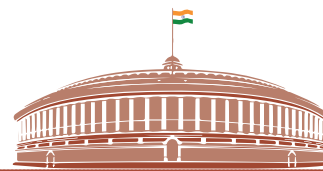




Election and Representation



11.1 Meaning and nature of Franchise and Representation

What is Franchise and Election?

The right to vote in public elections. The word “Franchise” is of Anglo-French derivation—from Franc, meaning FREE. An election is the process of voting to choose someone to be their political leader or representative in government.



Part xv, Articles 324-329 deals with Elections

And what is Representation?

It is nothing but the action of speaking or acting on behalf of someone or the state of being so represented.



Learning Objectives

- ❖ To enable the students to understand the meaning of election and representation.
- ❖ To explain the term ‘Psephology’.
- ❖ To enable students to understand the various methods of election.
- ❖ To gain awareness about the Election Commission of India.
- ❖ To know the importance of Anti-Defection Law.
- ❖ To enlighten about the need of free and fair elections.
- ❖ To bring out the role of youth in politics.

Part XV of the Indian Constitution titled “Elections” is of great importance. The constitution –makers had been anxious to safeguard this political right as an integral part of the constitution itself. It is for this important reason that the subject of elections has been accorded a constitutional recognition in our country.

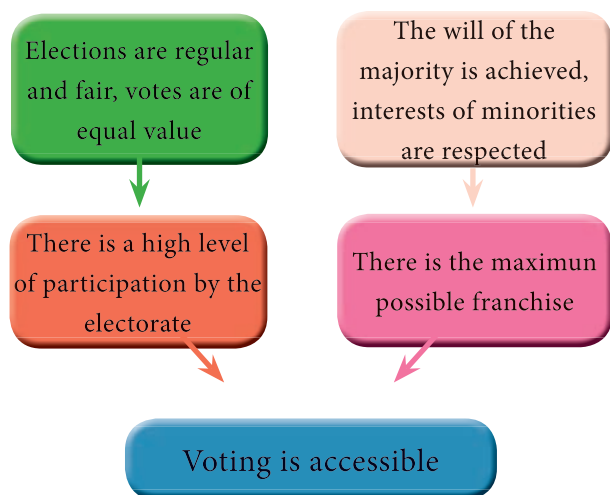


Article 326 of the Indian Constitution says that the elections to the Lok Sabha and to the Vidhan Sabha of every state shall be on the basis of Adult Suffrage.

Although elections were used in Ancient Athens, Rome and in the selection of Popes and Holy Roman Emperors, the origins of elections in the contemporary world was in the gradual emergence of representative government in Europe and North America which began in the 17th century. In a representative democracy elections are extremely important. Voting, in elections is the best way to make your voice heard. One fact that makes elections more important is when political parties try to suppress voting with the use of laws to disallow people to vote. Election and representation is the core for the formation of government.

Democratic Electoral System

Let us study the most essential features of a democratic electoral system. A democratic electoral system can be said to be one where...



Features of a Democratic Electoral System

Why do we need Elections ?

Election is a mechanism by which people can choose their representatives at regular intervals and change them if they wish to do so. This mechanism is called Election. Therefore, elections are considered essential in our times for any representative government. Hence in most democracies, people rule through their representatives.

In an election the voters make many choices:

- ❖ They can choose who will make laws for them
- ❖ They can choose who will form the government and take major decisions
- ❖ They can choose the party whose policies will guide the government and law making.

DO YOU KNOW?

Psephology is the study of results and other statistics relating to Elections...

What makes an Election Democratic?

- ❖ Everyone should be able to choose. This means that everyone should have one vote and every vote should have equal value.
- ❖ There should be something to choose from parties and candidate should be free to contest elections and should offer some real choice to the voters.
- ❖ The choice should be offered at regular intervals. Elections should be held regularly after every few years.
- ❖ The candidate preferred by the people should get elected.
- ❖ Elections should be conducted in a free and fair manner where people can choose as they really wish.

An election is a formal decision making process by which a population chooses an individual to hold public office. Elections fill offices in the legislatures, sometimes in the executive and judiciary and for regional and local government.

11.2 Types of Representation/Reservation of Constituencies

Election Systems-Plurality/Majority Systems

What are Plurality / Majority Systems? The principle of plurality/majority system is simple. After votes have been cast and totalled, those candidates or parties with the most votes are declared the winners. However, the way this is achieved in practice varies widely. Five types of plurality/majority systems can be identified.

ACTIVITY



Do you know when the last Assembly Election was held in your State? Which other elections have taken place in your locality in the last five years? Write down the level of elections (National, Assembly, Panchayat etc.) When were they held? Find out the details of the MLA/MP who got elected from your area.

- A. First Past The Post (FPTP)
- B. Block Vote(BV)
- C. Party Block Vote(PBV)
- D. Alternative Vote(AV)
- E. Two-Round Systems(TRS)

A. First Past The Post (FPTP)

The First Past The Post system is the simplest form of plurality/majority system, using single member districts and candidate-centered voting. FPTP systems are found primarily in the UK and those countries historically influenced by Britain. Along with the UK, the other countries are Canada, India and the USA. FPTP is also used by a number of Caribbean countries, Bangladesh, Burma, India, Malaysia, Nepal and small island countries of the South Pacific.

DO YOU KNOW?

FPTP is the simplest form of plurality/majority electoral system. The winning candidate is the one who gains more votes than any other candidate, even if this is not an absolute majority of valid votes. The system uses single-member districts and the voters vote for candidates rather than political parties.

B. Block Vote (BV)

The Block -Vote is common in countries with weak or non-existent political parties. The Cayman Islands, The Falkland Islands, Guernsey, Kuwait, Laos, Lebanon, the Maldives, Palestine, the Syrian Arab Republic etc use Block Vote electoral systems.

DO YOU KNOW?

Block Vote is a plurality/majority system used in multi-member districts. Electors have as many votes as there are candidates to be selected. The candidates with the highest vote totals win the seats. Usually voters vote for candidates rather than parties and in most systems may use as many, or as few, of their votes as they wish

The Block Vote is often applauded for retaining the voter's ability to vote for individual candidates and allowing for reasonably-organized geographical districts while at the same time, increasing the role of political parties compared with FPTP and strengthening those parties which demonstrate most coherence and organizational structure.

C. Party Block Vote (PBV)

PBV is simple to use, encourages strong parties and allows for parties to put up mixed slates of candidates in order to facilitate minority representation. It can be used to help to ensure balanced ethnic representation. Djibouti, Singapore, Senegal, Tunisia use the PBV method.

DO YOU KNOW?

Party-Block Vote is a plurality/majority system using multi- member districts in which voters cast a single party-centered vote for a party of choice, and do not choose between candidates

D. The Alternative Vote (AV)

This system enables voters to express their preferences between candidates rather than simply their first choice. Hence it is known as 'Preferential Voting'. AV is used in Australia, Fiji and Papua Guinea. By transferring ballots, it enables the votes of several candidates to accumulate, so that diverse but related interests can be combined to win representation.

DO YOU KNOW?

The Alternative Vote is a preferential plurality system that voters use in single member districts. Voters use numbers to mark their preference on the Ballot paper.

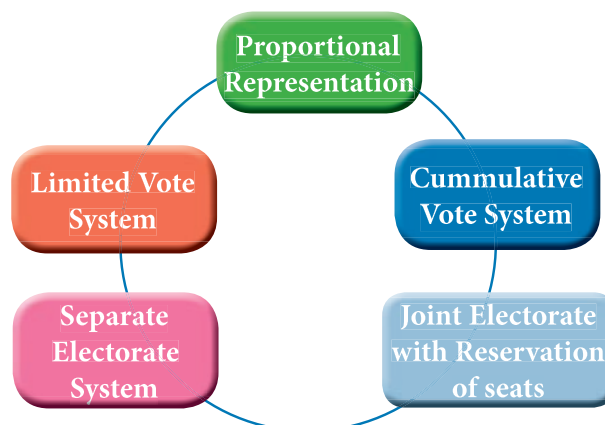
E. The Two- Round System (TRS)

The central feature of the Two-Round System is as the name suggests: it is not one election but takes place in two rounds, often a week or a fortnight apart. This system is used to elect national legislatures and are most common methods used worldwide for the direct election of Presidents. TRS is used by the Central African Republic, Congo, Gabon, Mali, Mauritania, Haiti, Iran, Vietnam, Tajikistan, Uzbekistan etc.

DO YOU KNOW?

The Two-Round System is a plurality/majority system in which a second election is held if no candidate or party achieves a given level of votes, most commonly an absolute majority (50 percent plus one), in the first election round. A TRS may take a majority – plurality form where more than two candidates contest the second round and the one who wins the highest number of votes in the second round is elected regardless of whether they have won an absolute majority or not.

Various Methods Of Minority Representation



Is it good to have political competition?

Elections are all about political competition. This competition takes various forms. The most obvious form is the competition among political parties. At the constituency level, it takes the form of competition among several candidates. If there is no competition, elections will become pointless. Though an electoral competition leads to a sense of disunity and factionalism in every locality, regular electoral competition provides incentives to political parties and leaders. They know that if they raise issues that people want to raise, their popularity and chances of victory will increase in the next elections. But if they fail to satisfy the voters with their work they will not be able to win again.

What is our system of Elections?

After five years the term of all the elected representatives comes to an end. The Lok Sabha or Vidhan Sabha stands dissolved. Elections are held in all the constituencies at the same time, either on the same day or within a few days. This is called a general election. Sometimes election is held only for one constituency to fill the vacancy caused by death or resignation of a member. This is called **By-Election**.

Electoral Constituencies

The people of Tamilnadu electing 39 lok sabha MPs. In our country we follow an area based system of representation. The country is divided into different areas for the purpose of elections. These areas are called Electoral Constituencies. The voters who live in an area elect one representative.

For Lok sabha elections, the country is divided into 543 constituencies. The representative elected from each constituency is called a member of Parliament or an MP. One of the features of a democratic election is that every vote should have equal value. That is why our constitution requires that each constituency should have a roughly equal population within it. Similarly each state is divided into a specific number of assembly constituencies. In this case the elected representative is called the Member of Legislative Assembly or a MLA. Each Parliamentary constituency has within itself several assembly constituencies. The same principle applies for Panchayat and Municipal elections. Each village or town is divided into wards that are like constituencies. Each ward elects one member of the village or the urban local body. Sometimes these constituencies are counted as Seats, for each constituency represents one seat in the assembly.

Reserved Constituencies

Our Constitution entitles every citizen to elect its representative and to be elected as a representative. In an open electoral competition, certain weaker sections may not stand a good chance to get elected to the Lok Sabha and the State

Legislative Assemblies. They may not have the required resources, education and contacts to contest and win elections against others. If that happens our Parliament and Assemblies would be deprived of a significant section of our population. That would make our democracy less representative and less democratic.

ACTIVITY



What is the status of women reservation bill in the Parliament of India?

So, the makers of our Constitution thought of special system of reserved constituencies for the weaker sections. Some constituencies are reserved for the people who belong to the Scheduled Castes (SC) and Scheduled Tribes (ST). This system of reservation was extended later on to other weaker sections at the district and local levels.

Delimitation

The division of each state into as many constituencies as in the Lok Sabha from that state and State Legislative Assemblies is done primarily on the basis of population census. As far as practicable, geographical area of constituencies were to be delimited taking into account physical features, existing boundaries of administrative units, facilities of communication and public convenience.

Delimitation Acts

First Delimitation Commission Act, 1952
Second Delimitation Commission Act, 1963
Third Delimitation Act, 1973
Fourth Delimitation Act, 2002.

Voters' List

Once the constituencies are decided, the next step is to decide who can and who cannot vote. This decision cannot be left to anyone till the last day. In a democratic election, the list of those who are eligible to vote is prepared much before the election and given to everyone. This list is officially called the Electoral Roll or the Voters' List.

DO YOU KNOW?

Like in Panchayat should we not have at least one-third seats in the Parliament and assemblies reserved for WOMEN?

This is an important step for, it is linked to the first condition of democratic election that everyone should get an equal

opportunity to choose representatives irrespective of differences. In our country, all the citizens aged 18 years and above can vote in an election. Every citizen has the right to vote, regardless of his or her caste, religion or gender.

It is the responsibility of the government to get the names of all eligible voters put on the voters' list. Names of those who move out of the place or those who are dead are deleted. A complete revision of list takes place every five years. In the last few years, a new system of Electoral Photo Identity Card (EPIC) has been introduced. The voters are required to carry this card when they go out to vote. Not compulsory, for voting, the voters can show many other proofs like the Aadhar Card, Ration card or Driving License.

ACTIVITY



Time Sequence

Arrange the different election related activities mentioned in the left side of the table given below in a time sequence, beginning with the first activity and ending with the last.

Disorder	Order
Releasing election manifesto	
Preparing the voter's list	
Counting of votes	
Election campaign	
Declaration of election results	
Filing nomination	
Ordering of re-poll	
Casting of votes	
Announcing election schedule	

Electoral Process In India

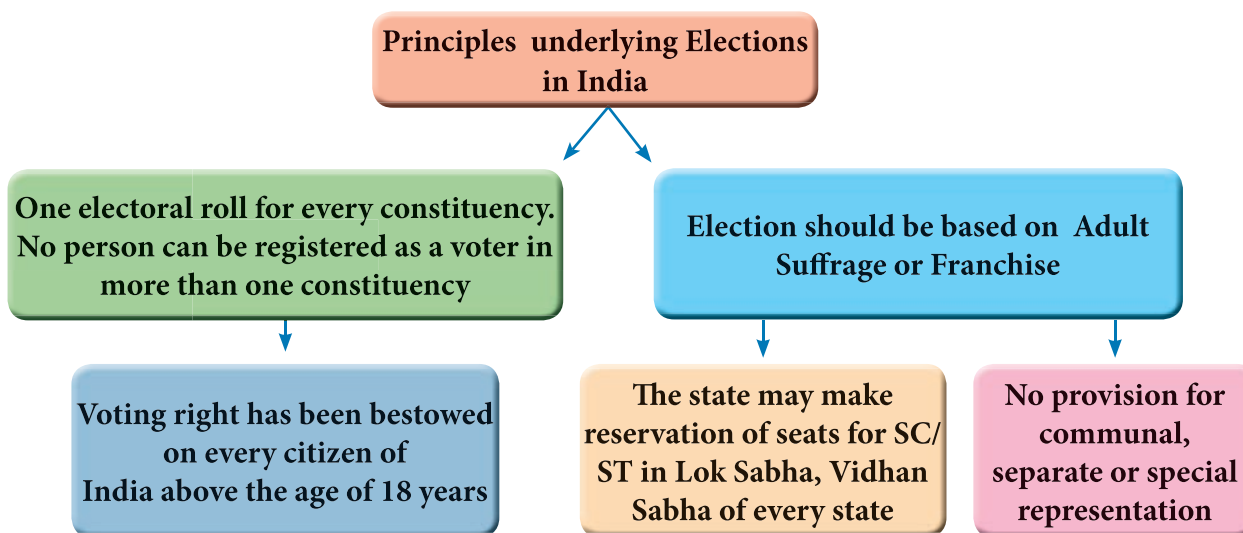
- ❖ Delimitation of Constituencies
- ❖ Notification of the Election
- ❖ Notification by the Election Commission regarding Nomination and withdrawal
- ❖ Filing of nomination papers by the intending candidates
- ❖ Verification and the acceptance or rejection of the nomination papers
- ❖ Election campaign

- ❖ Polling process
- ❖ Counting of votes and announcement of Election Results



Which Amendment Act reduced the Voting age of Indian citizens from 21 to 18?

Provisions Regarding Elections in India



ACTIVITY



Find out the importance of the following:

- ❖ Representation of people's act 1950 and 1951
- ❖ Representation of people's act 1966
- ❖ Delimitation commission acts 1962 and 1972

Nomination of Candidates

In a democratic election the people should have a real choice. This happens only when there are no restrictions on anyone to contest an election. This is what our system provides. Anyone who can be a voter can also become a candidate in the elections. The only difference is that in order to be a candidate, the minimum age is 25 years, while it is only 18 years for being a voter. Political parties nominate their candidates who get the party symbol and support. Party's nomination is often called as party 'ticket'.

Every person who wishes to fill a 'nomination form' has to give some money as security deposit. According to the direction of the Supreme Court, every candidate has to make a legal declaration, giving full details of:

- ❖ Serious criminal cases pending against the candidate
- ❖ Details of the assets and liabilities of the candidate and his or her family
- ❖ Educational qualifications of the candidate

This information has to be made public. This provides an opportunity to the voters to make their decision on the basis of the information provided by the candidates.

Election Campaign

The main purpose of election is to give people a chance to choose the representatives, the government and



the policies they prefer. Therefore it is necessary to have a free and open discussion about who is a better representative, which party will make a better government or what is a good policy. This is what happens during election campaigns.

In our country such campaigns take place for a two week period between the announcement of the final list of candidates and the date of polling. During this period the candidates approach their voters, political leaders address election meetings and political parties mobilise their supporters. This is also the period when newspapers, social media, televisions are full of election related stories and debates. Election campaign is not limited to these two weeks only. Political parties start preparing for elections months before they actually take place.

In election campaigns, political parties try to focus public attention on some big issues. They want to attract the public to that issue and get them vote for their party on that basis. In a democracy it is best to leave political parties and candidates free to conduct their election campaigns the way they want to. But it is sometimes necessary to regulate campaigns to ensure that every political party and candidate gets a fair and equal chance to compete.

According to our election law, no party or candidate can:

- ❖ Bribe or threaten voters
- ❖ Appeal to them in the name of caste or religion
- ❖ Use government resources for election campaign

If they do so, their election can be rejected by the court even after they have been declared elected. In addition to the laws, all the political parties in our country have agreed to a model Code of Conduct for election campaigns. According to this no party or candidate can:

- ❖ Use any place of worship for election propaganda
- ❖ Use government vehicles, aircrafts and officials for elections
- ❖ Once elections are announced, Ministers shall not lay foundation stones of any projects, take any big policy decisions or make any promises of providing public facilities.

11.3 Free and Fair Elections

The true test of any election system is its ability to ensure a free and fair electoral process. If we want democracy to be translated into reality on the ground, it is important that the election system is impartial and transparent. The system of election must allow the aspirations of the voter to find legitimate expression through the electoral results. Elections in India are basically free and fair. The party that wins an election and forms government does so because people have chosen it over its rivals. This may not be true for every constituency. A few candidates may win purely on the basis of money power and unfair means. But the overall verdict of a general election still reflects popular preference.

Challenges of Indian Elections to our attention.

- ❖ Candidates and parties with a lot of money may not be sure of their victory but they do enjoy a big and unfair advantage over smaller parties and independents.



- ❖ Candidates with criminal connection have been able to push others out of the electoral race and to secure a ticket from major parties
- ❖ Some families tend to dominate political parties; tickets are distributed to relatives from these families.
- ❖ Very often elections offer little choice to ordinary citizens, for both the major parties are quite similar to each other both in policies and practice.
- ❖ Smaller parties and independent candidates suffer a huge disadvantage compared to bigger parties.

These challenges exist not just in India but also in many established democracies. These deeper issues are a matter of concern for those who believe in democracy. Hence citizens, social activists and organisations have been demanding reforms in our electoral system. In a democracy, the electoral process has a strategic role. Every ordinary man of this country would have basic elementary right to know about a candidate who is to represent him in Parliament where laws to bind his liberty and property may be enacted.

The right to get information in democracy is recognised all throughout and it is a natural right flowing from the concept of democracy. Article 19(1)(a) of Indian Constitution provides for freedom of speech and expression. Voters' speech or expression in case of election would include casting of votes, that is to say, voter speaks out or expresses by casting vote. For this purpose, information about the candidate to be selected is must. The ordinary man may think over before making his choice of electing law breakers as law makers.

**DO
YOU
KNOW?**

First General Elections In India:

All You Need to Know....

The first general election of 1951-1952 elected the first Lok Sabha since India became independent. The Congress had won 364 out of 489 Lok Sabha seats. Its vote share was 45 percent. The CPI was the second party with just 16 seats. Jawaharlal Nehru became the Prime Minister, the first of independent India. The voters' turnout was 67.6 percent. 54 parties had contested this election. Elections took around four months; October 25, 1951 to February 21, 1952. Election was held in 26 Indian states and 401 constituencies.

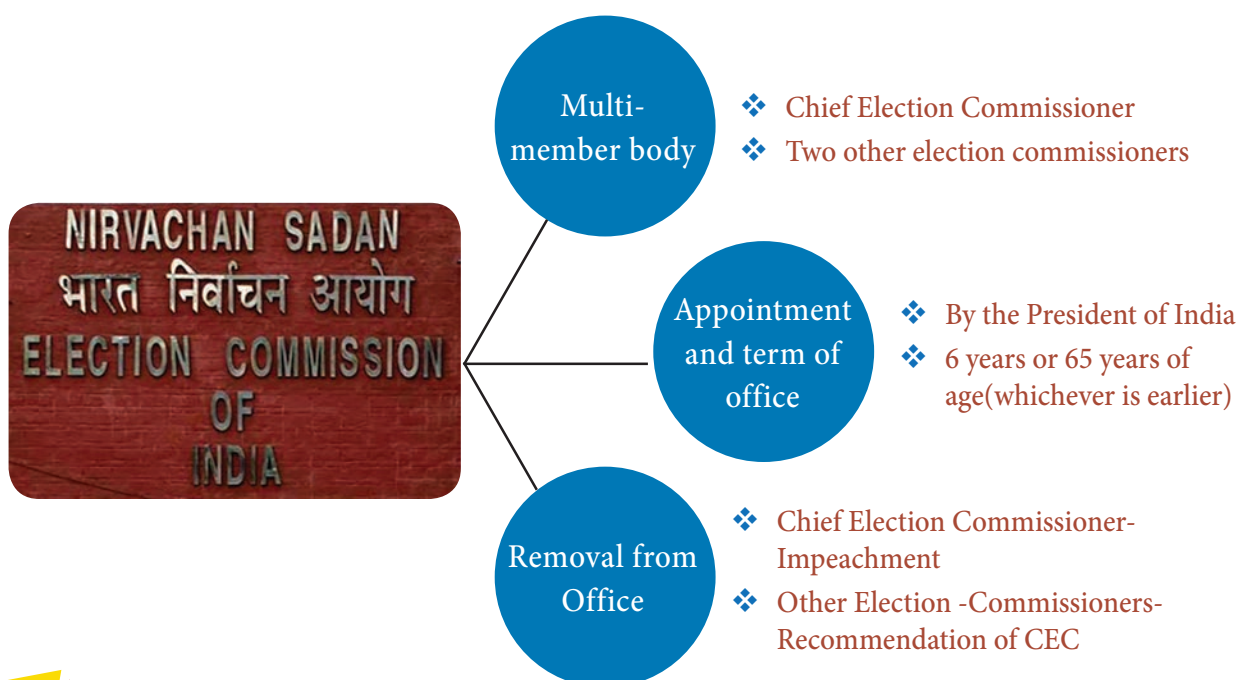
11.4 Election Commission of India

For the conduct of free, fair and regular elections, Article 324 of the Indian Constitution provides for a single Election Commission which is entrusted with the superintendence, direction and control of all elections to Parliament, state legislatures and to the offices of the President and Vice-President of India.

Election Commission - An independent body.

The Main objective of the constitution of Election Commission of India is to have a permanent and independent election machinery, which is free from political pressure of the party in power and the executive of the day, and which could be entrusted with the task of holding free and fair elections to the parliament and the state legislatures and to the offices of the President and Vice-President of India.

Election Commission of India-Structure



**DO
YOU
KNOW?**

Details of Legislative Assembly Elections Conducted in Tamilnadu

No. of Elections	Duration of the Assembly	Election Dates
1	1952-1957	1952 January 2, 5, 8, 9, 11, 12, 16, 21 and 25 (9 days)
2	1957-1962	1957 March 1, 4, 6, 8 and 11 (5 days)
3	1962-1967	1962 February 17, 19, 21 and 24 (4 days)
4	1967-1971	1967 February 5, 16 and 21 (3 days)
5	1971-1976	1971 March 1, 4 and 7 (3 days)
6	1977-1980	1977 June 12 and 14 (2 days)
7	1980-1984	1980 May 20 and 31 (2 days)
8	1985-1986	1984 December 24 (1 day only)
9	1989-1991	1969 January 21 (1 day only)
10	1991-1996	1991 June 16 (1 day only)
11	1996-2001	1996 April 27 and May 2 (2 days)
12	2001-2006	2001 May 10 (1 day only)
13	2006-2011	2006 May 8 (1 day only)
14	2011-2016	2011 April 13 (1 day only)
15	2016-ongoing	2016 May 16 (1 day only)

DEBATE



Have a critical debate on social media. Is social media an effective electoral tool?

Teacher can conduct a debate on positive and negative aspects of Social Media in the election campaign.

Powers and functions of the Election Commission of India

- ❖ Preparation of the electoral rolls
- ❖ Revision of electoral rolls
- ❖ Allotment of seats
- ❖ Conduct of elections
- ❖ Superintendence, direction and control of all matters pertaining to the elections
- ❖ Granting of recognition of political parties
- ❖ Allotment of symbols
- ❖ Ensuring fair and free elections
- ❖ The Election Commission of India advises the President of India or the Governor of the concerned state regarding all electoral matters including questions relating to disqualifications of members.
- ❖ Settles disputes and petitions referred to it by the President of India or the Governor of a state.
- ❖ Decides disputes pertaining to election symbol in the event of a split in the political party.
- ❖ Has power to impose ceiling on the election expenses of the contestants.
- ❖ Entrusted with the task of collecting affidavits from the contestants to the elections regarding their assets.
- ❖ Has the power and duty to disqualify a candidate if he/she fails to submit election returns within the prescribed period.
- ❖ It issues a notification after the election is over, that the house is duly constituted.

DO
YOU
KNOW?

SUPREME COURT's Landmark Verdict To Cleanse the Polity

In a landmark judgement, the Supreme Court held on July 11, 2013 that a person, who is in jail or police custody, cannot contest elections to legislative bodies. A day earlier, on July 10, 2013, the same Bench had held that charge-sheeted Members of Parliament (MP's), Members of Legislative Assembly (MLA's) and Members of Legislative Councils (MLC's), once they are convicted for the offences, will be immediately disqualified from holding office. The Bench struck down Section 8(4) of the Representation of the People's Act, which allowed convicted MP's and MLA's, a three-month period for filing their appeal to the High Court.



Chief Electoral Officer(CEO)

The chief electoral officer of a state/union territory is authorised to supervise the election work in the state/

union territory subject to the overall superintendence, direction and control of the election commission. The Election commission of India nominates or

designates an officer of the government of the state / union territory as the chief electoral officer in consultation with the state government/ union territory administration.

District Election Officer(DEO)

Subject to the superintendence, direction and control of the chief electoral officer, the district election officer supervises the election work of a district. The Election Commission of India nominates or designates an officer of the state government as the district election officer in consultation with the state government.

Returning Officer (RO)

The returning officer of a Parliamentary or Assembly constituency is responsible for the conduct of elections in the Parliamentary or Assembly constituency concerned. The Election Commission of India nominates or designates an officer of the government or a local authority as the returning officer for each of the assembly or parliamentary constituencies in consultation with the state government/union territory administration. In addition, the election commission of India also appoints one or more assistant returning officers for each of the assembly or parliamentary constituencies to assist the returning officer in the performance of his functions in connection with the conduct of elections.

Electoral Registration Officer(ERO)

The Electoral registration officer is responsible for the preparation of electoral rolls for a parliamentary/ assembly constituency. The Election commission

of India, in consultation with the state/ union territory government, appoints an officer of the government or the local authorities as the Electoral registration officer. One or more Assistant electoral registration officers to assist the Electoral registration officer are appointed by the Election commission of India.

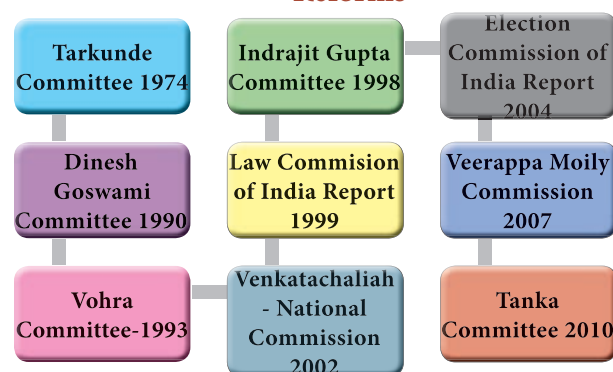
Presiding Officer (PO)

The Presiding officer with the assistance of Polling officers conducts the poll at a polling station. The district election officer appoints the Presiding officers and the Polling officers. In the case of union territories, such appointments are made by the returning officers.

Election Observers (EO)

The Election Commission of India nominates officers of government as Election observers (general observers and election expenditure observers) for Parliamentary and Assembly constituencies. They perform such functions as are entrusted to them by the commission. They report directly to the commission.

11.5 Electoral Reforms, Anti-Defection Law and Committees related to Electoral Reforms





Based on the recommendations made by the above committees and commissions, various reforms have been introduced from time to time in our electoral system. Let us have a look at them.

- ❖ Lowering the voting age from 21 to 18 through the 61st amendment act of 1988.
- ❖ Officers, and staff engaged in preparation, revision and correction of electoral rolls for elections to be on deputation to the Election commission.
- ❖ Increase of number of proposers to 10% of the electors of the constituency or 10 electors, whichever is less.
- ❖ In 1989, a provision was made to facilitate the use of electronic voting machines in elections.
- ❖ In 1989, a provision was made for adjournment of poll in case of booth capturing.
- ❖ Listing the name of candidates as candidates of recognised political parties, candidates of registered-unrecognized political parties and other(independent) candidates.
- ❖ Prohibition on the sale of liquor within a polling area during the period of 48 hours ending with the hour fixed for the conclusion of poll.
- ❖ On the death of a contesting candidate, the party concerned would be given an option to propose another candidate within 7 days.
- ❖ The registered voters are entitled for a paid holiday on the polling day.
- ❖ Prohibition of arms.
- ❖ In 1998 a provision was made whereby the employees of local authorities, nationalized banks, universities, LIC, government undertakings and other government aided institutions can be requisitioned for deployment on election day.
- ❖ In 1999, a provision was made for voting by certain classes of persons through postal ballot.
- ❖ In 2003, the facility to opt for voting through proxy was provided to the service voters belonging to the armed forces and members belonging to a force to which provisions of the Army Act apply.
- ❖ In 2003, the Election commission issued an order for the declaration of criminal antecedents, assets etc.
- ❖ In 2003, Rajya Sabha elections were reformed by removing the domicile of the contesting candidate and further introduction of open ballot system was introduced.
- ❖ In 2003, an exemption of travelling expenditure from being included in the election expenses of the candidate was made.
- ❖ Free supply of electoral rolls by the government.
- ❖ In 2009, restrictions were imposed on conducting exit polls and publishing the results of exit polls.
- ❖ In 2009, a provision was made for the disqualification of a person found guilty of corrupt practices which provided for a three month time limit within which the specified authority will have to submit the case of the person found to be guilty.



- ❖ All officials have to be included in corrupt practice.
- ❖ Increase in security deposit.
- ❖ Appointment of appellate authorities within the district.
- ❖ Voting rights to citizens of India living abroad were provided in 2010.
- ❖ Ceiling on election expenditure was increased in 2011.

Anti-Defection Law

The 52nd Amendment Act of 1985 provided for the disqualification of the members of Parliament and the State legislatures on the ground of defection from one political party to another. For this purpose it added the Tenth Schedule to the Constitution. This act is often referred to as “Anti-defection law”. Later the 91st Amendment Act of 2003 made one change in the provision i.e., disqualification on ground of defection not to apply in case of split.

Provisions of the Act

A. Disqualification:

A member of a house belonging to any political party becomes disqualified if he voluntarily gives up his membership or if he votes or abstains from voting contrary to any direction issued by his political party without obtaining prior permission of the party.

An independent member of the house becomes disqualified to remain a member of the house if he joins any political party after such election.

A nominated member of the house gets disqualified if he joins any political

party after the expiry of six months from the date on which he takes his seat in the house.

B. Exceptions:

Disqualifications on the ground of defection does not apply, if a member goes out of his party as a result of a merger of the party with another party; if a member, after being elected as the Presiding officer of the house, voluntarily gives up the membership of his party or rejoins after he ceases to hold that office.

C. Deciding Authority:

Any question regarding disqualification arising out of defection is to be decided by the Presiding officer of the house.

D. Rule making power:

The Presiding officer of a house is empowered to make rules to give effect to the provisions of the tenth schedule. All such rules must be placed before the house for 30 days. The house may approve or disapprove them. Further he may direct that any willful contravention by any member of such rules may be dealt with in the same manner as a breach of privilege of the house.

Evaluation of the Act

- A. The tenth schedule of the constitution is designed to prevent the mischief of political defections motivated by the lure of office or material benefits
- B. It is intended to strengthen the fabric of Indian Parliamentary democracy by curbing unprincipled and unethical political defections

- C. It provides for greater stability in the body politic by checking the propensity of the legislators to change parties
- D. It facilitates democratic realignment of parties in the legislature by way of merger of parties
- E. It gives a clear cut constitutional recognition to the existence of political parties.

Let us learn about the Rajya Sabha Elections.....

Transferable Vote System is followed for Rajya Sabha elections. Every state has a specific quota of seats in the Rajya Sabha. The members are elected by the respective State Legislative assemblies. The voters are the MLAs in that state. Every voter is required to rank candidates according to her or his preference. To be declared winner, a candidate must secure a minimum quota of votes, which is determined by a formula:

$$\left\{ \frac{\text{Total votes polled}}{\text{Total number of candidates to be elected} + 1} \right\} + 1$$

For example if 4 Rajya Sabha members have to be elected by the 200 MLAs in Tamilnadu, the winner would require $(200/4+1=40+1)$ 41 votes. When the votes are counted, it is done on the basis of first preference votes secured by each candidate; If after the counting of all first preference votes, required number of candidates fail to fulfill the quota, the candidate who secured the lowest votes of first preference is eliminated and his/her votes are transferred to those who are mentioned as second preference on those ballot papers. This process continues till the required number of candidates are declared elected.

Why did India adopt the FPTP System?

The reason for the popularity and success of the FPTP system is its simplicity.

The entire election system is extremely simple to understand even for common voters who may have no specialized knowledge about politics and elections. There is also a clear choice presented to the voters at the time of elections. Voters have to simply endorse a candidate or a party while voting. Depending on the nature of actual politics, voters may either give greater importance to the party or to the candidate or balance the two.

The FPTP system offers voters a choice not simply between parties but specific candidates too. In other electoral systems, especially Proportional Representation Systems, voters are often asked to choose a party and the representatives are elected on the basis of party lists. As a result, there is no one representative who represents and is responsible for one locality. In constituency based system like the FPTP, the voters know who their own representative is and can hold him or her accountable. The FPTP system generally gives the largest party or coalition some extra bonus seats, more than their share of votes would allow.

Thus this system makes it possible for Parliamentary government to function smoothly and effectively by facilitating the formation of a stable government. The FPTP system encourages voters from different social groups to come together to win an election in a locality. The FPTP system has proved to be simple and familiar to ordinary voters.



**DO
YOU
KNOW?**

Open Ballot is a system of choosing the representative by raising one's hands!!

Secret Ballot is a system in which the voter casts his vote without the knowledge of anyone into a Ballot Box or uses an Electronic Voting Machine!!

11.6 State Funding of Elections

What is state funding?

- ❖ State funding of elections is a concept designed to reduce corruption by funding elections with government money as opposed to individual campaign contributions

Indrajit Gupta Committee on state funding of Elections, 1998

The Indrajit Gupta Committee on State Funding of Elections, 1998, backed the idea of state funding of elections on principle, stating that “The committee see full jurisdiction constitutional, legal as well as on the ground of public interest, for grant of state subvention to political parties, so as to establish such conditions where even the parties with modest financial resources may be able to compete with those who have superior financial resources.

It added two limitations

- A. Such funds could not be doled out to independent candidates, and only to national and state parties having granted a symbol and proven the popularity among the electorate

- B. In the short –term, state funding may be given only in kind, in the form of certain facilities to the recognized political parties and their candidates.

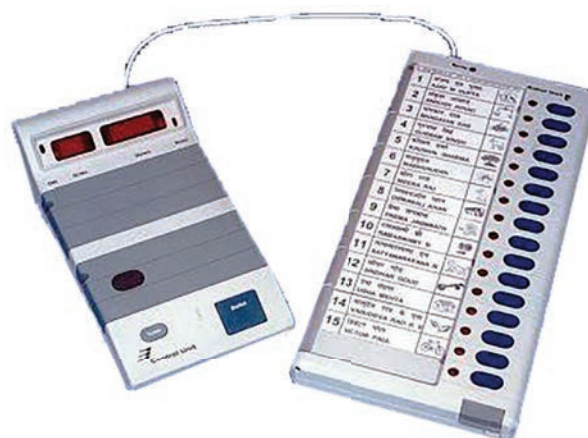
The committee has recommended the creation of a separate Election Fund with an annual contribution of Rs. 600 core by the centre and a matching amount contributed by all state governments together. The committee has suggested that in order to be eligible for state funding, political parties and other candidates should have submitted their income tax returns up to the previous assessment year.

11.7 Role of Youth in Politics

What is NOTA?

None Of The Above - A voter's right to reject a step towards electoral reforms.

In its efforts of cleansing the political system, the Supreme Court of India upheld the right of voters to reject all candidates contesting the elections. The apex court directed the Election Commission to have



an option of “None Of The Above”(NOTA) on the electronic voting machines (EVMs).

Quotable quote

NOTA is the option at the end of the Candidates' List, on the EVMs

DO YOU KNOW?

Do you know that there was a similar provision before NOTA? It was called Negative Voting.

Before the NOTA option was introduced, people who wanted to cast negative votes, had to enter their names in a register and cast their vote on a separate ballot paper. Under Section 49(O) of the conduct of election rules, 1961, a voter could enter his electoral serial number in the form 17A and cast negative vote.



ACTIVITY



Find out how 49(O) and NOTA are different?

DO YOU KNOW?

Countries which allow NOTA are...

Columbia, Ukraine, Brazil, Bangladesh, Finland, Spain, Sweden, Chile, France, Belgium and Greece. USA also allows it in few cases. The state of Texas permits the provision since 1975.

Glossary



Election : A formal and organised choice by vote of a person for a political office or other position.

Representation : The action of speaking or acting on behalf of someone.

Franchise : The right to vote in public elections.

Voting : Go to the polls, mark one's ballot paper

Electoral system : The way in which votes can be translated into elected representatives

Psephology : The statistical study of elections and trends in voting.

Plurality : Number of votes cast for a candidate who receives more than any other but does not receive an absolute majority

Panchayat : A village council in India

Minority representation : The number of elected candidates supporting the minority positions.

Factionalism : Arguments or disputes between two or more small groups from within a larger group.

Democracy : A system of government by the whole population, typically through elected representatives

Delimitation : The act or process of fixing limits or boundaries of territorial constituencies in a country or a province having a legislative body.



Electoral Roll/ voters' list : Grouping of candidates for election

Nomination : The act of officially suggesting someone or something for a position.

Election campaign : A time when a politician or party try to persuade people to vote for them

Electoral reform : A change in electoral systems to improve how public desires are expressed in election results

Anti-defection law : Law passed in 1985 which disqualifies elected members on the grounds of defection to another party.

Constituency : A group of voters in a specified area who elect a representative to a legislative body.

Secret ballot : A voting method where voter's choices are confidential

Voters' turnout : Percentage of eligible voters who cast a ballot in an election

Evaluation



I Choose the correct answer:

- The word 'Franchise' is of _____ origin.
 - Anglo-French
 - Anglo-Indian
 - Anglo-German
 - Anglo-Italian
- Part XV of the Indian Constitution deals with _____.
 - Elections
 - Citizenship
 - Fundamental rights
 - DPSP
- Psephology is the study of _____.
 - Elections
 - Constitution
 - State
 - Rights
- _____ is the simplest form of plurality/majority electoral systems.
 - FPTP
 - Block vote
 - Party block vote
 - Limited vote system
- The first delimitation commission act was passed in the year _____.
 - 1952
 - 1963
 - 1973
 - 2002
- The list of eligible voters is called as _____.
 - Electoral roll
 - Campaign roll
 - Polling roll
 - Nomination roll





- 219



II. Answer the following questions very shortly

1. What is Franchise?
2. Define Psephology.
3. Expand the term FPTP.
4. What are electoral constituencies?
5. Explain Voters' List.
6. What is election campaign?
7. What is Anti-Defection Law?

III Answer the following questions shortly

1. What are the features of a democratic electoral system?
2. Mention the various methods of minority representation?
3. Explain the Delimitation of constituencies.
4. What are the committees related to electoral reforms?
5. Why did India adopt the FPTP system?
6. Explain about open ballot and secret ballot.

IV Answer the following questions in detail

1. Explain the various types of representation.
2. Explain the need for free and fair elections.
3. Bring out the powers and functions of Election Commission of India.
4. Bring out the various electoral reforms in India.



Reference books



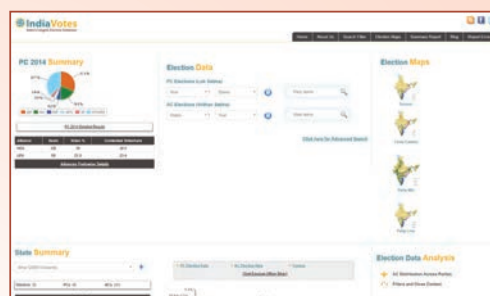
1. J.C. Johari, Indian Polity, Lotus Press, New Delhi.
2. R.C. Agarwal, Political Theory, S. Chand and Company, New Delhi.
3. B.S. Raman, Indian Constitution, United Publishers, Mangalore.
4. Subash C Kashyap, Our Constitution, National Book Trust, India.
5. The New International IDEA Handbook
6. Democratic Politics-II, Class X Political Science Textbook.
7. Democratic Politics-I, class IX Political Science Textbook
8. Lakshmikant, Indian Polity, Tata Mcgraw and Hills.



ICT CORNER

Unit-11 Election and Representation

Right age to know who the representatives were so far.
Shall we check and learn?



Steps

1. Click the URL or scan the QR code to launch the “indiavotes” page.
2. For, Lok Sabha Elections Select “year”, “states” and Click “GO”. For Legislative Assembly elections (State Elections), Select “State” and “Year” to know the details.
3. On having accurate details, Go for “Advanced search” and give in the details to fetch the data.
4. Click “Election Maps” on the home page to check the same with maps by feeding in the required on the left of the window.

Download Link

*Pictures are indicative only.

*If browser requires, allow Flash Player or Java Script to load the page.

URL : <http://www.indiavotes.com/>



B183_11_PS_EM