# **Electoral Reforms in India**

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**Abstract:** Our Election Commission has worked independently and impartially, as well as efficiently. The Election Commission has fulfilled all the constitutional obligations and has never tried to go beyond or overstep the limits of the constitution. It has also always worked within the framework of the constitution. During the last seven decades of its working, the Election Commission of India has acquired for itself a prestigious position in the constitutional set up of the country. Anybody having a grievance against a political party, candidate, Minister, or official can approach the commission for its redresal. A feeling has grown in the country that the Election Commission is the only suitable agency for the removal of their electoral grievances and can render the requisite help and guidance in all matters pertaining to elections. The Commission has been able to generate a sense of faith that the people can repose in its integrity.

Parliament has made a law to ensure free and fair elections and a very comprehensive system of elections has been developed in this country. The experiences of the last fifteenth General Elections have shown the merits and demerits of the system to the people. Several changes have since have been made in the system.

**Keywords:** Indian electoral system, **Electoral system maladies**, physical demarcation of Constituencies, Legal luminaries, **Electoral reforms before**, **O**pen ballot system, Representation of the People's act 1951, The accounts of election expenses, *Ban on defection*, **Free and fair elections** 

### Introduction:

To ensure free, fair and impartial elections, the constitution has establishes the election Commission, a body autonomous in character and free from political or executive influence. Before directly dealing with electoral reforms, it would be quite pertinent to describe the composition, powers and functions of Election Commission of India. The independence and integrity of Election Commission of India are most important in ensuring the free and fare elections in the country. The safe guards are embodied in Articles from 324 to 329 of the Indian Constitution as mentioned below.

- a. Article 324 deals with Superintendence, direction and control of election to be vested in the election Commission.
- b. Article 325 deals with- No person shall be discriminated on the grounds of religion, race, caste, creed place ,birth or sex.
- c. Article 326 deals with Elections to the House of the People and to the Legislative Assemblies of states to be on the basis of adult suffrage.
- d. Article 327deals with Power of Parliament to make provision with respect to elections to legislatures.
- e. Article 328-- Power of legislature of a state to make provision with respect to election to such legislature.
- f. Article 329 bars interference by courts in electoral matters relating to certain matters under the provisions of the Constitution.

#### Article 324 deals with

- 1. The superintendence, direction and control of the preparation of electoral rolls for the conduct of all elections, Parliament and Legislatures of every State and of Elections to the offices of the President and Vice President under the Constitution.
- The election commission shall consist of Chief Election Commissioner and other members, as the
  president may determine from time to time. The Chief Election Commissioner and other member of
  Election Commissioners shall be appointed by the President. Their conditions of services shall be
  determined by the President.
- 3. The Chief Election Commissioner shall not be removed from his office except in the manner and on the grounds as a judge of a supreme court and the conditions of the service of chief election

commissioner shall not be varied to his disadvantage after his appointment. The same rules are applicable to other election commissioners.

4. Article 327empowers the parliament to make provisions for elections to State Legislatures.

# Powers and functions of Election commission<sup>1</sup>

- (1) To prepare proposals for the physical demarcation of Constituencies according to the prescribed criteria.
- (2) The second important but tedious function of the Election Commission is to prepare for identification of the up-to-date list of all the persons who are entitled for voting at the poll.
- (3) Third function -- Election Commission shall allot symbols to the political parties and the candidates and to accord recognition for political parties.
- (4) Fourth function— Election Commission has power to adjudicate upon disputes with regard to recognition of the political parties and rival claims to a particular symbol for purposes of elections.
- (5) Fifth function of the Election Commission is to examine the nomination papers of the candidates. These papers are accepted if found in order, but rejected otherwise. This duty is performed by the Returning Officer who notifies to all the contesting candidates, the date, time and place for the formal scrutiny of nomination papers.
- (6) Sixth stupendous task-- the Election Commission has to undertake the conduct of the process of polling through out India. In a Parliamentary or Assembly constituency, the Returning officer is to make suitable arrangements for conducting the poll with the prior approval of the Election Commission.
- (7) Seventh most controversial function-- the Election Commission has to perform the scrutiny of the accounts of election expenses submitted by contestants in elections.
- (8) To appraise the machinery of elections throughout the country so that elections are held in free and fair manner; 9) To appoint officers for inquiring into disputes relating to electoral arrangements; 10) To cancel polls in the event of mass-scale rigging or other irregularities. 11) To advise the President on matters relating to the disqualification of a member of Parliament and to the Government about the disqualification of a member of the State Legislature; and 12) To advise the Government whether elections can be held in a State under Presidential rule in order to extend the duration of emergency there after a year.

### **Electoral system maladies**

Still our electoral process is beset with many evils. Some of them can be identified.

- 1. First is the mounting expenditure on elections incurred both by the Government on organizing them and more particularly by the parties and candidates on fighting them. Barring a few rich individuals, nobody can finance an election from his own resources. The political parties and their candidates are increasingly depending upon business sources. The business contributions are mostly in cash and from unaccounted money. Another source is the wealth amassed by the gangs of anti-social elements –smugglers, black marketers and industrial mafias.
- 2. Even more than money power factor that vitiates the elections is the muscle power, acting in aid of the candidates belonging to dominant castes and communities in a constituency. Often the administrative machinery is hand in glove with these elements. With the aggravation of caste and communal conflict, the eclipse of idealism and ideology in public life, the evil of booth capturing and rigging have virtually made a mockery of free and fair elections. The evil practice that started in Bihar has gradually spread over other states. The electoral system provided in India suffers from several lacunae. Some of the important shortcomings highlighted by the critics include (a) growing use of corrupt practices and misuse of governmental machinery; (b) role of money and muscle power; (c) role of caste and religion; (d) lack of equal opportunities and resources with the various political parties, which gives a distinct advantage to ruling party; (e) presence of large number of political parties and increasing number of independent candidates; (f) wide-gap between the votes polled and the seats captured by the political parties.
- 3. It has also been observed that due to large number of candidates the winner candidate very often wins by minority votes. The percentage of votes polled by political parties also does not correspond to their percentage of votes. The majority party generally wins with minority votes.
- 4. The total dependence of the Election Commission on the central and state governments for the conduct of the polls is another serious defect in the existing electoral system.
- 5. Candidates with criminal records are contesting elections and get elected by using strong arms.

6. The above election maladies are found existing in the Indian electoral system. In order to find out the remedies, seasoned politicians, eminent administrators and legal luminaries have suggested some solutions. Hence Government of India have taken steps by appointing committees and commissions.

The recommendations of those committees and commissions have been summarized in a nutshell in the following paragraph.

In 1974, the Tarkunde Committee made the following recommendations<sup>2</sup>: (i) the President should appoint the Election Commission on the advice of a committee comprising of the Prime Minister, leader of Opposition of LokSabha and the Chief Justice of India; (ii) the Election Commission should have three members; (iii) voting age be reduced to 18 years; (iv) radio and television be made autonomous and (v) Voters councils should be formed to ensure free and fair elections.

In February 1975 the Election Commission had appointed the Committee For Democracy( CFD) for electoral reforms. The committee made the following recommendations:

- 1. The Government should function as care taker Government from the time on the announcement of dissolution of the Loksabha and for Legislative assembly until the polling day. During this period Care Taker Government should not announce new policies should not promise new projects should not grant salary increases and allowances should not hold any official functions.
- 2. During the election period all ministers should not travel except at their own expenses. They should not use Government vehicles and aircraft. They should not use Public Works Department for erecting rostrum. They should not be given time either on radio or television except for election propaganda. They should not be permitted to publish their parties advertisements of the achievements at the cost of government. They should not be permitted to transfer the police officers above the level of Head Constables and Revenue Officers, Group A and B Officers should not be transferred. The legal sanctions for the above proposals should be provided by amending the Constitution.

# Chief Election Commissioner: During the tenure of R.K.Trivedi - Chief Election Commissioner (from 18th June 1982 to 31st December 1985)

- 1. Election law should be changed so as to define the term 'political party' and its area of operation.
- 2. Election Commission should have the constitutional authority to make regulations for (i) compulsory registration of political parties, (ii) compulsory maintenance of accounts including all receipts and donations and minute books, (iii) open acceptance of donations from companies and individuals under the receipts subject to suitable regulatory conditions including tax relief with a ceiling in the case of individual donors, (iv) compulsory audit and accounts by an agency to be named by the Commission, (v) submission of periodic reports to the Commission.
- 3. Misuse of official machinery by a candidate should be defined as a 'corrupt' practice attracting legal provisions of the Representation of the People Act, 1951.
- 4. Art. 324 (6) of the Constitution should be so amended that the Election Commission may utilize the services of the polling staff of one State for election work in another State with the consent of the Governor of the concerned State.
- 5. Referring to the special case of Assam, the CEC desired a change in the election law to the effect that a minimum number of seats be laid down on whose filing up the Election Commission may issue notification of the due constitution of the House.

# In 1990, the Dinesh Goswami Committee was set up which made the following important recommendations<sup>3</sup>.

- 1. The Election Commission should be a multi-member body having a Chief Election Commissioner and two Election Commissioners.
- 2. There should be a fresh delimitation of constituencies on the basis of last decennial census and the seats reserved for the Scheduled Castes and Scheduled Tribes should be rotated from time to time. The political parties should distribute more tickets in favour of women.
- 3. A person should not be allowed to contest election from more than two constituencies of the same category
- 4. The model code of conduct issued by the Election Commission on the eve of elections should be given a statutory backing.
- 5. A bye-election should be held within six months of the occurrence of a vacancy and election petitions pending in the High Courts should be disposed of expeditiously by the special courts or tribunals .

- 6. The law should ban donations to political parties by the companies, but the State may grant subsides to recognized political parties in the form of material as free supply of vehicles, petrol, diesel, stationary etc
- 7. The minimum age of the candidate should be reduced from 30 to 25 years for election to the RajyaSabha and VidhanParishads and from 25 to 21 for elections to LokSabha and VidhanSabhas.
- 8. Stringent punishment should be given to those who commit acts of booth capturing, rigging the polls, terrorizing the voters etc.
- 9. The security deposit of the candidate should be enhanced so as to discourage non-serious candidates.
- 10. The law should be suitably amended for imposing a ban on the transfer of civil and police officers connected with the work of elections for a specified period.

# **Inderjit Gupta Committee made the following recommendations (1999)**<sup>4</sup>:

- 1. Since political parties perform a vital public function of sustaining democracy, they should be financed from public fund. The Centre should create a separate election fund with a corpus of Rs. 600 crore. But it should be available to the candidates of parties recognized by the Election Commission. Moreover, this assistance should be in the form of material, not in cash, as rent-free accommodation in State capitals, petrol, diesel, jeeps, stationary etc.
- 2. Elections should be made free from the influence of criminals and muscle power should be checked.
- 3. Restrictions should be imposed on wall writing and displays of banners and a reasonable number should be fixed for taking out processions and holding of public meetings.
- 4. All donations from Rs. 10,000 upwards should be accepted by cheques or drafts and the name of the donors be disclosed.
- 5. Political parties must file a return of their income and expenditure after every general election to the Election Commission.

# During the tenure of T.N. Seshan then Chief Election Commissioner, the following recommendations were made

- (i) video coverage of polling booths to curb booth capturing and other malpractices,
- (ii) the introduction of photo identity cards,
- (iii) engraving serial number in the ballot box to eradicate its substitution,
- (iv) confiscation of arms and ammunition during the poll period and,
- (v) closure of liquor shops and tabs. These reforms, however, did not find favour with the Government and various political parties. The Government in order to curb the power of T.N. Seshan converted the Election Commission into a multi-member body.

On the basis of the recommendations made by the above mentioned committees the following electoral reforms have been carried out. Since 1988 several electoral reforms have been brought about in our electoral system. They are described under four heads:

- I. Electoral reforms before 1996
- II. Electoral reforms of 1996
- III. Electoral reforms after 1996
- IV. Recent important changes.

#### I. Electoral reforms before 1996<sup>5</sup>:

- a) Voting age has been reduced to 21 years to 18 years according to Sixty first Constitutional Amendment Act 1988.
- b) Deputation to Election commission- from 1988 a provision has been made that the officers and the staff engaged in election duty are deemed to be on deputation to the Election Commission.
- c) Increase in the number of proposers- from 1988 the number of proposers in the nomination papers has been increased to ten of the electors of the constituency.
- d) Electronic voting machines- from 1989 a provision has been made to facilitate the use of electronic voting machines.
- e) Booth capturing- from 1989 a provision has been made for adjournment of poll on account of booth capturing like seizure of polling stations.

International Journal of Latest Research in Humanities and Social Science (IJLRHSS) Volume 04 - Issue 06, 2021 www.ijlrhss.com || PP. 34-42

#### II. Electoral Reforms of 1996:

The central government headed by then Prime Minister Mr. V P Singh had appointed a committee on electoral reforms in 1990 under the chairmanship of Dinesh Goswamy. But the recommendations of this committee were implemented in 1996 as mentioned below:

- a) Increase in Security deposits- The amount of security deposits for the candidates contesting LokSabha elections was increased from Rs 500 to Rs 10,000 for the general candidates and from Rs 250 to Rs 5000 for Sc and ST candidates. Similarly the security deposits for the candidates contesting assembly election were increased from Rs 250 to Rs 5000 for general candidates and from Rs 125 to Rs 2500 for the SC ST candidates.
- b) Listing names of the candidates- The candidates contesting the elections are classified into three categories:
- 1. Candidates of recognized political parties.
- 2. Candidates of unrecognized political parties.
- 3. Independent candidates.
- c) Disqualification for insulting the National Honour Act 1971. A person contesting the election will be disqualified if he is convicted for insulting National Honour Act.
- d) Prohibition on the sale of liquor. The sale of liquor is prohibited within the polling area during the period of 48 hours ending with the hour fixed for polling. If a person is violating the rule he will be punished with imprisonment up to 6 months.
- e) The nomination of a candidate in the election should be subscribed by 10 registered electors of the constituency as proposers.
- f) In the case of death of contesting candidate before actual polling, the election process will have to be postponed.
- g) Time limit for Bye Elections- Bye elections will have to be held within 6 months of occurrence of the vacancy in the House of Parliament or the State Legislatures. In consultation with the Central Government the Election Commission may postpone Bye Elections if it is difficult to hold the Bye elections within the said period.
- h) Holiday to employees on the polling day. The registered voters employed in any registered establishment are entitled to a paid holiday on the polling day. This rule is applicable even to daily rated employees.
- i) Restriction for two constituencies- Candidates are not eligible to contest from more than two Parliamentary or State Assembly constituencies at the general elections or Bye-elections.
- j) Prohibition of arms entering- into the polling stations is treated as cognizable offence. Such an act is punishable with imprisonment up to two years.
- k) Reduction in the campaigning period. The minimum gap period between the last day after the date of acceptance of nomination papers and polling date has been reduced from twenty to fourteen days.

# III. Electoral reforms after 1996<sup>6</sup>:

- a) Presidential and Vice presidential elections in 1997 the number of electors as proposers and as seconders for contesting election to the office of the president was increased from ten to fifty, and to the office of the Vice President from five to twenty. The amount of security deposit for the president is rs 25000 and for the Vice president is Rs 15000.
- b) Deployment of staff for to the election duty- In 1998 a provision has been made for the deployment of election duty in respect of employees of local authorities, Nationalized Banks, Universities, LIC, Public Sector Undertakings and other Government Aided Institutions.
- c) Voting through postal ballot- In 1999 a provision was made for voting by certain classes of persons through Postal ballot.
- d) Facilities for voting in 2003 the facility to vote through proxy was provided to the employees of the armed forces. Such service voters have to appoint a proxy in the prescribed form and intimate the same to Returning Officer.
- e) The declaration of criminal antecedents and assets by the candidates. In 2003 the Election Commission issued an order directing every contesting candidate. To furnish the information relating to criminal offences assets- liabilities and education qualifications. Furnishing false information in the affidavit is treated as electoral offence, punishable with imprisonment up to 6 months.
- f) Changes in RajyaSabha Elections- Formerly a candidate had to be an elector in the state from where he was to be elected. But now it would be sufficient if he is an elector in any parliamentary constituency

- in the country. Instead of secret ballot system, now an open ballot system has been introduced. This has been done to curb cross voting.
- g) Increase in the ceiling of election expenditure- in 2003 the Central government has increased the maximum ceiling on election expenditure. It has been increased up to 25 Lakhs for LokSabha in respect of bigger states, in respect of other states and union territories it varies from Rs 10 lakhs to 25 lakhs. But in respect of assembly elections the limit has been increased to 10 lakhs for bigger states but in respect of the other states and union territories it varies from Rs 5 10 lakhs.
- h) Free supply of electoral rolls- according to 2003 provision the Government should supply electoral rolls free of cost to the contesting candidates for the LokSabha and Assembly elections.
- Acceptance of contribution by political parties- the political parties are entitled to accept the contributions from any persons or other companies. But they have to report about contributions to the Election Commission.
- j) Allocation of times on electronic media- according to 2003 provision, the Election Commission should allocate equitable sharing of time on the cable television network and other electronic media.
- **IV.** It is a matter of satisfaction that recently important changes have been made in the Representation of the People's act 1951, to bring about the following electoral reforms.
  - a. The candidates indulging in terrorist activities, booth capturing, rigging, election malpractices by the candidates or his agents are disqualified to contest elections.
  - b. Electronic Voting machines are used to ensure free and fair elections
  - c. Political parties seeking registration are required to incorporate in their constitution specific provisions to the principles of socialism, secularism and the democracy.

#### **Critical analysis of Electoral Reforms:**

The salient features of the Electoral Reforms may be suggested as mentioned below:

- **I.** Reorganization of Election Commission; To start with let us consider the appointment of the chief Election Commissioner which as per the present procedure cannot be considered to be totally free from political bias as the appointment is made on the advice of the leader of the ruling party in the House. Considering the various suggestions regarding the appointment of Chief Election commissioner the following mechanism would seem to be a good compromise and practical proposition.
- a. The appointment of the chief Election Commissioner can be made through a committee consisting of the chief Justice of India, the leaders of the ruling party and main opposition party in parliament. The Committee can make a panel of few eminent persons; each one of them selected unanimously and forwarding it to the president for final appointment.
- b. The Election Commission should have its own administrative machinery at the state level and its powers should be considerably increased. At present the Election Commission is completely at the mercy of the Central and State Governments. It cannot even maintain the electoral rolls up to date without assistance from the State Government. In these circumferences the independence of the election system would always be under constant threat from the vested interests dominating the party in power, which in fact controls the administrations.
- c. To curb the election expenditure it would help much if elections are simultaneously held for the LokSabha, State Assemblies and also the local bodies. This would drastically reduce election expenditure of all kinds and would incidentally promote development of a healthy party system.
- d. In addition to the simultaneous holding of elections, some system of funding of electoral campaigns is absolutely necessary.
- e. It was alleged that some bye-elections are not held for a very long period.
- f. The present majority system should be replaced by a system of proportional representation. Of all systems of representations, proportional representation will be best suited to our conditions to ensure that legislative bodies, i.e the LokSabha and the State Assemblies- more correctly reflect the popular support the different political parties enjoy in a state or in the country as a whole. The legislative bodies will mirror the correlation of the political forces and trends. Seats should be allotted in proportion to the valid polled votes of the different political parties.
- g. In the case of the LokSabha and Assembly elections, the Central Government as well as the State Governments should function only as caretaker governments, during a minimum period immediately preceding the election and it should include some leaders of the opposition parties.

International Journal of Latest Research in Humanities and Social Science (IJLRHSS) Volume 04 - Issue 06, 2021

www.ijlrhss.com // PP. 34-42

# II. Regulation of role of political parties<sup>7</sup>.4

- a. Compulsory registration of political parties
- b. Compulsory maintenance of accounts of political parties and their minute books.
- c. Compulsory Audit of their accounts by an outside agency.
- d. Submission of periodical reports to the commission during the election.
- e. Open acceptance of donation from companies and individuals under proper receipts.

## III. Curbing the role of money power at elections and reduction in the cost of elections<sup>8</sup>.7

- a. Donation from private companies should be open by compulsory accounting under proper receipts.
- b. In order to avoid wasteful expenditure by separate elections to Loksabha and state legislative assemblies. The two general elections should be held simultaneously.
- c. If they are held simultaneously there will be saving of huge administrative cost.
- d. There will be less strain on civil and police forces employed on elections.
- e. There must be restrictions on the use of only specific number of vehicles by candidates and political parties.
- f. The candidates and their agents must be prohibited for erecting polling camps near the polling centers.
- g. Unaccounted and unauthorized expenditure must be scrutinized and false expenses must be treated as corrupt practices. The relevant clauses of Representation of People Act 1951, section 100 of the Representation of People Act 1951 should be amended to enable the court to declare the election invalid in a constituency if Government machinery is used in the elections. The use of vehicles belonging to government and local bodies should be prohibited.
- h. Failure to submit the accounts of election expenses within the prescribed time limit must be treated as disqualification.
- i. The campaign period must be reduced to ten days by use of electronic devices.

### Safe guards of misuse of official machinery.

- a. The ministers shall not combine their official visit with the election work. Government vehicles machinery and personnel should not be used.
- b. Public open spaces like maidans should not be monopolized by ruling political parties for holding election meetings and other parties should be allowed to use such places.
- c. Rest houses and other government accommodations should be allowed to be used by all parties.
- d. Issue of advertisements at the cost of the government in the print media and the electronic media should be avoided.
- e. Ministers and other authorities should not sanction grants and other payments.
- f. Ministers and other authorities should not make any promises for the construction of developmental projects.

# IV. Safe guard against multiplicity of parties and candidates at the elections:

- a. There must be periodical increase in the security deposit at an interval of three years.
- b. For refund of security deposits, the minimum number of votes must be increased.
- c. In the event of failure to secure the prescribed minimum percentage of votes it must be treated as disqualification.
- **V.** <u>Ban on defection:</u> The Representation of People Act 1951 has mentioned different types of disqualifications. The question of particular should be referred to the President or the Governor as the case may be. But President or Governor should act in accordance with the opinion of the election commission on the lines of article 103 and 192 of the constitution. This method is more effective and scientific.
- VI. <u>Independence of the election commission</u>. The election commission should be governed by identical provisions of the constitution which are applicable to the Secretariat of Parliament Supreme court-Comptroller and Auditory General of India- Union Public Service Commission to enable the election commission to act as an independent entity.

# VII. Ensuring free and fair elections:

- a. In the case of destruction of ballot papers and ballot boxes in polling booths- Intimidation and impersonation at polling stations, fresh polling should be conducted.
- b. On complaint of booth capturing and on application for recounting results must be withheld pending investigation by the Election commission.

International Journal of Latest Research in Humanities and Social Science (IJLRHSS) Volume 04 - Issue 06, 2021 www.ijlrhss.com || PP. 34-42

VIII. Restoration of cyclic retirement of 1/3rd members of the RajyaSabha and State Legislative Council every second year. The cycle of retirement of members in RajyaSabha and Legislative council every second year has been disturbed over the years. Thus it has created adverse situation since 1952 on account of the seats remaining vacant for a long period. In order to remove such situation, the newly elected members should serve only for the balance period for six years, and not for the entire period six years.

#### IX. Elimination of non serious candidates.

- a. Measures undertaken to check the multiplicity of candidates and to eliminate non serious candidates from contesting elections.
- b. The security deposit amount must be doubled.
- c. Minimum number of votes required for refund of security deposits must be increased.
- d. Certain initiatives must be extended for the candidates sponsored by recognized political parties. Non serious independent candidates must be discouraged. Otherwise they will misuse certain concessions in respect of allotment of telephone connections and use of vehicles.
- e. Government will have to take the responsibility for meeting some portion of the election expenses of candidates sponsored by recognized political parties. There should be provision for nomination for at least one proposer from each of the assembly constituency in the case of parliamentary election.
- f. There must be arrangement of names in the alphabetical order in the list of contesting candidates.

#### X. There must be bar on contesting election from more than one constituency.

- XI. Persons with criminal records must be disqualified for contesting election. At present the law disqualifies the person convicted by the court of law for any offence and sentenced to imprisonment for not less than two years from the date of such conviction. Such disqualification shall continue for a further period of five years after his release. But the Representation of the People Act 1951 must be amended for disqualification for contesting elections permanently.
- **XII.** Punitive measures to check the disturbances at election meeting. The law prevents the disturbances at election meetings stringent actions should be taken. The persons resorting to such disturbances should be tried, convicted and disqualified.
- **XIII.** Steps to prevent booth capturing should be taken.
- **XIV.** The electronic voting machine must be used in all parliamentary constituencies, state legislative constituencies and local body constituencies.
- **XV.** <u>Delimitation</u> Many times politically motivated alignments of constituencies are created. Hence the constituencies must be delimited on the lines of administrative divisions.
- **XVI.** Caretaker status of government must be maintained.
- **XVII.** Model code of conduct<sup>9</sup> 5- Model Code of Conduct must be strictly enforced and violation of the code of conduct must be severely dealt with. Model code must be revised at least once in five years in order to conduct free and fair elections.
- **XVIII.** The Guidelines of Candidates and political parties must be laid down.
  - **XIX.** Separation of party funding and election funding must be specifically mentioned.

### **Conclusion:**

The Election Commission has worked independently and impartially, as well as efficiently. The Election Commission has fulfilled all the constitutional obligations and has never tried to go beyond or overstep the limits of the constitution. It always worked within the framework of the constitution.

During the last seven decades of its working, the Election Commission of India has acquired for itself a prestigious position in the constitutional set up of the country. Anybody having a grievance against a political party, candidate, Minister, or official can approach the commission for its redress. A feeling has grown in the country that the Election Commission is the only suitable agency for the removal of their electoral grievances and can render the requisite help and guidance in all matters pertaining to elections. The Commission has been able to generate a sense of faith that the people can repose in its integrity.

Parliament has made a law to ensure free and fair elections and a very comprehensive system of elections has been developed in the country. The experiences of the last fifteenth General Elections have shown the merits and demerits of the system to the people. Hence several changes have been made in the Electoral system.

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