

Examrace

Competitive Exams: Political Science Study Material Elections & Election Commission

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Elections & Election Commission

Electoral System

- The Electoral System in India is borrowed from the one operating in Great Britain.
- However, in India it has not been entirely left to the Legislature, and the Constitution itself makes detailed provisions in this regard.
- The Constitution also empowers Parliament to legislate in respect of all matters relating to elections.
- In pursuance of this provision, Parliament passed the following Acts:
 - Representation of the Peoples Act, 1950, as amended in 1988 and 1996, which deals, in detail, with subjects like administrative machinery for conducting elections, the poll, by-elections, etc.
 - Representation of the Peoples Act, 1951 which provides for qualifications of voters, preparation of electoral rolls and other concerned matters
 - Delimitation Act, 1950 which provides for delimitation and reservation of constituencies
 - Presidential and Vice-Presidential Election Act 1952.
- It is within this framework of Acts that the electoral system can be described as follows:
 - The electoral system is based on adult suffrage, whereby every citizen of India who is not less than 18 years of age and is not otherwise disqualified under the Constitution or any law made by the appropriate Legislature on certain grounds, has the right to be registered as voter.
 - As per Art. 326, the grounds for denial of right to vote are non-residence, unsoundness of mind, record of crime or of corruption.
 - It is based on geographical representation.
 - Article 325 declares abandonment of separate electorates on the basis of religion, race, caste or sex and provides for one general electoral roll for every territorial constituency.
 - This has brought to an end the practice of separate or communal electorates during the British rule.

- There are only single-member territorial constituencies and no functional or plural constituencies.
- There used to be some double-member constituencies upto 1961, but an Act passed in the same year abolished this practice.
- Each territorial constituency elects a single representative by a simple majority vote.
- The candidate who secures the largest number of votes is declared elected.
- It is not necessary for a candidate to secure an absolute majority.

Single Member Constituency System

- Under this system, election results are determined on the basis of the relative majority of the votes polled, and the candidate who is ahead of all other candidates even by a single vote is elected, even if a majority of voters do not vote in his favour.
- This system is also described as the first past the post system.
- In India, this system is followed.

Advantages

- This is the simplest form of election in a democratic system.
- This system provides greater opportunity in helping form a majority government.
- This system helps in curbing parochial tendencies of the political parties based on exploitation of religion, race, caste, etc.

Defects

1. The chief defect of this system is that only the relative majority is taken into consideration. Since most of the contests are multi-cornered, sometimes a candidate securing 30 to 40 % of votes polled in a constituency is declared elected. As a result, bulk of the electorate is not represented at all.
2. Another serious criticism of this system is that the party that polls a minority of votes may secure a majority of seats. In this process, the minority parties get eliminated, because their political strength is dispersed. It tends to under-represent minority parties and over-represent the majority.
3. Yet another criticism against this system is that the minority votes go unrepresented.
4. But the Constitution adopted this system because it is best suited to the Indian context.

System of Proportional Representation

- A candidate seeking election under the Proportional Representation system should get more than 50 per cent of the total votes cast.

- Under this system, the number of seats in the legislative body will be, as nearly as possible, in proportion to the votes cast for that party.
- Proportional Representation system is strongly supported by minority parties which suffer from the electoral distortions of the single-member constituency system.
- However, even this system is not free from weakness.
- Proportional Representation system tends to lead to multiplication of political parties and creation of coalition governments.
- However, it may be pointed out that Proportional Representation system is very complicated and cumbersome.
- Moreover, it would promote, sharpen and consolidate parochial loyalties based on caste, community, religion and so on:
- It would also encourage further fragmentation of political parties.
- It is particularly unsuited to large countries.
- The countries following the Proportional Representation system include France, Greece, Israel, Spain, Switzerland and Austria.
- There are various types of Proportional Representation system. These are:

Single Transferable Vote or Order of Choice

- The Single Transferable Vote (STV) is followed in India for elections to the Rajya Sabha, State Legislative Councils and the Offices of the President and Vice President.
- It is followed in Australia, at the federal level, for elections to the House of Representatives.
- Under this system, each elector is allowed to mark as many preferences as there are candidates, according to his choice, on a single ballot paper.
- This process involves distribution of excess votes of candidates who secure the lowest number of first preference votes, and transfer of their second or subsequent preference votes in order and crediting the candidates remaining in the field with these votes.
- The process is continued till the required number of candidates gets elected.

List System

- The German model known as list system, followed for elections to the Lower House-Bunderstag, is a mixture of direct elections to 50 per cent of the total seats from single member constituencies and Proportional Representation system on the basis of lists for the other half.
- Under this system, each voter has two votes, one to choose his constituency representative and the other to choose between party lists.

- In the direct election from single member constituencies, the candidates who poll votes (majority) are the winners.
- The seats are distributed among the parties in proportion to the total number of second votes polled by them in the entire electoral area.
- This, however, is subject to a condition that for entitlement, a party needs to obtain at least five per cent of the party list votes or should have won at least three seats at the Constitution's level.

Disadvantages

- People do not have contacts with the Members of Parliaments (MPs) to be elected.
- The MPs are attached to the political parties.
- People's interests are not properly tackled because the political parties discuss macro-policy only.

Two-Ballot System

- The two-ballot system followed in France and Russia for Presidency stipulates that only a candidate winning more than 50 per cent of the votes could get elected.
- A second round of voting is held if no candidate wins more than 50 per cent in the firstround.
- In the second round, if necessary, only the top two candidates are allowed to contest.
- This system helps to curb parochial tendencies in the political parties.

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