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Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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A STUDY ON THE ROLE OF ELECTION COMMISSION IN ENSURING FREE AND FAIR ELECTIONS IN INDIA

AUTHORED BY - MR. AATHI ARAVIND VASAN.

BBA – LLB (HONS') Student

CO-AUTHOR - MR. JAYASHANKAR.

Assistant Professor

Chettinad School of Law,

Chettinad Academy of Research and Education (Deemed to be University),

Kelambakkam-603103, Tamil Nadu, India.

Abstract

This paper explores the crucial role that the Election Commission plays in preserving India's democratic system by assisting in the holding of free and fair elections. The research examines the many procedures put in place to ensure electoral integrity and uphold the ideals of transparency, impartiality, and inclusion, with an emphasis on the Election Commission's functions, mechanisms, and obstacles. The study attempts to provide a complete knowledge of the role played by the Election Commission in maintaining the nation's democratic fabric and promoting public confidence in the election system by looking at both historical and contemporary scenarios. Furthermore, the study highlights possible avenues for enhancement and modifications, recognising the dynamic nature of elections in India. Elections are playing the vital role for the country's development and its future growth. if it happens on good manner then the country has a bright future. Election commission is full responsible for conducting the elections and conducting the fair manner. Government also playing the significant role to conducting the election and conducting in diligently manner. it must bring lot of law related to election like electoral bond (2017). People also must follow the rules and law related to election that was brought by the government and election commission for conducting the free and fair election in the country. Government must give heavy punishment or penalty for the persons who were breaches the election laws. In this paper let we see about what is election commission role to conduct the free and fair election in country. Let's gives our suggestion to election commission to conduct the fair election in India.

Keywords: *Election, Election commission, Electoral bonds, Government, Laws, Free and fair election.*

1. INTRODUCTION:

A formal group taking decisions process known as an election is used by the populace to select one or more candidates for public office [1]. In contrast to the practice in the constitutional archetype, ancient Athens, where elections were viewed as an oligarchic institution and the majority of political offices were filled through satiation, also known as allotment, in which representatives were chosen by lot, modern representative democracies use elections as a tool for choosing representatives on a global scale [2]. Election is most significant for selecting the country government in modern democracy since 17th century.

In Indian democratic country election is playing the key role for selecting representatives for forming the government and Election Commission of India (EOI) who conducting all the elections in India since after independence these has a chief electoral officer who is head of this commission has a duty to conduct all election in India [3]. The officer of the commission is appointed by the head of the state president. Officer has the full responsible to conduct the election like announcing date, rules, procedure, filing of nomination, results etc.....

Article 324 of Indian constitution says there should be the election commission for controlling and holds the election in India [4]. When the commission was first formed in 1950, there was just one Chief Electoral Commissioner [5]. On October 16, 1989, just before following the 1989 General Election, two more Commissioners were first appointed to the board. However, their term on the commission was extremely brief, expiring on January 1, 1990. On January 1, 1990, "The Election Commissioner Amendments Act, 1989" was ratified, converting the commission into a multi-member body [6]. Since then, it has operated with three members, and its decisions are decided by a majority vote.

In India there is a lot of law that are related to elections like Indian Constitution (Article 324 to 329), Representation of the People Act, 1950 and Representation of the People Act, 1951 and Delimitation Act, 2002, Parliament Act, 1959, Scheduled castes and scheduled tribes Act, 1976, Government union territories Act, 1963, Government of national capital territory of

Delhi Act, 1991 and there is lot of rules and orders related to evidence [7].

To calculate and controlling the funding price for the political party there is scheme called electoral bonds [8]. It was brought by centre government in the finance bill, 2017 by the Former Finance Minister Arun Jaitley [9]. In that bill the maximum cash denotation of political party is rupees 2000

1.1 Needs and Importance of Study

Since Independence, elections are playing a vital role in India to form a good democratic government [10]. Although elections are the foundation of one country government. If government perform well the people of the country welfare will be growth. So, forming the perfect and people's desires government election plays the significant role [11]. To form good government the election also must conduct in genuine and fair. The election commissions of the particular country have the responsibility to conduct the genuine election. But if the election occurs in fraud basis the countries democracy or government are in danger [12].

In India there was a lot of problem while conducting the election. the preparation of constituencies of state and country, Election rolls are missing [13]. Getting the election rolls ready was a big job because so many people could cast ballots, The people was illiterate and ignorant of specifics such as the daughter and wife of...Out of 17 core eligible voters, 15% lack literacy, necessitating the employment of a special voting procedure, Error in the electoral rolls: A sizable electorate is necessary for free and fair elections [14]. First-time use of a sizable workforce and infrastructure and giving bribery for the vote. This is the main challenges faced election commission to conduct the genuine election [15].

If one country conducting the fair election means, then that country has a good democracy. The election is fair means the country government will get their desires the economics of the country will increase [16]. If the people elect the correct representatives, Then the people may get whatever they want. If election is conduct in fair manner, then the problem of the peoples will solve [17]. If election conduct in fair manner law and order are strictly implement on the state or country. All these election commission has the responsibility to the conduct the free and fair election by implementing the election rules strictly on the constituencies

1.2 Problem Statement

India's electoral environment is distinguished by a long history, yet the democratic process is seriously threatened by current issues [18]. In order to inform current voting procedures, it is imperative to thoroughly document and analyse the historical evolution of elections in the nation, which is now poorly understood. Furthermore, despite the crucial role the Election Commission of India plays in monitoring elections, little is known about its composition, capabilities, and efficiency. Additionally, the introduction of electoral bonds has given political financing a new angle, and it is imperative that their effects on the democratic process be carefully considered. The primary focus is still ensuring free and fair elections, which calls for a thorough examination of the Election Commission's tactics and difficulties in implementing these ideals. By examining the historical background of Indian elections, offering an understanding of the Election Commission's operations, examining the importance of electoral bonds, and providing insightful comments and recommendations to improve the conduct of free and fair elections in India, this study seeks to close these gaps.

1.2 Objectives:

- To understand the history of election in India.
- To know about the elections commission in India.
- To analyse the importance of electoral bond
- To study about the role of election commission to conducting the free and fair election in India.
- To give the valuable opinions or suggestions in conducting the free and fair election in India.

2. REVIEW OF LITERATURE:

Ignacio Lago (2019) had published a paper on the topic “A Research Agenda in Elections and voting behaviour in a global and changing world” he says that rather than focusing only on identifying trustworthy causal effects, the research on voting and election behaviour that we support comes from Frontiers in Political Science's area on elections and representation [19]. The election and voting behaviour is related to various departments. On my view the author described the voters selects their representatives by the candidate character and activities. He relates the election with demography and psychology.

Mohammad S. Raunak, Bin Chen, Amr Elssamadisy, Lori A. Clarke, Leon J. Osterweil

(2006) had published a paper on the topic “Definition and Analysis of Election Processes” he says that We identified how to iteratively enhance the process to make it resilient against increasingly complex fraudulent behaviour, and we verified a key property for a certain election process and a particular combination of agent behaviours [20]. On my view the author said about the election process must be complex and comprehensive with energetic workers.

Stephanie Tawa Lama-Rewal (2009) had published a paper on the topic “Studying Elections in India: Scientific and Political Debates” he says that assessment of the literature emphasises how the various approaches complement one another and are therefore equally important [21]. While during the 1990s Indian election studies have dominated, at least nationally and state-wise. Regretfully, research on Indian elections across all fields often concentrates solely on the vote, despite the fact that it is unquestionably the culmination of the electoral process. On my view the author described how the scientific and political approaches are help to conduct the successful election. Election must be conduct in truthful and in discipline manner. A climatic moment plays the important role to conduct the election.

Siva Kumar, C L V (2011) had published a paper on the topic “Role of election commission, in Indian democracy – A critical study of electoral reforms of India” he says that conducting the election in free and fair election is the healthy democratic life and barometer of the strengths and vitality [22]. Acts relating to election plays the major role to conducting the election diligently and they election commission of India (EOI) must be binding the courts judgements related to the election regretfully. In my view the author gave beautiful explanation about the role of the election commission in India. It must be act diligently to conduct the free election. To avoid the corruption the election must conduct in free and fair manner.

Elisabeth Carter (2010) had published a paper on the topic “Electoral Systems and Election Management” he says that A major contributing factor to the global emergence of EMBs is the sharp increase in democracies over the past few decades, as well as their keen interest in establishing open election procedures and institutions [23]. On my view author says about Management of election plays a key role to conduct the successful election.

Waldemar Woltasik (2013) had published a paper on the topic “Functions of Elections in Democratic Systems” he says that this insight helps to identify various sorts of regimes and

indicates the existence of numerous systemic circumstances that influence elections and the roles they carry out as a result [24]. Democratic systems that make reference to the competitive election formula suggest uncertainty about the final result and the potential for an actual shift of power. Election offers the moral title to rule. In my view the author has the functions that must the election must follow to conduct the free election and to achieve their target for the specific purposes. Functions announcing date and time of election, rules, date of results etc.....

Bappaditya Mukhopadhyay (2015) had published a paper on the topic “Elections in India: Strategic Nomination” he says that the candidate selection is modelled as strategic [25]. Based on their assessments of what their rivals will do, the parties concurrently nominate the candidates. Nomination is based on the candidate strength. On my view he says about author says about the candidate and election constituency election should selected strategical

2.1 Research Gap

There is a research gap that needs to be filled in order to provide a more thorough analysis of the current issues and changing dynamics, even with the body of literature that already exists discussing the Election Commission's role in guaranteeing free and fair elections in India. Previous research has mostly concentrated on historical viewpoints and institutional frameworks; however, little attention has been paid to how the Election Commission responds to new challenges including the impact of social media on electoral processes, changing political environments, and the role of technology. Furthermore, little research has been done on the precise procedures and approaches used by the Election Commission to deal with emerging types of electoral fraud and maintain the integrity of the election process. Elisabeth Carter and Waldermar Woltasik have highlighted the lack of study on the difficulties Election Management Bodies confront, especially in the context of varied political environments. A more thorough investigation of these topics can make a substantial contribution to the body of knowledge already available on Indian electoral dynamics.

3. RESEARCH METHODOLOGY

In light of optional information, the review is exploratory and scientific in character. The review's information came from various distributed sources, including books, diaries, studies, articles, and pages. The essential focal point of the review has been to acquire a comprehension of the issues through top to bottom conversations with subject matter experts, scientists, and

other outstanding figures in the field.

4. RESULTS AND DISCUSSIONS

4.1 History of Election in India

India is a parliamentary country with divided power among the bureaucratic and state legislatures, according to the nation's constitution. India is home to the biggest vote based system on the planet. The leader of India is the preeminent president of the Indian military as well as the country's stylized head of state. In any case, the State head of India is the head of the political coalition or party that got a larger part in the lok sabha through public decisions. The head of the state is accountable for the presidential part of the Indian government. The state leader is the important guide to the leader of India as well as heading the association gathering of clergymen.

India is comprised of regions alluded to as States and Association Domains. However the legislative leader of each state is in control, the leader expert in each state is held by the main clergyman, who is the top of the ideological group or alliance that won a greater part in the state gathering races. A state's central pastor practices chief power inside the state and works with India's top state leader or one of their priests on issues that require both state and government intercession.

Types: In fair India, the political decision will be direct for the accompanying person Leader of India, VP of India, Individuals from the Parliament in Rajya sabha and lok sabha, Individuals from State regulative Boards, Individual from State official Congregations (incorporates the association domain), Individuals from nearby administration bodies, by political decision is held when a seat holder of a specific constituent passes on, leaves, or is excluded.

Parliament Election (Lok Sabha): Deciding in favor of individuals from the lower place of the Indian parliament, or lok sabha, is available to all grown-ups in the country who have diverted eighteen and can browse a rundown of competitors looking for seats in the council. All grown-up Indian residents are restricted to projecting polling forms inside their body electorate. Competitors who win lok sabha decisions are designated "Individuals from Parliament," and they hold office for a time of five years, or until the get together is broken up by the president at the committee of clergymen's idea. This political race will happen once like

clockwork.

State Assembly (Vidhan Sabha): Individuals from the State Legislative Assembly are chosen through direct political race from a field of up-and-comers remaining in their separate locale. For all grown-up Indian residents, casting a ballot is restricted to one's body electorate. Victors of state legislative congregations' decisions are qualified for the assignment of "Individual from Legislative Assembly" (MLA). Until the lead representative breaks down the council, MLAs hold office for a time of five years. Dependent generally upon its size and populace, each State lays out the all out strength of its assembly. The head of the larger part party would make the vow of office as boss clergyman of state, like the Lok Sabha races.

By election: A by election is held to select a qualified candidate to take over a vacant post in the state assembly, upper house, or lower house when an elected official vacates their seat before the end of their term. In India its commonly called bypolls. Frequently cited causes of by-elections resignation of the MP or MLA in office passing of the current MLA or MP. There are many reasons like not maintaining the level of attendance in office, candidates wins more than one seat has to vacate one.

Parliament Election (Rajya Sabha): The upper house of the Indian parliament is called the rajya sabha, or council of states. The president of India may nominate upto 12 candidates for office based on their accomplishments in the fields of social services, science, literature, and the arts. Candidate are not chosen by the general public; rather, they are chosen by members of legislative assemblies. The rajya sabha parliamentarians are elected to six years terms, with one-third of the assembly up for reelection every two years. The rajya sabha serves as a secondary review body prior to the enactment of a bill. The rajya sabha's ex-officio chairman, who preside over its meetings, is the vice president of India.

Process: In India there is lot of process of for conducting the election like Time, Schedule, oath or affirmation, Election Campaign, polling days, ballot papers and symbols, voting procedure, electronic Voting machine, Supervising elections, counting of votes, media courage, petitions etc...

Time: The election of both lok sabha and state legislative assembly will take place in single time in every five year. The polling is held between 7:00 am and 6:00 pm of the particular

place.

Schedule: When the 5 years is completed, the legislature assembly and lok sabha is completely dissolved and new election must be called, the election commission should conduct the election put the proper schedule of election. when the lok sabha or state legislative assemble is dissolved the election must be conduct within 6 months.

Oath or Affirmation: After the election. the results is declared the person who won the election. That person must take oath as member of assemble in front of the speaker of the house.

Election Campaign: This is when ideological groups present their chosen people and perspectives with an end goal to influence citizens for their gatherings and competitors. The second has come for each ideological group to move toward general society and solicitation support for their goal. Government assets can't be involved by any party for crusading, and two days preceding final voting day, battling should finish up by 6:00 p.m.

Polling Days: Ordinarily, surveying happens across a few days in different voting public. Surveying is supervised by each locale's gatherer. Survey laborers at the surveying place are utilized by the public authority.

Ballot Paper and Symbols: Designation papers should be submitted to the political race commission by applicants. Following the fruition of the selection cycle, the returning officer gathers a total rundown of competitors, and polling form paper bearing the up-and-comer's name and assigned image is printed. The Indian Political Race Commission then, at that point, doles out a particular image to an ideological group. **Voting Procedure:** Voting is finished with a mystery polling form. Normally, surveying places are raised in public venues and state funded schools. Citizens are entirely examined prior to entering the surveying place, given a polling form, and expected to assign their delegate up-and-comer by putting an elastic stamp close to or on top of the competitor's image. conduct in the voting stall.

Electronic Voting Machine: An EVM is a simple electronic device used to record votes in place of ballot papers and boxes which were used earlier in conventional voting system. Some advantages are it eliminates the possibility of invalid and doubtful votes, Process of vote counting is easy, it reduces the great extent of quantity of paper, it reduce the cost of printing.

EVM is introduced in 2004

Supervising Election: The election commission appoints a large number of observers to ensure the election is conducted fairly.

Counting of Voting: after the polling, the election commission announce on which date the votes of the election must be counted. On that day result of election is declared. The votes is counted by supervision of return officers and observers who is appointed by election commission of India

Media Coverage: with an end goal to build the electing system's degree of straightforwardness. Offices and support are reached out to the media so they can cover the political race.

Election Petitions: Any competitor who accepts there was discretionary offense is allowed to document a request. There is no thoughtful claim. The state's high court is hearing this appeal.

4.2 Election Commission of India

Laid out in consistence with the arrangements of the Constitution, the Political decision Commission is the focal government organization in India endowed with managing and coordinating all political race related exercises. Guaranteeing fair, impartial, and unhindered races is the obligation of this association.

The Political race Commission should oversee, direct, and control decisions for the parliament, state assemblies, the office of Leader of India, and the office of VP of India, as per Article 324 of the Constitution. It was laid out on January 25, 1950. The Service of Regulation and Equity is responsible for it, and its principal office is situated in Nirvachan Sadan on Ashoka Street in New Delhi.

The election commission is in charge of handling all election – related disputes. According to the ruling of the supreme court of India, the election commission is empowered by the constitution to take necessary action in cases where the established laws are silent or do not provide enough provisions to address a particular scenario pertaining to the conduct of elections. Sukumar Sen served as the first election commissioner.

Structure of ECI: The ECI pecking order comprises of the Main Political decision Chief, alongside two more Political race Magistrates. A greater part voting strategy frames the underpinning of the out-of-date ECI association. The political race officials are helped by agent political race magistrates, who are oftentimes IAS officers. They get additional help from chiefs general, head secretaries, secretaries, and undersecretaries.

At the state level, the Political race Commission gets help from the Boss Discretionary Officer of the Express, an IAS officer with Head Secretary status. Returning Officers, Electing Enrollment Officers, and Region Justices, in their different limit as locale political decision officers, handle political race undertakings at the area and supporters' levels.

Tenure: The Residency of boss political decision commission isn't referenced in Indian constitution. Yet, according to political race act 1991, in the wake of getting down to business, the Central political decision chief or a political decision magistrate will serve in that limit with respect to a time of six years, or until 65, whichever starts things out. Like the evacuation of a Justice for the highest court, the Main Political decision Chief of India might be taken out from office by a goal passed by the parliament of India with a 66% greater part in both the lok sabha and the rajya sabha, referring to demonstrated trouble making or insufficiency. On the central Political race Magistrate's proposal, the Leader of India has the position to eliminate extra Political decision Chiefs. In India, there has never been impugned of a central political race magistrate. The Leader of India is answerable for naming the political race magistrate of India.

Function: Guarantees a fair and impartial electoral process. To confirm that the political parties and certifies them based on their qualifications. Decides the maximum amount of money that each candidate may spend on their campaign and makes sure that amount is followed. Assigns political parties and candidates election symbols. Selecting panels to resolve disagreements and conflicts about election process. Give voter id to all eligible voters.

Powers: Utilizing the Delimitation Commission Act of Parliament to establish the national boundaries of the electoral constituencies. Preparing and updating electoral rolls on a regular basis, as well as registering all eligible voters. Announcing the election time table and dates and reviewing nomination paperwork. Recognizing and assigning electoral symbols to the

different political parties. Serving as a court to resolve disagreements over the recognition of political parties and the assignment of party emblems. Designating investigators to look into disagreements over election procedures. The body is granted superintendence, guidance, and control over the entire election process by constitution. Under three areas, the commissions responsibilities and authority regarding elections to the president, vice president, state law makers, and parliament are grouped: Advisory, Administrative and judicial.

Election commission of India is responsible to conduct the election in India. The election must conduct in diligent and genuine manner. Rajiv Kumar is current and 25th election commissioner of India.

4.3 Electoral bond

In India, one way to finance political parties is through electoral bonds. In an effort to improve the transparency of political party financing, Union Minister for Finance and Corporate Affairs Arun Jaitley set a rupees 2,000 maximum limit on cash donations to political parties. This led to the introduction of the Electoral bond scheme in the Finance bill, 2017 during Union budget 2017-2018.

Despite being launched in early 2017, the Ministry of Finance's Department of Economic affairs published a notice on the 2018 election bond scheme in the gazette on January 2. An estimated 18,299 electoral bonds, with a total estimated value of rupees 9,857crore, were successfully sold between March 2018 and April 2022.

The Electoral bond program was modified on November 7, 2022, to extend the number of sale days from 70 to 85 during a year in which an assembly election may be held. The model code of conduct was put into effect in both Gujarat and Himachal Pradesh, and the decision about the Electoral bond (Amendment) Scheme, 2022 was made just before the assembly elections in those states.

Features: It is authorized for State bank of India to issue and redeem these bonds, Donors can purchase anonymous electoral bonds, which have a 15-days expiration date. Donors can purchase these from a bank as debt instruments, which the political party can later redeem. These must be reclaimed by individuals who satisfy the prerequisites, who then, at that point,

store the cash into the applicable ledger. SBI issues the bonds in upsides of Rs. 1000, Rs. 10,000, Rs. 1 lakh, Rs. 10 lakh, and Rs. 1 crore. Contingent upon the specific dates, any Indian resident might obtain the bonds for ten days each in January, April, July, and October.

Eligibility: Just ideological groups enrolled under segment 29A of the Portrayal of Individuals Act, 1951, and that have earned somewhere around 1% of the complete votes cast in the latest general political race for the Legislative Assembly or the place of individuals are qualified to acquire discretionary bonds.

Need: Enforcing donation amounts greater than Rs. 2,000 through the banking system would require political parties to declare their assets and allow for their traceability. The administration contended that this electoral bond reform is anticipated to improve accountability and transparency in the field of political fundraising while simultaneously stopping the generation of illicit monies for future generations.

The Public Works Department (PWD) and other government agencies are illegally diverting and reintroducing public cash into the political arena, according to investigations by the Election Commission and Income Tax Department. Speaking to the subject of “black money” in election processes, Arun Jaitley stated that the Election Commission and revenue officials had taken proactive steps that resulted in the confiscation of a significant amount of money—roughly Rs. 1,500 crore, based on reports that were available at the time.

Timeline: The Reserve bank of India (rbi) was contracted by the finance ministry on January 28, 2017, asking for feedback on the proposed changes to the finance bill, 2017. It became clear that the rbi act needed to be amended. The RbI responded the following day, on January 30, 2017, voicing its grave concerns and claiming that the election bond scheme was vulnerable to unethical financial practise, a lack of transparency, and potential abuse. According to Huff Post India, the government disregarded the RbI’s warnings and made the statement on February 1, 2017, during the Parliamentary budget Session.

Political Funding: One of the main issues with India’s electoral reforms is political funding. Through the role of corporations in funding both reported and undisclosed election expenses have long been known to the public, the financing of the largest democratic process in the world is still a confused affair. Some known sources are consisting of but not restricted to like Interest

from bank members fees, party levy asset sales, publications for sale, Donations made voluntarily over Rs. 20,000. Some unknown Sources comprise, however not restricted to like Participation in meetings and rallies, election-related bonds coupon sales and miscellaneous income relief fund Donations made voluntarily that are under Rs. 20,000

Supreme Court Strikes Down Electoral Bonds Scheme:

Supreme Court Strikes down the Electoral bonds on the various perceptions like violations of the Indian Constitution, violations of the RBI and Banks acts, cheating and fraud things are happening silently

Violates Article 19(1)(a): The plan and the RPA, Income Tax Act revisions infringed upon the voter's right to know who is sponsoring politics.

Unlawful: The Court finds that the Companies Act modification that permits corporate political fundraising in its entirety is unconstitutional because it contravenes the right to a free and fair election.

Encourages corruption: Electoral bonds' complete non-disclosure of the source of funding for politics encourages corruption.

Quid pro quo culture: Businesses contribute only in the interest of conducting business, hoping to gain favors from the ruling party in exchange for changing policy or obtaining a license.

Economic disparity: By providing wealthy businesses an unbeatable edge over regular people in the voting process and political participation, the amendments fostered "economic inequality"

Since the latter kind of contributions, particularly those made by big businesses, have the potential to influence policy, they shouldn't be protected by the right to privacy regarding political affiliation.

The RBI advised that official banking channels, such as regular checks, demand drafts, or any other electronic or digital form of payment, be used to guarantee political finance. The political parties and corporations will revert to the pre-2018 method of allocating funds in the form of smaller cash contributions than Rs 20,000 per donation.

Following the Supreme Court's decision, only profitable corporations would be permitted to donate to political campaigns up to a maximum of 7.5% of their earnings. The ruling demonstrates the judiciary's dedication to upholding election integrity and advancing voter rights.

The main proposal made by finance minister is called for prosecuting political parties that neglect to file their tax returns. Even though these parties are not requiring paying income tax, submitting returns could improve systemic openness because of electoral bond

4.4 Role of election commission to conduct free and fair election in

The Political decision Commission was explicitly made by the Indian Constitution as a super durable, free body to guarantee free and fair races the nation over. Articles 324 to 329 of the Indian Constitution contain arrangements connecting with the Indian Political decision Commission.

Challenges: The challenges to conduct the free and fair elections in India are as follows: Wealthy candidates and parties may not guarantee a win, but they do have a significant and unfair edge over independent and lesser parties. A few families frequently control political parties; tickets are given to members of these families. Independent candidates and smaller parties are at a significant disadvantage versus larger parties.

Conducting elections: According to Article 324 of the Constitution, the election commission will be charge of overseeing, directing, and controlling elections for the parliament, state legislatures, the office of president of India, and the office of vice president of India.

Ensuring a level playing field: During the elections, The ECI makes sure that all candidates and political parties are on an even playing field. It accomplishes this by upholding the model code of conduct, which establishes standards that candidates and political parties must adhere to when running for office.

Role with Respect to Political Parties: to perceive ideological groups and allot them political decision emblem. to act as a court to determine clashes relating to the acknowledgment of ideological groups and the dissemination of discretionary images to them.

Voter education: Voter education initiatives are carried out by the ECI to make voters more conscious of their rights and obligations. This involves instructing them on the value of voting as well as the process of casting a ballot.

Monitoring election expenditure: To make sure that candidates and political parties don't spend more money than is allowed by law, the ECI keeps an eye on their election – related expenditures.

Addressing electoral malpractices: Election-related misconduct, including booth capturing, forged ballots, and voter intimidation, is strictly enforced by the ECI.

Other aspects: (i) by upholding and monitoring a model code of behaviour prior to elections and disciplining any candidate or party that transgress it, the election commission ensures free and fair elections. (ii) The Commission threatened to de-recognize the political parties if they failed to uphold inner party democracy, going as far as to punish them. (iii) It preserves the principles of the constitution, including independence, impartiality, equality and the rule of law in terms of oversight, management, and control over electoral governance. (iv) It holds elections to the highest standards of professionalism, accountability, openness, honesty, freedom, and justice. (v) It guarantees that all qualified residents partake in races in a climate that is inviting, centered around the necessities of citizens, and steady of them. (vi) It speaks with ideological groups and any remaining relevant gatherings in light of a legitimate concern for the political race process. (vii) By illuminating every pertinent party — citizens, ideological groups, political decision laborers, applicants, and the overall population — about the appointive cycle and electing administration, it constructs and builds up certainty and confidence in this country's electing system. (viii) to ensure free and fair races, it has the ability to compel the public authority to keep explicit guidelines. (ix) While government officials are on political race obligation, they are under the oversight of the EC, not the decision party. (x) Before any election, the commission contracts the government well in advance to request the names of senior officers for the purpose of appointing them as observers. (xi) Through the SVEEP commission, ECI is able to guarantee the ethical and inducement – free participation of an increasing number of voters in the election process.

Laws: In India, situated between political science and constitutional law is the field of election

law. It studies “the law of politics and the politics of law.” India has passed numerous legislations pertaining to the conduct of elections since 1950.

Constitution: In constitution part xv article 324 to 329 says about the elections. There should be an election commission of India to conduct the election for every post like president, pm etc.... There should be one electoral roll for every constituency no discriminations on basis of religion, race, caste, on putting vote. The voter must be citizen and he must complete his minor. Parliament has a power to make the provision related to elections. State legislature has a power to make the provision related to elections to such legislature. Courts may interfere to settle the election dispute matter.

Representation of the People Act, 1950: This act says about. Establishes the processes for constituency delimitation. Specifies how seats will be distributed in the legislative assemblies, legislative councils of the states, and the house of the people. Establishes the process for creating electoral rolls and allocating seats. Establishes the requirement for voters.

Representation of the People Act, 1951: This act says about. It controls how elections and by-elections are really conducted. It offers the administrative tools needed to hold elections. It has to do with political party registration. It outlines the requirements and disqualifications for house membership. It has measures to stop other offenses and corrupt behaviour. It establishes the process for resolving questions and disagreements following elections.

Delimitation Act, 2002: This activity conveys about. A bill has been proposed to change the distribution of Place of Delegates seats among the states, the complete number of seats in each state's legislative assembly, and the division of all states and association domains having legislative gatherings into regional voting demographics for races to the Place of Agents.

4.5 Valuable Opinions and Suggestions in Conducting the free and fair elections in India

A free and fair election in India requires adherence to certain fundamental principles. First and foremost, an impartial and independent electoral commission is essential. It is essential to put strong safeguards the place to stop manipulation or intervention of any kind. Clear financing sources for political campaigns can lessen corruption and create an even playing field for all contenders.

Education Voters: Education of voters is equally important. An informed electorate is fostered

by providing citizens with knowledge about candidates, their platforms, and the significance of casting a ballot. Digital platforms can be used to disseminate objective information more widely and improve accessibility.

Safeguard of Electoral Process: It is crucial to guarantee the security of the voting process. It is crucial to use cutting-edge technology to protect against cyber attacks and electronic voting machine manipulation. Consistent testing and audits can increase trust in the electoral infrastructure's dependability

Voter Turnout: Implementing strategies to increase voter turnout is crucial. More people may participate if logistical issues like long lines and awkward voting places are resolved. Furthermore, programs that allow people who are unable to physically visit polling places to vote by mail can improve inclusion.

Role of Money: It's critical to keep an eye on and confront the influence of money in politics. Tight campaign finance laws combined with open reporting procedures can reduce the disproportionate impact of wealth on elections. Tougher sanctions for infractions would serve as a disincentive.

Candidates: Encouraging inclusivity and diversity when choosing candidates is essential. Promoting candidates from diverse backgrounds inside political parties guarantees a representative administration that meets the varied interests of the populace. Historical disparities can be addressed with the use of affirmative action policies.

Role of Media: Public opinion is significantly shaped by the media. Making sure that each candidate is represented impartially and fairly helps avoid any partiality that can influence voter's opinions. Enforcing media ethics and rules strictly can help ensure impartial reporting.

Observers: Credibility can be increased by foreign observers. Enabling impartial observers to oversee the electoral procedure guarantees a system of checks and balances. Their analyses can highlight any anomalies and support the validity of the election results.

Public Trust: The foundation of any democratic process is public trust. The electoral commission needs to interact with the public on a proactive basis, answering queries and giving

frequent updates. Clear communication prevents false information and promotes trust in the political process.

Transparent Electoral Process: Enact strong steps to guarantee openness in the electoral process, including the use of safe electronic voting machines, the provision of real-time updates on voting status, and the permission for impartial observers to keep an eye on the proceedings throughout.

Voters Education and Awareness: Fund extensive initiatives aimed at educating the public about the value of voting, the election process, and their legal rights. In order to reach a varied audience, this involves utilizing internet channels, conventional media, and community involvement.

Since fair elections uphold the idea of equal representation, they constitute the foundation of democracy. They call for impartial procedures, openness, and voting rights for all. Fair elections provide voters a sense of empowerment and protect voters a sense of employment and protect democratic systems from manipulation.

Other aspects: Enhance voter education initiatives, encourage open campaign finance, and fortify electoral oversight via independent institutions in order to guarantee a free and fair election in India. To stop fraud, put in place strict voter identification procedures, such as those based on technology. Promote objectivity in the media and control social media to prevent false information. Encourage global observation in order to boost process confidence. Encourage fair campaigning by pressuring political parties to abide by a code of behaviour. When it is possible, embrace technology and use secure electronic voting. Strengthen security protocols to protect voting locations and ballot delivery. To avoid errors, update electoral rolls on a regular basis. Campaigns to raise public understanding of the value of civic engagement can support democracy even more.

In conclusion, a multifaceted strategy is needed for a free and fair election in India. Every component that helps maintain the integrity of the democratic process includes strong cyber security safeguards, informed voters, an impartial election commission and stringent campaign finance laws. India can make sure that the votes it holds accurately reflect the wishes of the people by adhering to these criteria.

Table 1: History of Lok Sabha Elections (1952-2019)

Election year	Total seats	Party won	Percentage	Seats won	Prime Minister
1952	489	Indian National Congress	44.99%	364	Jawaharlal Nehru
1957	494	Indian National Congress	47.78%	371	Jawaharlal Nehru
1962	494	Indian National Congress	44.72%	361	Jawaharlal Nehru, Gulzarilal Nanda, Lal Bahadur Shastri
1967	520	Indian National Congress	40.78%	283	Indira Gandhi
1971	518	Indian National Congress	43.68%	352	Indira Gandhi
1977	542	Janata Party	41.32%	295	Moraji Desai, Charan Singh
1980	529	Indian National Congress	42.69%	353	Indira Gandhi
1984	541	Indian National Congress	48.12%	414	Rajiv Gandhi
1989	529	Indian National Congress	39.53%	197	Vishwanath Pratap Singh, Chandra

					Shekhar
1991	534	Indian National Congress	36.40%	244	P.V. Narasimha Rao
1996	543	Bharatiya Janata Party	20.29%	161	Atal Bihari Vajpayee, H.D.Deva Gowda, Inder Kumar Gujral.
1998	543	Bharatiya Janata Party	25.59%	182	Atal Bihari Vajpayee
1999	543	Bharatiya Janata Party	23.75%	182	Atal Bihari Vajpayee
2004	543	Indian National Congress	26.53%	145	Manmohan Singh
2009	543	Indian National Congress	28.55%	206	Manmohan Singh
2014	543	Bharatiya Janata Party	31.34%	282	Narendra Modi
2019	543	Bharatiya Janata Party	37.70%	303	Narendra Modi

5. Conclusion

Election plays the vital role to form the strong democratic government for one particular country. If the election is happened though some fraud manner than the countries future and people welfare is in dangerous position. If election is happened in fair manner, then the

countries future and people welfare is in safe in nature. So, for that government of all nations should strictly implicit the above-mentioned point (Mention in 5th sub heading). All country should compulsorily follow the laws related to election in the particular country. The law related to election is strictly followed by every nation in order to conduct the free and fair election. People of the nations should follow every rule related to election that is bring by the government of the nations. “The Conducting the Election in the free and fair manner in one nation is equal to planting the tress in one place”

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