



# Role Of The Election Commission Of India In Electoral System

SHAIK JAHIDA BEGUM

LECTRURER IN GOVT DEGREE COLLEGE BANTUMILLI, KRISHNA DT,  
ANDHRA PRADESH

## Abstract

This research paper explores the pivotal role of the Election Commission of India (ECI) in ensuring free and fair elections, a cornerstone of the world's largest democracy. Established under Article 324 of the Indian Constitution, the ECI is entrusted with the responsibility of administering election processes at both the national and state levels. The Election Commission of India (ECI) is a constitutional authority responsible for administering free and fair elections in India. As the world's largest democracy, India requires a strong and independent institution to ensure electoral integrity. This paper examines the role, powers, and functions of the Election Commission of India, its contribution to strengthening democracy, and the challenges it faces in the contemporary political environment. The impact of judicial interventions and the role of media in supporting the ECI's mandate are also evaluated. In conclusion, the research underscores the ECI's significance in fortifying democracy in India by safeguarding the principles of transparency, inclusiveness, and fairness in the electoral process. The findings suggest that while the ECI has made substantial progress, continuous reforms and vigilant oversight are essential to address emerging challenges and reinforce the democratic framework of India.

Keywords: Election Commission of India, Democracy, Electoral System, Indian Constitution,

## Introduction:

The Election Commission of India is an autonomous constitutional authority responsible for administering Union and State election processes in India. The body administers elections to the Lok Sabha, Rajya Sabha, State Legislative Assemblies in India, and the offices of the President and Vice President in the country. Elections are the foundation of a democratic political system. In India, the responsibility of conducting elections in a transparent and impartial manner rests with the Election

Commission of India. The Election Commission of India (ECI) plays a crucial role in the sustenance and enhancement of democracy in India. Established under Article 324 of the Indian Constitution, the ECI is responsible for supervising, directing, and controlling the entire process of elections to Parliament and the Legislature of every State, as well as the offices of the President and Vice-President in India (Constitution of India, 1950). This mandate underscores the Commission's fundamental role in upholding the democratic process, ensuring that elections are conducted in a free, fair, and transparent manner.

The ECI also undertakes comprehensive efforts to maintain accurate and up-to-date electoral rolls, which are essential to preventing voter fraud and ensuring that all eligible citizens can exercise their right to vote. This includes periodic revisions and the use of technology to streamline the registration process. Additionally, voter education campaigns play a pivotal role in encouraging informed and active participation in the electoral process. The ECI's Systematic Voters' Education and Electoral Participation (SVEEP) program is a notable initiative in this regard, aiming to increase voter awareness and turnout. Despite these efforts, the ECI faces numerous challenges, including political interference, voter intimidation, and the spread of misinformation.

### **Original Structure of the Election Commission of India:**

The structure and powers of the Election Commission and its supervisory arrangements for ensuring efficient and impartial functioning of the electoral machinery are of crucial importance to the working of the electoral system that any scheme of electoral reform would be largely ineffectual without certain essential changes in the Commission's structure and powers and more adequate system of supervision over the electoral machinery. Article 324 Clause 2 of the Constitution of India envisages that Election Commission may consist of the Chief Election Commissioner and such member or other Election Commissioners as may be fixed from time to time to be made by the President for a term of six years, or up to the age of 65 years, whichever is earlier. Under clause 3 of Article 324, it is further provided that when any other Election Commissioner is appointed, the Chief Election Commissioner will act as the Chairman of the Election Commission. The Constitution has ensured that the Chief Election Commissioner shall perform his duty uninfluenced by a party or political consideration and free from executive interference. At the State level, the election work is supervised, subject to overall superintendence, direction and control of the Commission by the Chief Electoral Officer (CEO) of the State, who is appointed by the Commission from amongst senior civil servants proposed by the concerned state government. At the district and constituency levels, the District Election Officers (DEO), Electoral Registration Officers (ERO) and Returning Officers (RO) who are assisted by a large number of junior functionaries perform election work.

### **Role of Election Commission in Electoral Administration**

Election is a device which a modern State creates amongst its citizens a sense of involvement and participation in public affairs. It is through popular elections that the authority of government is clothed with legitimacy with elections; peaceful transfer of authority is possible to the new leaders. So, a good electoral system is therefore, the basic principle of genuine representative government. However, it depends on how the electoral system operates i.e., whether elections are conducted efficiently and impartially by competent administrators free from political bias. If there exists no confidence over the verdict of the ballot box, it may destroy the faith of the public in the democratic process and may tend to bring it into discredit.

## **1. Preparation of electoral rolls:**

Article 325 of the Constitution lays down that there shall be one general electoral roll for every territorial constituency, the preparation of electoral rolls based on religion, race, caste or sex is forbidden. The preparation and maintenance of complete and accurate electoral rolls are essential prerequisites for holding elections. Under Article 326 of the Constitution, the electoral rolls must be prepared correctly for all eligible voters irrespective of their religion, race, caste and sex to hold free and fair elections.

## **2. Conduct of Poll :**

Under section 30 of Representation of the People Act, 1951, the Election Commission is empowered to issue certain notifications in the official Gazette to fix the last date for making notification, date for the scrutiny of nominations, the last date for the withdrawal of candidatures, the date or dates on which a poll shall be taken and the date before which the election shall be completed and declaration of results.

## **3. Recognition of Political Parties:**

The Election Commission has to register the political parties in accordance with the Provisions of Section 29A of R.P. Act, 1951. The final decision regarding the registration of political party shall be based on Sub-Section 29A of R.P. Act, 1951. The Election Commission has to act quasi- judicially and has to follow principles of natural justice while registering the political parties.

## **4. Allotment of Symbols :**

Under Rule (5) of the Conduct of Elections Rules 1961, the Election Commission is to authorized to specify symbols that may be chosen by candidates at elections in parliamentary and assembly constituencies and the restrictions to which their choice shall be subject, by publishing a notification in the Gazette of India and in the Official Gazette of each State. The power to issue Symbols Order is comprehended in the power of superintendence, direction and control of elections vested in the Commission.

## **5. Disqualifying of the Candidate and Voters:**

Under Section 10 A of the People's Representation Act, 1951, after every general election, each candidate is informed to submit his/her election returns. If the candidate does not file election returns within a prescribed period, the Election Commission has the power to disqualify such candidate. Section 11 of Representation of the People Act, 1951 empowers the Election Commission to remove any disqualification list. Under Section 11B of R.P. Act, 1951, the Election Commission also has the power to remove disqualification of voter list.

## **6. Counting of Votes and Declaration of result:**

The votes may be counted either at one place for all the Assembly segments of a Parliamentary Constituency or at different places for the various Assembly segments under the supervision of the Assistant Returning Officer (ARO). The final result is collected by the Returning Officer at his headquarters and declared the results on the approval of the Election Commission.

## **7. Delimitation of Constituencies:**

Under section 11 of the Delimitation Act of 1972, the Election Commission is empowered to correct any printing mistake in any of the orders made by the Delimitation Commission.

**Conclusion:**

The Election commission of India stands as a bulwark of our democracy, ensuring the sanity of our electoral processes and upholding the democratic ideals, which are enshrined in the constitution, which is the most important thing for the government and for us as well. Reforms, if implemented, need to be implemented collectively, which will help in modernizing the electoral system in our country, addressing all the loopholes and long-standing issues of transparency and accountability during elections, and also to restore public faith in India's democracy, aiming India to become more vibrant. Some of these proposed reforms require constitutional amendments while others can be achieved through a legislative procedure or legislative action and administrative changes as well. The most required is the process reforms, which would then ensure the achievement of the eventual goal. The tiny processes which on the face of it might look very small, but would have huge ramifications. Hence changes in the processes is the need of an hour and also a key to successful implementation, which always lies in by parties and consensus and robust public engagement, and also the commitment between the government political parties and the election commission to uphold the integrity of electoral processes in our country.

Open and impartial elections have been considered to be a fundamental component of the Indian Constitution. It serves as the voice of the people to have their say to establish the national government that would effectively run affairs of the country. Despite having several talents and being recognized as if it is an independent body, its autonomy should be limited enough to prevent abuse of power.

**References:**

1. Basu DD. Introduction to the Constitution of India, 386.
2. Section 14 and Section 15, The Representation of the People Act, 1950.
3. Gariwal J.C. and Chaudhary N.K., (2000). "Lok Sabha Election 1999", Shipra Publications, New Delhi
4. Bhalla, R. P. (1998). "Elections in India: Legacy and Vision". S. Chand and Company. New Delhi.
5. Election reforms by T. N. Seshan. Accessed from <https://www.jagranjosh.com/general-knowledge/the-proponent-of-election-reforms-in-india-t-n-seshan-1554810743-1> on October , 06, 2019.
6. econd Administration Reforms Committee. (2007). Government of India. Accessed from <https://darpg.gov.in/sites/default/files/ethics4.pdf>