

Elections

Democracy is considered the best form of government. In a democracy, people have the right to choose their own representatives.

An election is a procedure through which people elect their own representatives to form and run the government. In democracies, elections are contested on party lines. A party which gets the largest number of votes forms the government at the centre.

Why do we Need Elections?

- An election is the most suitable way in which people can choose and send their representatives to legislatures.
- In case of contest between two or more candidates for the same position, elections enable the voters to choose a candidate of their own choice by casting their votes.
- By voting in the elections, the voters participate in governing their country.
- Elections held at regular intervals help voters to put a check on the activities of the government. If their representatives are not working satisfactorily, then they can decide not to vote for them in the next elections.
- People come to know about the ideologies of political parties during elections.
- After securing a victory in elections, representatives frame laws for the welfare of people.

Kinds of Elections

There are two kinds of elections—direct elections and indirect elections.

Direct Elections: People of India cast their votes to directly elect their representatives to the Lok Sabha and the state legislative assemblies. The elections in India are held on the party lines where the leader of the majority party in a state becomes the Chief Minister and the leader of the majority party in a country becomes the Prime Minister.

Indirect Elections: In India, the members of the Rajya Sabha and the Legislative Council are elected indirectly. The elected representatives of the people elect the members of the Rajya Sabha and the Legislative Council.

The Rajya Sabha consists of not more than 250 members. Of these, 238 members are elected by the elected members of the state legislative assembly of each state. The remaining 12 members are nominated by the President having special knowledge in literature, science, art, social service and sports.

Election of the President and Vice President of India

- The President and Vice President of India are elected indirectly.
- The President is elected indirectly by the members of the Electoral College which consists of the elected members of the Parliament and the state legislative assemblies including Delhi and the Union Territory of Puducherry.
- The Vice President is elected by the members of both houses of Parliament. State legislatures do not participate in the elections of the Vice President.

Types of Elections

There are three types of elections—general elections, by-elections and mid-term elections.

General Elections: General elections are held after every five years.

Mid-Term Elections: When the Lok Sabha or the state legislative assembly is dissolved before the completion of its full term of five years, mid-term elections are held.

By-Elections: When the seat held by a member in the Lok Sabha and the state legislative assembly falls vacant on the account of death or resignation of the member, by-elections are held to fill up vacancy.

Constituency

The entire country is divided into several representative areas called constituencies. A **Constituency** is a fixed area with a body of voters or residents with voting rights. There are separate constituencies for the assembly elections and parliamentary elections.

Demarcation of Constituencies

- After every census which is held at a regular interval of ten years, the Parliament enacts a Delimitation Act.
- The Delimitation Commission is then set up by the central government.
- This Delimitation Committee then demarcates the boundaries of the parliamentary constituency according to the terms of the Delimitation Act.
- Lok Sabha constituencies are created according to the size of its population. However, some union territories and smaller states which have a small population are not governed by the rules of seat allocation applicable to other states. This has been done to provide adequate representation to them irrespective of their small population.

Types of Constituencies

Single-Member Constituency: When a constituency is entitled to only one member, it is known as a single-member constituency. It is a simple and convenient method in which only one member from each constituency is elected. Examples: India, England

Multi-Member Constituency: When more than one member is elected from one constituency, it is known as a multi-member constituency. In this system, several groups become the part of legislature which may hamper the work of the government. Examples: Germany, Italy, France

Reserved Constituencies: Many constituencies are reserved for the members of the Scheduled Castes and Scheduled Tribes.

The Election Commission

The Election Commission has been set up in line with the Constitution. It is extremely important to hold free and fair elections at regular intervals. The Election Commission is a body which supervises the process of holding elections in the country.

Composition of the Election Commission

At present, the Election Commission consists of a Chief Election Commissioner (CEC) and two other members.

Appointment

The CEC and other commissioners are appointed by the President of India on the advice of the Prime Minister. The Regional Election Commissioners are appointed by the President in consultation with the Election Commission.

Term of Office and Conditions of Service

- The members of the Election Commission are appointed for a term of six years. During their tenure, if they attain the age of 65 years, they have to resign from office.
- The salary of the CEC and other commissioners is equal to the salary of a judge of a Supreme Court. They are also entitled to pension after retirement.
- Any difference in opinion between the CEC and other commissioners is decided in favour of the majority of opinion.

Powers and Functions of the Election Commission

The Election Commission has wide-ranging powers and responsibilities. These are

- It prepares the electoral rolls and photo identity cards. It also prepares the voting list after identifying eligible voters in an area.
- It gives recognition and allots symbols to the political parties.
- It fixes the dates of the elections. It can refuse to hold elections in a constituency during a particular duration to ensure free and fair elections.
- One of the most important functions of the Election Commission is to conduct elections in a free and fair manner. It ensures holding of free and fair elections in the following ways:
 - It sends central observers to the constituencies where there is a danger of violence to ensure that voting takes place freely without any fear.
 - It may countermand polling if it is sure that some malpractices have been used while polling.
 - The Commission in recent amendments to the Representative of Peoples Act has prescribed harsh punishment for booth capturing.
- It appoints polling officers for the constituencies. It appoints the Returning Officer whose responsibility is to examine the nomination forms submitted by contestants and declare them fit for contesting elections.
- The Commission announces the date of election, the date of filing nomination papers and the withdrawal of nominations by contestants.
- It also scrutinises the accounts of election expenses submitted by contestants.
- The Election Commission advises the President or Governors of the state in regard to electoral matters, election disputes and disqualification of members.