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ABOUT US

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A Descriptive Study Of Position Of Political Parties In India Democracy

Authored By-Prajakta Vilas Shinde

Introduction

After independence, many political, social and economic transformations have taken place in Indian Democracy. A change has been produced in the functioning of democracy in the late 1980s and early 1990s due to the evolution of political parties in North India and particularly the development of political parties whose electoral success depends on the support of a small section of the society of a state of the Indian Union. A change can also be seen in attitude and relation between citizen and political parties. This paper attempts to examine the Indian democratic changes at political level. Firstly it examines the evolution of the coalition politics. Secondly it deals with the changing social profile of representatives. Thirdly paper defines the politics at the local level. A study of changing Indian democracy at the national, regional and local ! levels of politics will enable us to build an analysis that addresses different aspects of changes, the diversity of situation and the various trajectories of democracy within India.

ANALYSIS AND INTERPRETATION OF THE STUDY

India - with a population of a billion and a quarter and an electorate of 814 million (2014) - is the world's largest democracy and, for all its faults and flaws, this democratic system stands in marked contrast to the democratic challenges over the years. The Indian political system is a much more recent construct dating from India's independence from Britain in 1947 and different from American and British political systems. The constitution of India came into force on 26th January 1950 and stands on the pillars of justice, liberty and equality for all citizens. The Constitution of India is consisting of 444 articles, 12 schedules and 98 amendments, with approximate 146,000 words in its English language version and the longest written constitution of any sovereign country in the world. The constitution of India has been one of the most amended national documents in the world with 98 changes in just over 70 years. Most of the amendments have resulted over the strife between the parliament and Supreme Court on the issue of parliamentary system. To understand the Indian Political System and to understand the Role of High Political Offices in India and of alternative moral and ethical frameworks for interpreting and evaluating contemporary political discourses:- a) President of India, b) Vice-president of India, c) the prime Minister and Union council of Ministers. The study undertakes the objective to understand the Indian Constitutions and its working firstly. The following points brought out the importance of parliamentary system of India:-

1. The Executive:

The head of state in India is the President. This is normally a ceremonial role, originally modelled on the British monarch to "advise, encourage and warn" the elected government on constitutional matters. The President can return a Parliamentary Bill once for reconsideration and, in times of crisis such as a hung Parliament, the role is pivotal. The President can declare a state of emergency which enables the Lok Sabha to extend its life beyond the normal five-year term. As members of an electoral college, nearly 5,000 members of the national parliament and state legislators are eligible to vote in the election of the President. The current President is Ram Nath Kovind, a member of the Dalit (untouchable) caste. There is also the post of Vice-President who is elected by the members of an electoral college consisting of both houses of parliament.

The Vice-President chairs the upper house called the Rajya Sabha. The head of the government is the Prime Minister who is appointed by the President on the nomination of the majority party in the lower house or Lok Sabha. In May 2014, Narendra Modi, leader of the Bharatiya Janata Party (BJP), became PM, having never previously held office at national level. Ministers are then appointed by the President on the recommendation of the Prime Minister and these ministers collectively comprise the Council of Ministers.

. 2. President of India:- The Constitution of India lays down that the Head of State and Union Executive is the President of India. S/He is elected for a five-year term by an electoral college consisting of members of both Houses of Parliament and members of legislative assemblies of the states. The President is eligible for re-elections; however, in India's independent history, only one president has been re-elected, Rajendra Prasad. The President appoints the Prime Minister of India from the party or coalition which commands maximum support of the Lok Sabha, on whose recommendation he/she nominates the other ministers. The President also appoints judges of the Supreme Court and High Court. It is on the President's recommendation that the Houses of Parliament meet, and only the president has the power to dissolve the Lok Sabha. Furthermore, no bill passed by Parliament can become law without the president's assent. However, the role of the president of India is highly ceremonial. All the powers of the president mentioned above are exercised on recommendation of the Union Cabinet, and the president does not have much discretion in any of these matters. The president also does not have discretion in the exercise of his executive powers, as the real executive authority lies in the cabinet. The current President is Ram Nath Kovind.

. 3. Vice President of India:- The Office of the Vice-President of India is constitutionally the second most senior office in the country, after the President. 4. The vice-president is also elected by an electoral college, consisting of members of both houses of parliament. Like the president, the role of the Vice-President is also ceremonial, with no real authority vested in him/her. The Vice-President fills in a vacancy in the office of President (till the election of a new president). His only regular function is that he functions as the Chairman of the Rajya Sabha. No other duties/powers are vested in the office. The current Vice President is Venkaiah Naidu.

5. The Prime Minister and the Union Council of Ministers:- The Union Council of Ministers, headed by the Prime Minister, is the body with which the real executive power resides. The Prime Minister is the recognized head of the government. The Union Council of Ministers is the body of ministers with which the PM works with on a day-to-day basis. Work is divided between

various ministers into various departments and ministries. The Union cabinet is a smaller body of ministers which lies within the Council of Ministers, which is the most powerful set of people in the country, playing an instrumental role in legislation and execution alike. All members of the Union Council of ministers must be members of either House of Parliament at time of appointment, or must get elected/nominated to either House within six months of their appointment. It is the Union Cabinet that co-ordinates all foreign and domestic policy of the Union. It exercises immense control over administration, finance, legislation, military, etc. The Head of the Union Cabinet is the Prime Minister. The current Prime Minister of India is Narendra Modi.

6. The States Government-India has a federal form of government, and hence each state also has its own government. The executive of each state is the Governor (equivalent to the president of India), whose role is ceremonial. 2.1. President of India:-The President of India, the Head of state is a component of Parliament. Under Article 60 and Article 111, President's responsibility is to scrutinize that bills/laws passed by the parliament are in accordance with constitutional mandate and stipulated procedure is followed before according his/her approval to the bills. The President of India is elected by the elected members of Parliament of India and the state legislatures and serves for a term of 5 years.

7. Lok Sabha:-The lower house in the Indian political system is the Lok Sabha or House of the People. As set out in the Constitution, the maximum size of the Lok Sabha is 552 members, made up of up to 530 members representing people from the states of India, up to 20 members representing people from the Union Territories, and two members to represent the Anglo-Indian community if it does not have adequate representation in the house according to the President. Currently the size of the house is 545 - made up of 530 elected from the states, 13 elected from the territories, and two nominated from the Anglo-Indian community. By far the largest state representation is that of Uttar Pradesh with 80 members. At the other end of the scale, three states have only one representative each. There are certain constituencies where only candidates from scheduled castes and scheduled tribes are allowed to stand. Each member - except the two nominated ones - represents a geographical single-member constituency as in the British model for the House of Commons. Each Lok Sabha is formed for a five year term, after which it is automatically dissolved, unless extended by a Proclamation of Emergency which may extend the term in one year increments. This has happened on three occasions: 1962-1968, 1971 and 1975-1977. The last election to the Lok Sab

Rational Behind Research

The furore over factionalism in the ruling Congress in Rajasthan and the question regarding the leadership of the party at the national-level in recent months has once again made it extremely important to understand the larger issues of inner-party democracy in political parties in the country. India is one of the most vibrant and robust multi-party democracies in the world which has sustained despite all challenges for over seven decades now. And the political parties, like in any other modern democracy, have been the major driver of democratic politics and governmental power in the country.

But interestingly, there are no explicit provisions in the Indian Constitution that lays down guidelines for regulating the conduct of the political parties in India. There is no mention of political parties either in the statute. Only Section 29 (A) of the Representation of the People Act, 1951 mandates the registration of political parties. The Election Commission of India (ECI) is also not equipped to regulate the functioning of the political parties.

In the case of 'Indian National Congress vs Institute of Social Welfare & Others' of 2002, the Supreme Court held that the ECI cannot take punitive action against registered political parties for violating the principles of inner-party democracy. The court, acknowledging the de-registering powers of the registering authority, maintained that the issue of political parties is different from other forms of registration. This makes the regulation of the conduct and functioning of the political parties extremely difficult, reducing the chances of democratic working of parties in the country.

Major Challenges

As political parties are the most crucial actors of Indian democracy, their democratic functioning becomes inextricably inter-linked to the health and vibrancy of the former. The lack of democratic functioning of the parties is mainly manifested in two fundamental aspects. First, the procedure for determining the leadership and composition of the parties are not completely open and inclusive. This adversely impacts the constitutional right of all citizens to equal political opportunity to participate in politics and contest elections.

Second, the centralised mode of functioning of the political parties and the stringent anti-defection law of 1985 deters party legislators from voting in the national and state legislatures according to their individual preferences. The anti-defection legislation requires the elected representatives to strictly follow the party whip during legislative voting. Failure to do so results in the disqualification of their membership from the legislature.

Leadership And Composition

In most of the major political parties, the elections to organisational posts at various levels are fraught with challenges. It has been observed that the leadership is mostly decided by a coterie of party functionaries who holds sway over the party administration. Even when elections take place in which the members of the national organisational or decision-making body of the party participate, the pre-determined choice of the party elite is merely supported by the other members.

Most of the times, the elections to leadership positions are uncontested and unanimously decided. In many instances, the ceremonial rubber stamp organisational elections are also held after long intervals with serious irregularities.

The composition of the party elite in the political parties is also a major concern in India. Multiple research findings have suggested that centralised and ambiguous working of the parties that led to distribution of party ticket to certain sections of the population and excluding the rest of the society. Reports suggest that party members with adequate social and financial resources are given primacy while distributing tickets for contesting elections.

Also, a large number of candidates with criminal background as party nominees has come to the forefront in the recent times. The Supreme Court has also taken cognisance of the growing prevalence of 'criminalisation of politics' in India.

As no legally enforceable mechanism is in place for the parties, the lack of democratic functioning has kept a large section of people from the leadership positions and election nominations for political contests.

Freedom For Legislators

The democratic spirit is not only found wanting in terms of the representativeness of the party functionaries but also in case of the elected representative of the parties. The Anti-Defection Act of 1985 requires the party legislators to act according to the party whip which is decided by the diktats of the highest party leadership. This Act was brought in place in order to defer unabashed horse trading of lawmakers for breaking and making governments by manipulating legislative majorities. However, the contemporary political scenario vividly suggests that the law has achieved very little in terms of its original intention.

Rather the Act has done further damage to the cause of inner-party democracy as "the obligatory whip that the act imposes on the party legislators compels them to adhere to the directives of their party high-command in the legislature. Therefore, the discretionary autonomy of the legislators becomes hostage to the whims of the party leadership". Hence, the elected representatives are likely to remain accountable and answerable to their party leadership and its authority rather than to the electoral constituency which has elected the candidate to the legislature.

Need For Political Will

Thus, the lack of transparency and accountability in the inner functioning of the political parties in India have serious consequences for the steady functioning of parliamentary democracy in the country. Lack of free and fair internal elections, questionable procedure of distributing party tickets, the lack of information regarding the candidates contesting elections and the murky domain of campaign finance urgently requires a serious public deliberation regarding the increasing need for political party reforms.

As this article has pointed out, there is a number of suggestions on electoral reforms that has been put forward "by several government constituted committees like the Dinesh Goswami Committee, the Tar Kande Committee and Indra Jit Gupta Committee, which strongly argued for more transparent working of the political parties in the country. The 1999 Law Commission Report strongly recommended the introduction of a regulatory

framework for governing the internal structures and inner party democracy of the political parties. Even, a draft Political Parties (Registration and Regulation of Affairs) Act, 2011 was submitted to the Union Law Ministry.

The draft envisaged the creation of an Executive Committee for every political party whose members would be elected by the members of the local committees of the state units of the party. The latter, in turn, would elect the office-bearers of the party from amongst themselves, without accepting any nomination.

Political parties control the levers of governance in a democracy. So only strong political will emanating from irrefutable electoral demands for inner-party democracy can only lead India towards the process of democratising its political parties.

AIMS & OBJECTIVES

Social Democratic Party of India is:

1. Working for Freedom from Hunger & Freedom from Fear
2. Against imperialist forces
3. Against bribery and corruption
4. Against communal politics and fascist forces who are on the verge of dividing India on the basis of caste, creed & religion
5. Working to establish social justice and equality for all the citizens of India
6. Working for establishing the Welfare State, where all citizens could be ensured free education, health and food security
7. Working for the development of farmers and labours
8. Against all social evils

Aim

A political party is an organization that coordinates candidates to compete in a particular country's elections. It is common for the members of a party to hold similar ideas about politics, and parties may promote specific ideological or policy goals.

Objects

The study focus on understanding the knowledge of the political science discipline; its principal theoretical frameworks and applications, conceptual vocabulary, and methods of inquiry; its major subfields of study; and its interrelationships with the other social science fields. The study focus on increase understanding of basic facts and concepts about the Indian political system, including its history, philosophical, constitutional and legal foundations, leading political values and ideas, governing institutions, and policymaking processes.

The study also addresses diverse political systems, including empirical area-based knowledge; broader theoretical understanding of different political systems, institutions and processes; and the changing domestic and global contexts within which they operate. The study discusses the fundamental values and ethical issues contested in politics over time; and of alternative moral and ethical frameworks for interpreting and evaluating contemporary political discourses. The major objectives of the study are as:-

1. To understand the Indian Political System and to understand the Role of High Political Offices in India and of alternative moral and ethical frameworkporary political discourses. The major objectives of the study are as:- 1. To understand the Indian Political System and to understand the Role of High Political Offices in India and of alternative moral and ethical frameworks for interpreting and evaluating contemporary political discourses:- a) President of India, b) Vice-president of India, c) 3. To understand the Political issues of Indian politics:- a) Social Issues, b) Economic issues, and c) Law and the prime Minister and Union council of Ministers 2. To analyze and study the Indian Politics in terms of Elections of 2014 and the role of political parties and to assess the alliances of political parties .¹

The Two Objectives Of A Political Party Are:

It presents the public with a choice of having their own representatives by fielding their candidates for elections.

It provides a common platform to the people which unites the masses that otherwise are divided into social, economic and religious groups.

Statement Of Research Problem

1. the paradox of centralised Federalism : An Analysis of the challenges to Indian's federal Design .
2. Both the executive branch of the legislative branch of the govt representative of the political parties who have been elected through the election .
3. Most Indians are satisfied with their country's direction and the economic prospects of the next generation despite dissatisfaction over .

Hypothesis -

1. Political parties are very important in India democracy .
2. Political parties are a big part of India's Democracy
3. Political parties strengthen democracy in India by taking on variety of challenges and important roles .

Scope of Research

A political party basically, is a group of people. These people come together to contest elections in order to hold power in the [government](#). It is a way to mobilize voters to support common sets of interests, concerns, and goals. The primary role of the political party is to fix the political agenda and policies. So, each party tries to persuade people by claiming their policies are better than those of other parties.

In a broader perspective, a political party is a means via which the people can speak to the [government](#) and have a say in the governance of any country. So, every political party must have three key components:

- [Leaders](#)
- Active Members
- Followers

Functions Of A Political Party

Every political party has a number of [functions](#) to perform. Here we have listed some of them.

- A political party contests elections by putting up candidates.
- In countries like the USA, the candidates are selected by members and supporters of a party.
- On the other hand, in countries like [India](#), the candidates are chosen by top party leaders.
- Every party has different policies and programmes. Voters make a choice in accordance with the policies and programmes liked by them.
- In a [democratic country](#), a large group of people that has certain similar opinions group together and form a party. Then then, give a direction to the policies adopted by the government.
- Those parties which lose elections form the opposition. They voice different views and criticise the government for their failures and mobilize opposition to the government.
- Political parties shape public opinion. With the help of the pressure groups, the parties launch movements for solving problems faced by the people.
- Parties even offer access to government machinery and welfare schemes. The local party leader serves as a link between the citizen and the government officer.

Importance Of Political Parties

A [democracy](#) cannot exist without the presence of a political party. This is clear from the function performed by the political parties. In case, there are no political parties then:

- Every candidate in the election would be an independent candidate. Any individual candidate does not have the efficiency to promise any major [policy](#) change to the people. In such a scenario, no one will be responsible for how the country is run.
- In the long run, only a representative democracy can survive. Political parties are the [agencies](#) that gather different views on various issues and present them to the government.

Party System

There are three types of party systems:

- One-Party System
- Two-Party System
- Multi-Party System

One-Party System

In a one-party system, there is no competition in this system. Here, the lone party nominates the candidates and the voters have only two choices i.e.

- Not to vote at all or
- write 'yes' or 'no' against the name of the candidates nominated by the party

Such a political system has been prominent in authoritarian regimes and communist countries such as China, North Korea, and Cuba. Before the collapse of communism, this system was also prevalent in USSR.

Two-Party System

In a two-party system, the power shifts between two major, dominant parties. So, for winning the elections, the winner will have to get the maximum number of votes. However, please know that maximum number of votes is not equivalent to a majority of votes.

So, the smaller parties tend to merge with the bigger parties or they drop out of elections. Such a [parliamentary](#) system prevails in Canada and Great Britain, in which there are two parties holding the maximum numbers of seats.

¹ Times of India news paper ,law book .

Multi-Party System

The third and the most common form of government is the multi-party system. In such a system, there are three or more parties which have the capacity to gain control of the government separately or in a coalition.

In case, no party achieves a clear majority of the legislative seats, then several parties join forces and form a coalition government. Countries like India, follow a multi-party system. Some people are of the view, that a multi-party system often leads to political instability in a country.

Significance Of Research –

As with any other democracy, political parties represent different sections among the Indian society and regions, and their core values play a major role in the politics of India. Both the executive branch and the legislative branch of the government are run by the representatives of the political parties who have been elected through the elections. Through the electoral process, the people of India choose which representative and which political party should run the government. Through elections, any party may gain simple majority in the lower house. Coalitions are formed by the political parties in case no single party gains a simple majority in the lower house. Unless a party or a coalition have a majority in the lower house, a government cannot be formed by that party or the coalition.

India has a [multi-party system](#), where there are a number of national as well as regional parties. A regional party may gain a majority and rule a particular state. If a party is represented in more than 4 states, it would be labelled a national party (subject to other criteria above). Out of the 72 years of India's independence, India has been ruled by the Congress party for 53 years as of January 2020.

The party enjoyed a parliamentary majority save for two brief periods during the 1970s and late 1980s. This rule was interrupted between 1977 and 1980, when the [Janata Party](#) coalition won the election owing to public discontent with the [controversial state of emergency](#) declared by the then Prime Minister [Indira Gandhi](#). The [Janata Dal](#) won elections in 1989, but its government managed to hold on to power for only two years.

Between 1996 and 1998, there was a period of political flux with the government being formed first by the nationalist BJP followed by a left-leaning [United Front](#) coalition. In 1998, the BJP formed the National Democratic Alliance with smaller regional parties, and became the first non-INC and coalition government to complete a full five-year term. The [2004 elections](#) saw the INC winning the largest number of seats to form a

government leading the [United Progressive Alliance](#), and supported by left-parties and those opposed to the BJP.

On 22 May 2004, [Manmohan Singh](#)^[12] was appointed the [prime minister of India](#) following the victory of the INC and the left front in the [2004 Lok Sabha election](#). The UPA ruled India without the support of the left front.

Previously, [Atal Bihari Vajpayee](#)^[13] had taken office in October 1999 after a general election in which a BJP-led coalition of 13 parties called the National Democratic Alliance emerged with a majority. In May 2014, Narendra Modi of BJP was elected as the prime minister.

Formation of coalition governments reflects the transition in Indian politics away from the national parties toward smaller, more narrowly based [regional parties](#). Some regional parties,

specially in South India, are deeply aligned to the ideologies of the region unlike the national parties and thus the relationship between the central government and the state government in various states has not always been free of rancour. Disparity between the ideologies of the political parties ruling the centre and the state leads to severely skewed allocation of resources between the states.

Research Methodology:-

The study is based on secondary data which has been collected from the various newspaper, online and offline media, election commission reports, magazines, journal and TV reports and books written by well-known authors. Furthermore, secondary data can also be helpful in the research design of subsequent primary research and can provide a baseline with which the collected primary data results can be compared to. Therefore, it is always wise to begin any research activity with a review of the secondary. Secondary data are those which have already been collected and analyzed by someone else. The sources of published data are as below: i. Official publications of Central and local governments. ii. Official publications of semi government statistical organization. iii. Official publication of foreign government or international bodies like the UNO, World Bank, ADB, WTO, UNESCO, etc. iv. Reports and publications of Trade union, Chamber of Commerce, Commercial Banks, Co- operatives, Stock Exchange etc. v. Report submitted to economists, re-search scholars, universities and various educational and research institutions. vi.

Reports of various committees and commissions appointed by government. vii. Newspaper and Periodicals and Books Now most of the information that is available to people and researchers in regard to social problems is to be found in reports. The reports published by Government are considered as more dependable. On the other hand some people think that the reports that are published by certain individuals and agencies are more dependable and reliable. Journals, Books and magazines are important public documents including a wide variety of information which can be usefully utilized in collection of data in this study. Most of these information are very much reliable. Newspapers publish news, discussion on contemporary issues, reports of meetings and conferences, essays and articles on living controversies and the letters of the readers to the editors; all this has been used in this research paper. Besides the above mentioned public documents, film, television, radio and public speeches etc., are other important sources of information for writing this paper.

Types Of Political Parties

Every political party in India, whether a national or regional/state party, must have a symbol and must be registered with the [Election Commission of India](#). Symbols are used in the Indian political system to identify political parties in part so that illiterate people can vote by recognizing the party symbols. [6]

In the current amendment to the Symbols Order, the commission has asserted the following five principles:

1. A party, national or state, must have a legislative presence.
2. A national party's legislative presence must be in the Lok Sabha. A state party's legislative presence must be in the State Assembly.
3. A party can set up a candidate only from amongst its own members.

4. A party that loses its recognition shall not lose its symbol immediately but shall be allowed to use that symbol for some time to try and retrieve its status. However, the grant of such facility to the party will not mean the extension of other facilities to it, as are available to recognized parties, such as free time on [Door darshan](#) or [AIR](#), free supply of copies of electoral rolls, etc.
5. Recognition should be given to a party only on the basis of its own performance in elections and not because it is a splinter group of some² other recognized party.

A political party shall be eligible to be recognized as a national party if:

1. it secures at least six percent (6%) of the valid votes polled in any four or more states, at a general election to the Lok Sabha or, to the State Legislative Assembly; and
2. in addition, it wins at least four seats in the House of the People from any State or States.
3. or it wins at least two percent (2%) seats in the House of the People (i.e. 11 seats in the existing House having 543 members), and these members are elected from at least three different States.

Political parties are indispensable to any democratic system and play the most crucial role in the electoral process – in setting up candidates and conducting election campaigns. In recent years, we have witnessed a succession of unstable governments, and the reason for such a recurring phenomenon is said to be the archaic and chaotic functioning of political parties. Alliances and coalitions are made, broken and changed at whim, and the balance of power seems to be held not by those at the Union level, but by minor parties on the fringes. There is no doubt that Indian political parties have fragmented over the years. Frequent party splits, mergers and counter splits have dramatically increased the number of parties that now contest elections. In 1952, 74 parties contested elections, whilst in recent years this number has swollen to more than 177, and has been consistently increasing since 1989. Can the instability at the Union level or in the States be attributed solely to the growing number of parties, or the malaise with which the political system suffers today lies in the functioning and the dynamics of the party system in India, apart of course, from the other causes in the working of the political system as a whole?

Political parties and the party system in India have been greatly influenced by cultural diversity, social, ethnic, caste, community and religious pluralism, traditions of the nationalist movement, contrasting style of party leadership, and clashing ideological perspectives. The two major categories of political parties in India are National and State, and are so recognized by the Election Commission of India on the basis of certain specified criteria. As of today, there are six national parties (seven after the split in the Janata Dal in August 1999) and 38 regional parties recognized as such by the Election Commission of India.

The National parties are Indian National Congress, Bharatiya Janata Party, Communist Party of India, Communist Party of India (Marxist), Bahujan Samaj Party, and Janata Dal. As per the latest notification (June 29, 2000) the Election Commission has decided to de-recognize seven regional parties in some States based on their poll performance. These are Haryana Vikas Party, NTR-TDP (Lakshmi Parvati), Rastriya Janata Dal in Manipur, Shiv Sena in Dadar, Nagar and Haveli, United Minority Party in Assam, Samajwadi Janata Party in Chandigarh and Samta

Party in Haryana. Meanwhile, the CPI (M) and the Republican Party of India have been served notices of de-recognition.

Constitutional And Legal Position

The legal and constitutional position of political parties varies from country to country. In most democratic countries, however, there is neither any direct constitutional provision regulating the functioning of political parties, nor any legal sanction establishing political parties as a necessary governmental institution, although there are some governmental systems which try to prescribe some conditions for the operation of party system. A very good example is furnished by the Constitution of the Fifth French Republic, which prescribes that Parliament (The French National Assembly) cannot make a law that may abridge the right of the political parties to carry on their activities freely. This is perhaps a tacit recognition of the existence of political parties as *asine qua non* of a democratic system. Similarly, the basic law of Germany's Constitution includes political parties in its purview. Art. 21 of the Law guarantees the legitimacy of parties and their right to exist, if they accept the principle of democratic government. The Federal Government of Germany has thoroughly institutionalized the structure of political parties, by introducing the 5% clause, which makes it extremely difficult for minority or splinter parties to form and flourish.

The Canadian practice of Registration of Party or Party foundation is very comprehensive. Parties are registered on certain conditions and party leaders are selected through a national leadership convention composed of provincial party delegates voting as individuals rather than as a bloc. (See para 7.3.8)

Closer home, Nepalese Constitution (Art.12) provides freedom to form union and association, which has been enshrined as a fundamental right, and Art. 112 deals specifically with the prohibition to ban political parties. Any law, arrangement or decision which allows for participation or involvement of only a single political organization or party or persons having a single political ideology in the elections or in the political system of the country shall be inconsistent with the Constitution. And there are conditions for registration of political parties for contesting elections; (a) they should adhere to the norms of democracy within the party (b) there must be provisions for election of the office bearers in the Constitution of the party at least once every five years (c) political parties must field at least 5% women candidates for election. (d) those parties which get at least three per cent of total votes cast in elections are qualified for registration as political parties. A member of parliament cannot change his party loyalty or abandon the party of which he was a candidate at the election. If he does so, he loses his seat in the House [Art. 49, Clause (1) (f)].

However, all the parliamentarians from a party which received less than three per cent of the cast votes in the election to the House of Representatives are treated as Independents.

Political parties do not as such find any direct mention in the Constitution of India. However, there is one provision in the Constitution which is directly relevant to the functioning of political parties: the Tenth Schedule. The Tenth Schedule of the Constitution was added by the Constitution (Fifty-second Amendment) Act, 1985. It deals with the disqualification of a person for being a member of either

²<https://thewire.in/book> <https://en.m.wikipedia.org>

Literature Review:-

The survey of literature plays a significant role in establishing the backdrop for any research work in social sciences. To analyze any field of study, it is vitally important to go through and discuss, various books and articles written by many eminent scholars and writers who have vividly and sagaciously studied and analyzed with their perception. So an attempt is made to review important work. William in his book *The Meaning of Democratic Participation* (1975) mentioned ten types of activities in political participation. Biju M. R., in his ³work *Parliamentary Democracy and Political Change in India* (1999) mentioned that there has been a perceptible change in the status of women in India in the last few decades. Palmer in his book *Elections and Political Development* (1976) opines that political participation is granted in a modern society than in traditional society; it is greater in a developed society than in developing societies. This study indicates a higher degree of political participation on the part of Indians. 84 percent of the Indian electorates engage themselves in more than one of the political activities including voting and almost half of the Indian electorate participate in politics in one or more ways other than voting. Hadimani in her article *The Politics of Poverty* (1987) reports that though the scheduled castes have seats constitutionally reserved for them in local village Panchayats to enable them to function on equal footing with others in decision making process, either they are absent or do not talk nor do they give their signature endorsing their consent simply for small gifts like petty cash or few

measures of grains. Singh finds younger age group more politically conscious compared to older age group.

However, political participation on the part of scheduled castes is more a group activity than an individual.

activity. Dr. Madhav Godbole (2011) "India's Parliamentary Democracy on Trial" Dr. Godbole has in his book under reference critically reviewed the Indian parliamentary democracy in vogue and analyzed the issue critically and provided a few suggestions which go a long way in improving the present system. Because of the various high positions that he had held in the government the book can well be treated as authentic. Md. Manzurul Karim mentioned in his article on —White paper on Political system of India: An example of a Sustainable Democracy, pointed out the current problems face by the political system and sustainable aspect of democracy.

Dr. B. L. Fadia: (2011) Book titled *Indian "Government and Politics"* In the first section the author has take an overview of the Indian political system. The author has discussed the nature of the party system prevailing in India. This needs to be understood to know the importance of mechanism of the Electioneering. In a democratic set up Political parties assume greater importance. Although the political parties informally express and form the public opinion. They influence the electorate greatly. The political parties mobilize the electorate.

In the parliamentary system any political party which secures highest seats becomes the ruling party and the party which gets minority votes becomes the opposition party. And therefore, to decide which party has the

support of maximum electors the mechanism used is that of election India After Gandhi: The History of the World's Largest Democracy by Ramachandra Guha explains the magisterial account of the pains, the struggles, the humiliations, and the glories of the world's largest and least likely democracy, Ramachandra Guha's India After Gandhi is a breath-taking chronicle of the brutal conflicts that have rocked a giant nation and the extraordinary factors that have held it together. Indian Government and Politics has been written by Hoveyda Abbas and a detailed study of Indian government and politics in 2010 A History Of Political Theory by George H. Sabine has discussed the history of political theory. Public Administration has been written by M. Laxmikanth and published by Tata McGraw Hill; explain the bureaucratic and administration structure of the country. Pradeep Chhibber (March 2013). "Dynastic parties Organization, finance and impact". Party Politics by Sage Journals mentioned the parties' organization and its dynastic character. Prakash Chander and Prem Arora has authored a book on "Nature of Party System in India". Comparative Politics & International Relations. Cosmos Bookhive; explained the party system in India and throw light on its comparative politics. Basu, Amrita; Chandra (Editor), Kanchan (2016) has written Democratic Dynasties: State, Party and Family in Contemporary Indian Politics (1 ed.). Cambridge, UK:-

Cambridge University Press, opinions on the issues relating to the Contemporary Indian politics. Shively, W.

Phillips: Power and Choice: An Introduction to Political Science—Parliamentary Government in India.

McGraw Hill Higher Education, discussed on parliamentary government in India. Arun Shourie has written

The Parliamentary System and mentioned in it —What we have made of it, what we can make of it A careful review of literature reviews that sixteen factors were identified by researchers as factors that influence electoral behaviour. They are caste, Rudolph and Rudolph (1967), Ram Sagar Singh(1969),

Ramashray Roy (1970), Chhibber, P.K. (1999), Zoya Hasan (2001), Lucia Michelutti (2004), Muneshwar Yadav

(2004), Sandeep Shastri and Harish Ramaswamy (2004), Verma, A. K. (2004), Chandra, Kanchan (2004),

Sandeep Shastri and Padmavathi, B. S. (2009), Rahul Verma (2009), Suri, K.C., Narasimha Rao, P. and Anji

Reddy, V. (2009) and Ghanshyam Shah (2010). Caste and Party, Kothari(1964), Andre Betelle (1970) and

Rajeswari Desh Pande and Nitin Binnal (2009). Religion, Blair, H.W. (1979), Maria Do Ceo Rodrigues, Prabhat

Kumar, William Joe, and Soland Da Silva (2004) and Mohd Sanjeer Alam (2009). Education and Performance,

Madhu Varshney, Y.C. Nigam (2000) and Elkins, David, L. (1975).

Chaptalization –

The entire research work will run in to research chapters the first one on Introduction brings out importance of study second one is rational behind this research paper anther one is aim and objective and research to show the importance of subjects it also include statement of research problem History of research subject . another one chapter will content previews reviews anther one is state that hypothesis of research a quick on subject well being we also being carried out with chapter anther chapter will be methodological part of study and scope of research significance of research and research methodology is to be done in next chapter finding collusion for further research will presented in last chapter followed by bibliography and reference .

Conclusion

Politics in India is much rougher and much more corrupt that in the democracies of Europe and North America. Assassination is not uncommon: the revered Mahatma Gandhi in 1948, the Prime Minister Indira Gandhi in 1984, and the Prime Minister Rajiv Gandhi in 1991 were all murdered, although it has to be noted that these were not really political assassinations which happen more at local level. Communal, caste and regional tensions continue to haunt Indian politics, sometimes threatening its long-standing democratic and secular ethos. The language used by political candidates about each other is often vivid. One key question will be the influence on the new government of the Rastriya Swayamsevak Sangh, the vast conservative Hindu revivalist organisation where new Prime Minister Narendra Modi started his career as an activist. The RSS was heavily involved in the 2014 election and Modi and many other senior officials of the BJP, which is independent of the RSS though ideologically close, are still members of the organisation. Recent years have seen the emergence of so-called RTI activists - tens of thousands of citizens, often poor, sometimes almost illiterate, frequently highly motivated - who use the Right To Information legislation of 2005 to promote transparency and attack corruption in public institutions. In the first five years of the legislation, over a million RTI requests were filed and so threatening to authority have some of the RTI activists become that a number of have been murdered. More recently than the RTI movement, there has been a related - if rather different in caste and class terms - movement around the demand for an anti-corruption agency (called Lokpal). This movement has been led by the hunger-striker Anna Hazare and draws most of its support from the growing Indian middle-class which feels alienated from politics since the votes are to be found in poor, rural communities while the power is to be found in rich, urban elites. In spite of all its problems, India remains a vibrant and functioning democracy that is a beacon to democrats in many surrounding states. The study observed that the country and its culture, parameters, postulates, governing norms, and others political dimensions goes on changing and affecting the political systems and new kind of political diversity has been evolved over the period of time. The study found the specific cardinal factors which directly facilitated India to preserve their democratic government in the last decades like, Panchayati Raj system, Federalism, electoral practices, Multi-party system, written constitutions and Independence of courts and supreme court, and loyalty of Military to government. The Panchayat system of ancient India helps the people of India to cope with the culture of democracy.

Panchayat means a council of five and it usually refers to a village council which may or may not have five members- which has a great deal to say about the life of people of village in social, religious, economic and political matters. Officially speaking, the Panchayat is today the lowest and in a sense the most basic- unit of self government in India. In India, the centre largely depends on the states for implementing many of public policies which encourages decentralization

process. The term 'federation' has nowhere been used in the Constitution.

Instead, Article 1 of the Constitution describes India as a 'Union of States'. The Constitution establishes a dual polity consisting of the Union at the Centre and the states at the periphery. Each is endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution.

Federalism helps the Indians to handle the problems of multi-culture, multi- language and different religions successfully and strengthen the democracy of India. India ensured the voting right of people of India by the Constitution of the India which is supreme law of the country. The framers of the Constitution of India described about election of India in the Part XV, Articles 324 to 329 of the Constitution. The article 326 says that elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage. Thus, since the independence of India the participation of the people is always growing. India is known for its multi party system. There are many parties in India ranging from 6 National Political parties and more than 48 state parties and many registered regional parties. The multiparty system in India make unique in the world. In Indian political system one can find the rightist, centrist, leftist, regional, even local political parties to deal with the political issues. The Constitution is not only a written document but also the lengthiest Constitution of the world. Originally, it contained a Preamble, 395 Articles (divided into 22 Parts) and 8 Schedules. At present (2013), it consists of a Preamble, about 465 Articles (divided into 25 Parts) and 12 Schedules. It specifies the structure, organisation, powers and functions of both the Central and state governments and prescribes the limits within which they must operate. Thus, it avoids the misunderstandings and disagreements between the two. This constitution clearly describes about the nature of the Republic, the organization and powers and mutual relations of the Centre and the States, the Fundamental rights of the citizens (Articles: 13 to 35), the directive principles of State policy (Articles: 36 to 51), and so on. This constitution spells out almost all pros and cons of functions of the country.

References

1. "A Constitutional Body". Election Commission of India. Election Commission Report 2014.
2. "As smooth as it gets, says city poll chief". The Times of India. Retrieved 23 November 2014.
3. "Democracy Index 2016". The Economist Intelligence Unit. Retrieved 2017-11-30.
4. "EC Decides to use VVPAT System at Bye-Election in Nagaland" (Press release). Press Information Bureau. 17 August 2013. Retrieved 18 August 2013.
5. "Election Commission Of India Press Note". Retrieved 13 March 2014. [1] Archived 26

January 2012 at the Way back Machine.

6. "ELECTION COMMISSION OF INDIA : Press release" (PDF). Eci.nic.in. Retrieved 23 November 2014.

7. "Election Commission to ensure postal votes don't get invalid". DNA. Retrieved 23 November 2014.

8. "gazette notifications". Thehindu.com. 24 November 2010. Retrieved 2012-08-06

9. "General Election 2014". Election Commission of India. Retrieved 21 May 2014.

10. "Lok Sabha Election Facts: Candidate Seat Ratio increased from 4 in 1952 to 25 in 1996". news.biharprabha.com. Retrieved 13 March 2014

