A PERSPECTIVE TO IDENTIFYING THE PROCESS OF ELECTION IN INDIA

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ABSTRACT

The study of determinants of electoral behaviour constitutes a very significant area of empirical investigation. Man is a rational creature in the philosophical sense of term; he is not so rational in the realms of his economic or political behaviour. An empirical study of the determinants of electoral behaviour displays the astounding fact that the behaviour of man is influenced by several irrational factors and pressure groups in invoking religious and communal factors, influence of money or charismatic personality of a leader and host of other irrational forces have their definite influence on the minds of the voters. Electoral law as it exists now falls short of serving the purpose of allowing every member of the electorate to be assured of the fidelity of her vote and ensuring that the vote is really a proxy for participation in governance.

Keywords: Electoral, political, behavior, votes, voting, public, etc.

1. INTRODUCTION

A democratic system of Government derived from a Constitution is actually known as a Constitutional Democracy. When a popular government, created on the foundation of the peoples’ mandate, comes into existence and also the entire administration of public affairs is wisely pursued and everything is actually with a tight conformity to the concepts and items of the constitution, we call this Good Government. Thomas Paine rightly states, A Constitution is not the action of government and government without a Constitution is actually power without a right. A Constitution is actually a thing antecedent to a government; along with a federal government is just the Creature of a Constitution. Every democracy, except Britain, New Israel and Zealand, appears to have a Constitution in a written document. British writers argue that a Constitution need not be embodied in a single document. They say instead that a country’s Constitution is actually a body of rules? several laws, several conventions which regulate its system of government. When there seemed to be a demand for a break with a need and the past for a new start, the constitution was created.

2. WHAT ARE ELECTORATES?

The Act of 1919 extended the franchise and more than 5 million persons had been provided the right to vote for the nearby legislatures. This figure constituted approximately 9 per cent of the adult male population. Women didn't have the right to vote, although the Provincial Legislatures had been empowered to enfranchise them. The franchise qualifications varied from Province to Province and they varied in urban, rural, and landlord constituencies also. Generally speaking, qualifications had been based on residence in the constituency during the prior 12 months in addition to payment of rent,
land revenue, or income tax, or maybe municipal taxes. A person, who (i) wasn't a British subject; (ii) was a female; or perhaps (iii) had been adjudged by a skilled court to be of unsound mind; or perhaps (iv) was under twenty one years of age, wasn't entitled to vote. Persons, convicted of a criminal offence punishable with imprisonment for a phrase exceeding 6 weeks or perhaps of corrupt practices, were disqualified for 5 years, though the Provincial Governments had been empowered to get rid of this disqualification. Dismissal from Government Service was no longer a bar offered an individual didn't suffer from any of the above mentioned incapacities. The qualification of a voter in the Landholders' Constituency was the possession of a landed estate assessed for land revenue, varying from Rs. 500 to Rs. 5,000. In the Faculty Constituencies, Graduates with a minimum of 7 years standing were provided the right to vote. No specific qualifications had been prescribed for candidates seeking election to the Provincial Legislatures except they weren't less than twenty five years of age, were competent to be the voters in the specific kind of constituency and didn't incur any of the disqualifications enumerated above.

3. QUALIFICATIONS OF THE ELECTORATE

The Act of 1935 didn't envisage some change of concept in the allocation of car seats in the Legislative Assemblies and Councils. Separate, communal electorates and 'weightage' were retained. The franchise was primarily based upon property, education and income qualifications. "A voter had to be twenty one years of age, a British Subject or maybe subject or maybe ruler of a federated or perhaps some other recommended condition as well as to belong to the community to which the seat was assigned and the basic disqualifications were unsoundness of mind, serving a term of imprisonment, etc., and disqualification because of to election offences. The qualifications had been based primarily on income, education and property. The franchise for the Upper Houses was a lot greater. Though they formed separate electorates, the qualifications of the voters for the various communal constituencies didn't differ. The depressed classes had been provided a lower franchise. Girls in all provinces had been offered several extra qualifications, primarily by virtue of their husbands' qualifications. The brand new franchise gave the vote to approximately fourteen % of the population, increasing the amount of voters from under 9 million to about thirty five millions. The member of the Council and the Assembly had to be not less than twenty five and 30 years of age, respectively. A person competent to vote for the Mohammedan or general seat might be elected from any constituency of similar communal description. Applicants for various other car seats in the Assembly had to be persons competent to vote for them.

4. RIGHT TO VOTE:
   i. No person who is not, and except as expressly provided by this Act, every person who is, for the time being entered in the electoral roll of any constituency shall be entitled to vote in that constituency.
   
   ii. No person shall vote at an election in any constituency if he is subject to any of the disqualifications referred to in Section 16 of the Representation of People Act, 1950.
   
   iii. No person shall vote at a general election in more than one constituency of the same class, and if a person votes in more than one such constituency, his/her votes in all such constituencies shall be void.
iv. No person shall at any election vote in the same constituency more than once, notwithstanding that his/her name may have been registered in the electoral roll for that constituency more than once and if he does so vote, all his/her votes in that constituency shall be declared void.

v. No person shall vote at any election if he/she is confined in prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police. Provided that nothing in this sub-section shall apply to a person subjected to preventive detention under any law for the time being in force.

5. VOTING BEHAVIOUR IN INDIA AND ITS DETERMINANTS

"Voting" is one of the most commonly used terms in contemporary age of democratic politics. The ever increasing popularity of democratic theory and practice has even made this term a household name. In democratic systems, and their number is quite large and even increasing, each adult citizen uses “voting” as a means for expressing his approval or disapproval of governmental decisions, policies and programmers of various political parties and the qualities of the candidates who are engaged in the struggle to get the status of being the representatives of the people. In a limited way voting refers to the function of electing representatives by casting votes in elections. However, in broad terms, as Richaed Rose and HarveMassavir point out, voting covers as many as six important functions:

1. It involves individual’s choice of governors or major governmental policies;

2. It permits individuals to participate in a reciprocal and continuing exchange of influence with officeholders and candidates;

3. It contributes to the development or maintenance of an individual’s allegiance to the existing constitutional regime

4. It contributes to the development or maintenance of a voter’s disaffection from existing constitutional regime;

5. It has emotional significance for individuals; and

6. For some individuals it may be functionless i.e. devoid of any emotional or political significant personal consequences.

“Voting” as such is a function of immense significance for the voters, the candidates and the students of politics in Delhi NCR. The study of voting behaviour has come to be regarded as an important aspect of contemporary political research and theory.

6. ELECTORAL SYSTEM AND PROCESS

India is actually a Sovereign, Socialistic, Democratic, Secular Republic. The good results of democracy depend upon fair and free election. It's a cliche however it's of paramount significance. This term means that there ought to be no restriction on the independence of individual people in order to provide themselves as candidates as well as to acquire electoral assistance by just about all
reputable means and every voter should have the flexibility to vote precisely as he chooses, with no fear of effects and without having to post to stress or duress from outside. This delightful state of affairs greatly depends, for the emergence of its, upon the competency of the administrative service that is charged with the duty of managing elections and their impartiality and integrity. There's no gainsaying the point that such administrative arrangements are actually essential for ensuring fair and free elections and also the Constituent Assembly made the decision to turn down the recommendation of the Committee on the Rights that are Fundamental primarily since they trusted the administrative arrangement.1 The Committee on Fundamental Rights had suggested that the independence of the election must be declared a fundamental right of every citizen. The Constituent Assembly agreed that the question of fair and free elections was a question of great value though it didn't agree with the proposal to embody the right to that effect under 'Fundamental Rights'. For that reason, Part III of the Constitution, embodying 'Fundamental Rights' left out this issue, which was, nonetheless, put in a separate portion, namely Part XV of the Constitution, covering Articles 324 to 329. The Constitution establishes a centralised election agency in the form of the Election Commission to be put in charge of all election matters. With this connection, elections figure out the make up of the government, the membership of the 2 Houses of Parliament, the State and Union Territory Legislative Assemblies and the Councils and the Vice President and President.

7. INDIAN ELECTIONS

The conduct of the General Elections in India for electing a new House of the People, involves management of probably the largest event in the planet. The electorate exceeds 729 million, voting in nearly 828,804 polling stations, spread across widely different climatic and geographic zones. Polling Stations are actually put in the snow clad mountains in the Himalayas, the deserts of the Rajasthan, as well as in sparsely populated islands in the Indian Ocean. India has just recently performed probably the biggest electoral exercise of the century on this planet, when it held the fifteenth general election to the House of the People on May, 2009. The land was taken somewhat more than whelmed by such a huge event, involving the participation of over 714 million electors, needing huge electoral machinery comprising approximately five million election officers at different levels. Additionally, for a tranquil atmosphere favorable to the fair and free polls, almost one million civil police forces had been used for maintenance of law and security and order of electors, polling personnel and polling substances, at counting centres and polling stations. The Constitution of India has vested in the Election Commission, the superintendence, balance and guidance of the whole process, for conduct of elections to Legislature and Parliament of every State as well as to the offices of Vice President and President of India. Village and City Local Elections have been left to the State Governments under the State Commissioners. The Election Commission can, justifiably, take pride in having successfully performed the above electoral physical exercise to the pleasure of all the stakeholders and participants, specifically, political parties, candidates and the electorate.

8. CONCLUSION

Elections occupy a prominent place in the democratic government. It is a means through which people express and enforce their political opinion and regulate political organization of the society. However the behaviour of a voter is influence by several factors such as religion, caste, community, language, money, policy or ideology, purpose of the polls, extent of franchise and the like political parties and groups make use of these variables for the sake of winning the battle of the ballot box. It is therefore,
imperative that the use of these determinants should be avoided and elections should be conducted in a very free and fair manner. It also depends upon whether the system allows freedom of thought, expression and association to the people. Mere presence of an electoral system does not make a political system democratic.

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