

- In order to ensure the independence of the Election Commission and to keep it insulated from external pulls and pressures, Article 324 of the Constitution provides that the Chief Election Commissioner shall not be removed from his office except in like manner and on like grounds as a Judge of the Supreme Court. However, this article does not provide similar protection to the Election Commissioners and it only says that they cannot be removed from office except on the recommendation of the Chief Election Commissioner. The provision, is inadequate and requires an amendment to provide the very same protection and safeguard in the matter of removability of Election Commissioners from office as is available to the Chief Election Commissioner. This requires an amendment in the constitution of India (mammoth task today considering the fragmented parliament) but this will ensure greater freedom and autonomy of ECI.
- No transfer shall be made, without the concurrence of the Commission, of any officer concerned with the task of conducting elections, as soon as a general election/bye-election becomes due in any Parliamentary or Assembly Constituencies. This will ensure greater autonomy of the officers and will result in their impartial functional.
- All officials appointed in connection with the conduct of elections should be included in the representation of people Act 1950. So all persons who are mentioned in Prevention of corruption Act 1947 and are connected with conduct of elections should be brought under ambit of R.P act 1950, 1951. This step will enable equal treatment of all officials concerned with elections and will bring homogeneity in the functioning of ECI which is very much needed to increase voter turnout.
- Rulemaking authority under the Representation of the People Act, 1950 and Representation of the People Act, 1951, should be conferred

on the Election Commission, instead of on the Central Government, who should, however, be consulted by the Election Commission while framing any rule. This will bring both responsibility as well as power to ECI and can be held accountable for low voter turnout and also ECI has much more resources and knowledge regarding elections.

- Persons with a criminal background need to be kept out of the system so as to ensure its purity. Under the existing law, only those actually convicted are debarred from contesting election. The law needs to be amended to ensure that those against whom criminal charges have been framed are precluded from contesting. Apart from those who are convicted, persons who are charge sheeted for offences for which the punishment is imprisonment for a term of five years or more also need to be debarred from contesting.
- Collaboration between International Institute for Democracy and Election Management (IIDEM) of India and International Federation of Electoral Systems (IFES) of United States of America to strengthen management of elections. Best practices of American (and not all) system to increase voter turnout can be adopted.
- There is also a need of institutional Mechanism between the SAARC countries to deal with the elections. This is necessary because all the 8 countries of SAARC have many common problems in dealing with elections and one country can learn from other through institutional arrangements. Some of the issues which can be addressed through this mechanism include empowerment of election management bodies, inclusive elections, voters education, controlling money power in elections and technology for cost-effective elections.
- The Election Commission should start an internet service to give exact location of a polling booth to voters in any part of India. Information like election officials, number of voters and electoral rolls can be made available online. At present ECI has started this scheme on a pilot basis in the state of Himachal Pradesh and has garnered good response. For areas where internet penetration is low, kiosks can be

entrusted with this tasks as they have the requisite internet connectivity.

- The Central Board of Direct Taxes and Central Board of Excise and Customs should depute their officials as Election Expenditure Observers to check illegal cash flow during the election campaigning. As the officials of CBDT and CBEC are better equipped to deal with illegal money as compared with that of ECI, government should ensure that CBDT and CBEC officials are associated with ECI in dealing with illegal money cases. This will increase true voter turnout where each and every vote is casted without any external influence and there is no vote buying.
- As was the done in 2012 elections in Firozabad District, Proper Logistic plan, Movement Plan, Counting plan, Communication plan and Accounting Plan should be prepared to deal with elections in a smooth manner and ensure transparency in the whole process. Also to weed out the use of muscle power, a special drive should be conducted just before elections and criminals should be dealt severely. For this District magistrate should be given special powers so that political class do not interfere with this issue[8].
- Special events like Marathon, should be organised for awareness generation and gather voter attention. The case in point is RUN FOR VOTE marathon organised in 2012 elections in Firozabad district.
- In areas where people of different religion resides, Police officers of good background and secular credentials should be posted and any initiative by a terrorist outfit should be nipped in the bud.
- Selection of CEC should be through a collegium system comprising of Prime Minsiter, Law Minister, existing CEC, Leader of opposition in Lok Sabha and Rajya Sabha and Chief justice of India. This would ensure independence and would make the process more transparent and efficient which will have a long term effect on improving innovations for increasing voter turnout.

- To have Research and development (R&D) of the election process of India, Centres for Study of Social Exclusion and Inclusive Policy (CSSEIP)[9] should be entrusted with the responsibility of studying election pattern.
- ECI and the HRD ministry should plan to use the government's flagship Saakshar Bharat[10] programme to spread electoral awareness in the country. The effort should be to redefine Saaksharta, as not just the ability to read and write but to include an awareness and attitude change towards citizenship, democracy and the electoral process. And already Saakshar Bharat has a reach in around 300 districts of the country.
- Making post offices nodal agencies for voter registration will be the single most important, least-cost, most effective measure to improve the integrity of the electoral rolls and involve citizens as active participants in the electoral process. Such a change can be effected by appropriate executive orders of the Election Commission.

6. Conclusion:

“Man’s capacity for justice makes democracy possible; but man’s inclination to injustice makes democracy necessary.” In the unforgettable words of Justice Felix Frankfurter, “Democracy involves hardship- the hardship of the unceasing responsibility of every citizen. Where the entire people do not take a continuous and considered part in public life, there can be no democracy in any meaningful sense of the term. Democracy is always a beckoning goal, not a safe harbour. For freedom is an unremitting endeavour, never a final achievement. That is why no office in the land is more important than that of being a citizen.”

The methods employed for getting votes are often unethical. Experience has shown that in our pluralistic society, political parties, or atleast some of them, have found it advantageous to develop a vested interest in progressively appealing to narrower and narrower loyalties- based on caste and community. This has to be totally avoided. Appealing to voters on the basis of caste, creed, language and religion is a corrupt practice and an electoral offence under the Representation of the People Act. It is strange and ironic that most people of a constituency do not vote for the candidate who becomes their representative. The main points which has the potential to disrupt the working of a democracy and need special attention of policymakers are:

- 1) Criminalisation of politics
- 2) Use of religion, caste, money in the elections
- 3) Undemocratisation of political parties
- 4) Low voter turnout of women in elections
- 5) Growing impact of social media

To ensure the return of proper candidates to Parliament/Legislatures is the setting up of “People’s Committees” or “Vigilance Committees” as advocated by Loknayak Jayaprakash Narayan. Other democracies have such a procedure. In England every candidate has to be approved by what is known as the “Constituency Committee.” There is a similar provision in USA too where a candidate must have the backing of a minimum number of members of the electorate to contest the primaries. It would be worthwhile for us to consider having a provision that at least 25,000 voters must

support the candidature of a person for contesting for Parliament and a candidate for the State Legislature should have the backing of atleast 10,000 voters. This would also put a check on the number of contestants.

The most adverse impact on our constitutional democracy has been our electoral system and electoral politics. Corrupt electoral practices, the high cost of elections and abuse of money power and muscle power and lack of representational legitimacy have eaten into the vitals of our democracy. There is the imperative need for electoral reforms to ensure free and fair elections in the real sense, to make elections more meaningful and reflective of the will of the people- and democracy also more meaningful and functional.

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Reports Read:

- The Second Administrative Reforms Commission (2008)
- Election Commission of India – Proposed Electoral Reforms (2004)
- Law Commission Report on Reform of the Electoral Laws (1999)
- Law Commission' draft for amendments to the Representation of People Act
- Justice Verma Committee Report on Amendments to Criminal Law(2013)
- Political Parties Draft Bill 2011
- Vohra Committee Report

Appendix A

Field Visit Report

- Date of the Visit: 29 May 2013

Venue: Village Kazipur

Goal of the visit:

1. TO understand the basic reason for low turnout in that village
2. To check whether they are influenced by muscle power, caste identities, money power
3. To know whether people had satisfaction relating to the work done by their present elected representatives.

Persons met:

1. Mr. Kuldeep: Details of the Discussion: He told me about how various political parties use caste factor in fielding their candidates.
2. Mr Naresh Kumar: Details of the Discussion: He shared his opinion related to the election process in India and told me about the various loopholes present in the system for example growing use of money power in elections.

➤ Date of the Visit: 5 June 2013

Venue: Chandni Chowk

Goal of the visit:

1. TO understand the role of religion in India in election process
2. To check whether they are influenced by muscle power, caste identities, money power.
3. To know whether people had satisfaction relating to the work done by their present elected representatives.

Persons Met:

1. Mr Javeed Khan: Details of discussion: He told me about how the role of religion in that area and said that as that village had over 70% Muslim, it was natural that religion becomes a major factor. As he was an educated person (teacher) he know about the MPLAD scheme and said that though scheme is a good concept but it's the poor selection of projects that have hampered the development of that village.
 2. Mr. Amit Kumar: He told me about the various evils and perils of 'Inspector Raj' in the area (also in the entire country) and told me how that diminishes the scope of further development of his business.
- .
- .

➤ Date of the Visit: 13 June 2013

Venue: Okhla Industrial Region

Goal of the visit:

1. TO understand the role of religion in India in election process
2. To know the low turnout of women voters in a muslim community.
3. To know whether people had satisfaction relating to the work done by their present elected representatives.

Persons Met:

1. Mr Naveen Kumar: Details of Discussion: He said government should focus on increasing voter turnout of illiterate voters working in factories unaware of their rights. For this ECI should have collaboration with companies coming under Companies Act 1956.
2. Shri Aaliyah: Details of Discussion: She told me about how there is a growing use of coercion persuasion for not voting and they are ostracized if they vote.

➤ Date of the Visit: 20 June 2013

Venue: Delhi university

Goal of the visit:

1. TO understand why youth is reluctant or cynical about electoral politics in India.
2. To learn about pros and cons of online voting.
3. Whether the students are influenced by the student wings of political parties and if there is any sort of money or muscle power during national elections.

Persons met:

1. Tarun Rao, Vineet, Deepak: Details of Discussion: They were largely in favour of online voting and also said that a separate phase for elections can be held just only for universities students.
2. Sanjay Patil, Vijay, Himanshu Srivastav: Details of Discussion: One of them said that though he is interested in electoral politics and voting, but unable to cast as his hometown was in Karnataka (his university was in Andhra). Other two were skeptical about politics and were totally pessimistic regarding future of political leadership.

➤ Date of the Visit: 26 June 2013

Venue: Delhi university

Goal of the visit:

1. To know about various works being done by ADR.

Persons met:

1. Mr Manoj Kumar: He discussed me the electoral reforms prepared by ADR i.e political parties (registration and regulation of affairs etc) Bill. According to him the bill will focus on two aspects-inner party democracy and transparency and accountability in funding of elections. Also he gave me an insight of various aspects of elections like criminalization of politics, present system of selection of CEC and collegium system of selection, First past the post system practiced in India and NOTA system introduction in the EVM itself.

Rakshak Foundation is a 501(c)(3) non-profit organization headquartered in Santa Clara, California. It partners with Rakshak Foundation NGO, New Delhi, India. It researches different public policy issues and creates awareness about them. Rakshak Foundation sponsors Seminars on public policy matters, sponsors activities to involve the youth in social issues including volunteerism and supports programs to help the needy. Rakshak's Summer Internship Program is aimed at providing an opportunity to highly motivated college students to work on complex real life social/national problems under the mentorship of experts and policy makers.

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