

## **Base Paper**

### **Who owns elections? Creating Responsive Voters and Responsible Parties**

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*"Something happens when you feel ownership. You no longer act like a spectator or consumer, because you're an owner. Faith is at its best when it's that way too. It's best lived when it's owned." ~ Bob Goff*

Democracy too is best lived when it is owned. The apparatus through which the people of the country are given ownership of democracy is that of elections. In the course of elections, the people's choice of candidates who will represent them comes to the fore. Through this choice, the citizens of the country take ownership of the electoral outcomes. Does this then imply that the ownership of elections rests only with the voters of the country? Ultimately, voters of the country exercise a choice from amongst candidates who are nominated to contest elections. Thus, ownership of elections and electoral outcomes rests as much with the political parties which support candidature as it rests with the voters of the country. Thus, voters, candidates, and political parties are all equal stakeholders in the process of elections and indeed, that of democracy.

There is a fourth stakeholder. This stakeholder is unique in that it has powers to create the framework in which the other three stakeholders interact with each other. This stakeholder is the Election Commission, the constitutionally created body that oversees the conduct of elections in the country. The Election Commission of India, as well as the respective State Election Commissions, create an environment in which free, fair and transparent elections can be held. They create guidelines for the conduct of elections which encompass diverse aspects of the electoral processes. Right from who can contest elections to how much amount can be spent by a candidate on contesting the same, and from the designation of Returning Officers for the elections to creating registration and disclosure norms for political parties, Election Commissions have a huge policy role to play in the electoral processes. Given that

Election Commissions are rule-setters as well as referees in the game, they too equivalently share ownership of electoral outcomes with the other stakeholders.

To put the role of the Election Commission into perspective, one might use an example from the world of finance. Individual depositors, who are the rightful owners of savings, deposit their money with Financial Institutions such as banks. Now, bank managers further use the deposits belonging to the individual deposit holders to carry out the business of the bank and could potentially play mischief with the funds. If that be the case, the owner of the funds i.e. the deposit holder could lose his rightfully owned funds due to the truant played by the banker. It is here that the role of a regulator becomes important. The Reserve Bank of India, which is the regulator of banks, creates checks and balances, carries out scrutiny and sets guidelines so that the bankers will not be able to deprive the individual account holders their right to claim their funds back. This, in fact, is the role of every regulator. Regulatory systems exist to give unto the individual players in the system, the right over their individual claims.

Extrapolating the same logic to the polity in India, the role of the Election Commission is that of a regulator who exists to guard the democratic rights of citizens. Citizens do have ownership of democracy, but this ownership is dispersed. While every citizen owns the system, she is powerless to contest against consolidated agglomerated institutions such as political parties, which might put up wrong candidates, use money and muscle power, not deliver on electoral promises, misuse the powers given to them and generally behave in a way that impinges on her ownership rights over democracy. It is the Election Commission which then steps in, creating rules of conduct for political parties, screening criteria for candidates, limits on expenditures etc. so that democracy, owned by every citizen in the country, remains stable and vibrant.

Finally, the fifth stakeholder in the electoral process is the Government. It is for the Parliament at the National level and the Vidhan Sabha at the State level to make laws that allow elections to be conducted in a free, fair and transparent manner.

The onus of success, as also a failure of the democratic processes lies with all stakeholders. If the quality of elected representatives is not upto the mark, all stakeholders have to equally share the blame. Bad quality of elected representatives implies that policy-making institutions have failed in creating filters through which only good candidates are allowed to contest. It also implies a failure of political parties in supporting meritorious candidates who can eventually deliver on service delivery outcomes. Ultimately, it also signals the presence of a

voter base that is not conscious in terms of whom it elects to represent its interests. Alternatively, it could also imply a voter base in which a segment of voters do not vote and hence in which the voice of the people is only the voice of a particular non-representative interest group. Thus, it is the interaction between all of the stakeholders that ultimately gives rise to a situation in which the quality of elected representatives is not good.

Let us consider another example. It has been a common refrain in India that money power manifests itself blatantly during election periods. Can the sway of money power only be blamed on rich political parties and/or candidates who “buy” votes? Is it not the case that for every vote which is being “bought” by candidates, there is also a vote that is being “sold” by voters? Thus, voters own as much of the responsibility for blatant money power as do political parties. Presence of money power also implies failure of policy systems created by the Election Commission and/or Government which can control and reprimand use of money to sway electoral outcomes. The oft-quoted judgment of the Supreme Court in the *Gadakh Yashwantrao Kankarrao Vs. E.V. alias Balasaheb Vikhe Patil & others- AIR 1994 SC 678* case is relevant here.

“The existing law does not measure upto the existing realities. The ceiling is on expenditure incurred or authorized by the candidate himself but the expenditure incurred by the party or anyone else in his election campaign is safely outside the net of legal function. The spirit of the provision suffers violation through the escape route. The prescription of the ceiling on expenditure by a candidate is a mere eye-wash and no practical check on election expenses for which it was enacted to attain a meaningful democracy. This lacuna in the law is, however, for the Parliament to fill lest the impression is reinforced that its retention is deliberate for the convenience of everyone. If this is not feasible, it may be advisable to omit the provision to prevent the resort to indirect methods for its circumvention and subversion of the law, accepting without any qualm the role of money power in the elections. This provision has ceased to be even a fig leaf to hide the reality.”

In this example, moneyed candidates, power-hungry political parties, opportunistic voters and a reluctant-to-change-laws Government interact with each other in an almost game-theoretic framework, creating a stable equilibrium in which money power cannot be controlled.

These examples serve to point out how the five agents who own elections interact with each other in a dynamic frame, thereby affecting different electoral outcomes. Given that electoral outcomes are necessarily spin-offs of all the players playing “optimal strategies” in a game-

theoretic situation, it has to be the case that ownership of elections rests with all the five players outlined above.

In this base paper on “Ownership of Elections”, we attempt to bring out the major trends in the participation of voters, political parties and candidates in elections in India. We also highlight some major challenges in bringing about improvement in voter turnouts, quality of candidature and role of policymakers. It is expected that the trends and challenges outlined in this base paper will serve as a useful platform based on which further discussions pertaining to this topic could be pursued by the panelists.

### **1. Voter Participation**

The act of voting can be regarded as the most important act of a citizen’s engagement with democracy. Indeed for most citizens, it might be the only act by which they express their preferences for the kind of governance they desire. High voter turnouts indicate both the sign and the substance of the vitality of democracy. Conversely, low voter turnout signifies voter apathy and mistrust of political representatives. Low and declining voter turnout implies either a) that political parties are failing to represent citizen interests adequately, b) that elected representatives are failing to deliver on their promises or c) that citizens are losing faith in elections as the mechanism by which they can achieve representation. Whatever the reason, democratic countries devote substantial resources on electoral processes at multiple levels of governance in the hope that citizens will effectively exercise their mandates to participate in them and will achieve the representation of their preferences.

There is another equally important dimension of voter turnout. That is the “representativeness” of the turnout. If voters belonging to groups having distinct and well-defined characteristics (by ethnicity, gender, sex, age, income, education, occupation, etc.) are found to participate at rates that are significantly lower than the proportion that they represent in the voting-eligible population, that increases the likelihood that their preferences will not be reflected in the election results and therefore, going a step further, that their interest may be entirely overlooked by the elected representatives. And this negates the fundamental principle of democracy; a democratically elected government is expected to translate public preferences into public policies. Elections are the process by which citizens choose to whom they will give the right to raise and deploy public resources. Low voter turnouts and/or unrepresentative voter turnouts mean that citizens have been unable to convey their

preferences regarding the public policies which they wish to be realized and thereby lead to misallocation of scarce public resources.

### **1.1 Global trends in voter participation**

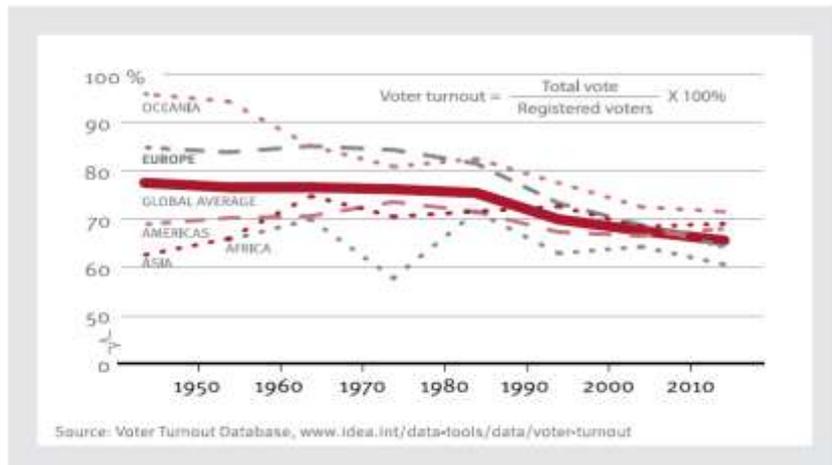
So far as the size of the voter turnout is considered the distribution of the nations is as follows. About 20% of the countries exhibit turnouts greater than 80%, 46% experience turnouts between 60% to 80%, 30% have turnouts between 40% and 60% and 4% of the countries have turnouts less than 40%. Time series usually exhibit a declining voter turnout, especially in advanced democracies except in momentous elections eg. the first round of elections in post-communist countries or the 2012 elections in Egypt etc. Another regularity that is observed in most advanced democracies is that national level elections attract the highest turnouts as compared to elections to federal states which experience lower turnouts. Declining voter turnouts represent a somewhat paradoxical trend when compared against the increasing citizen participation in such activities as mass protests, crowdfunding, use of social media, 'occupy' movements, candlelight vigils and the like.

As regards the representativeness of the turnout, imbalances are visible in almost all countries. In the US and Western Europe voters are typically older, wealthier, educated, white and likely to attend church. The poor, the youth and ethnic minorities are underrepresented. The 2012 US election is the only election in which the voter turnout of blacks (66%) exceeded that of whites (64%); in advanced democracies, the voter turnouts of women are comparable to those of men and in many cases greater than that of men. The lowest rate of female participation is observed in Islamic countries of the Middle East North Africa and in Asia. Pakistan experiences the lowest voter turnout of women.

Let us now examine the trends in voter turnouts based on time-series data. Almost universally, all the democracies of the world have experienced a decline in the voter turnout ratios over the last 70 years. During these years global voter turnout has steadily and surely declined from 80% to about 65%.

**Figure 1: Global Voter Turnout by Region (1945-2015)**

**Figure 4. Global voter turnout by region, 1945–2015**



The declines across individual countries are far from uniform. In almost half of the 196 democratic countries, the voter turnout was close to 50% on average. And forecasts show that these will drop down even further in the years to come. These are dire warnings which will raise questions like “whether avowed democracies will actually function as democracies at all? Whether the candidates are chosen by declining number of voters at all qualify to be considered as political representatives of the people?” Whether there is something in the way democracies function which causes the citizens in those democracies to lose their involvement in them?” And so on. These are frightening questions which have led several analysts and activists to seek new strategies for reversing the declining trends in voter turnouts. New strategies have included experiments with compulsory voting (in 26 countries), high-decibel voter awareness programs as well as alternative systems of voting such as the postal ballot or e-voting.

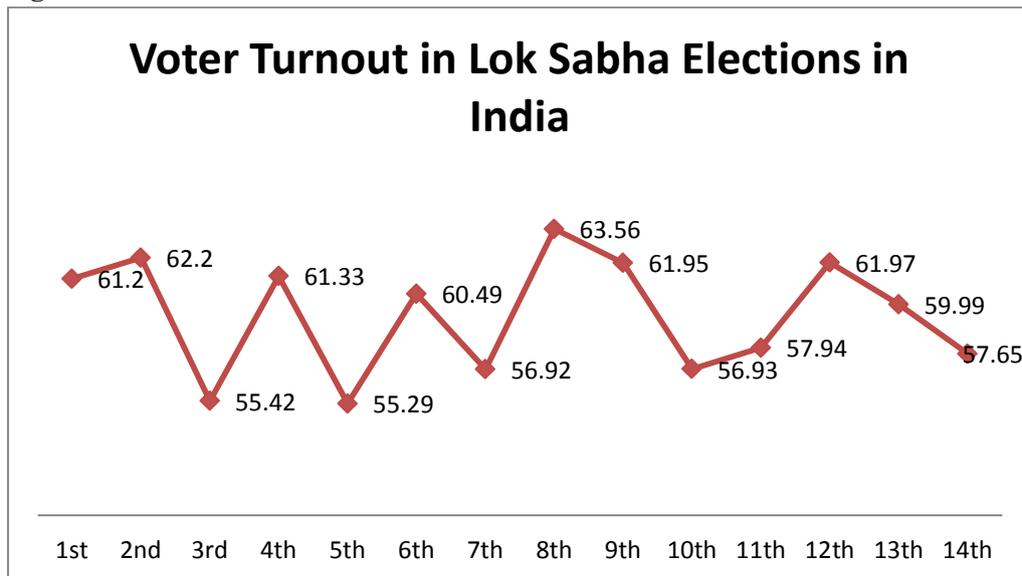
Thus, globally, voter turnouts have reduced from 80 percent in the 1950s to about 65 percent in 2010. Do the voter turnouts in India exhibit similar trends? The next section presents data on voter turnouts at the Lok Sabha elections in India.

## **1.2 Voter Turnouts at Lok Sabha elections in India**

The average voter turnout in India from the first Lok Sabha elections (the 1950s) to the fourteenth Lok Sabha election (2014) stands at 59.48 percent. The lowest voter turnout was seen during the fifth Lok Sabha elections (55.29 percent) whereas the highest was seen in the

eighth Lok Sabha elections (63.56 percent). We find that the voter turnout in India does not show a big decline as has been experienced globally. On the other hand, neither does the voter turnout show an improvement. Thus, in India, the voter turnout seems to have stagnated around 60 percent for the Lok Sabha elections from the 1950s to 2010.

**Figure 2: Voter Turnout in Lok Sabha Elections in India**



Source: Election Commission of India

The Election Commission of India also gives the voter turnout by gender. From the 1950s to 2014, it is seen that the female voter turnout is pronouncedly lower as compared to the male voter turnout. Across the period, the female voter turnout stands at 53.73 percent only whereas the male voter turnout is much higher at 64 percent.

Several scholars have also pointed out the huge variation in voter turnouts across States in India (See Table 1). According to Rekha Diwakar, there are several factors that can potentially explain the difference in State-level voter turnouts. Higher literacy rates lead to a higher awareness of the importance of participation in the polity. Thus, higher literacy could potentially lead to a higher voter turnout rate.

A higher population growth rate also leads to a lowering of the voter turnout. As the population pool increases, the difference that one vote can make in determining the electoral outcome reduces. This serves as a disincentive to vote. And thus, States with higher population growth rates tend to have lower voter turnouts.



Table 9: Voter Turnout in States grouped as per Regions (१९५०-२००४)

States grouped as per region	Voter Turnout (1950-2004)
East	61.2
Hindi Belt	54.1
North	56.2
North East	65.2
South	68.3
West	60.7
All States	61.0

Source: R. Diwakar (२००८)<sup>9</sup>

### 1.3 Voter Turnouts at Vidhan Sabha elections in Maharashtra

In the same vein as Lok Sabha elections, the voter turnout at the Vidhan Sabha elections too shows at stagnation in the voter turnout levels at about 62 percent. The voter turnouts at the Vidhan Sabha elections of 1962, 1991 and 2014 stood at 60.36 percent, 62.36 percent, and 63.08 percent respectively. On this backdrop, it would indeed be interesting to compare and examine the trends in the voter turnouts in the local body elections in Maharashtra.

### 1.4 Voter Turnouts at Local Body elections in Maharashtra

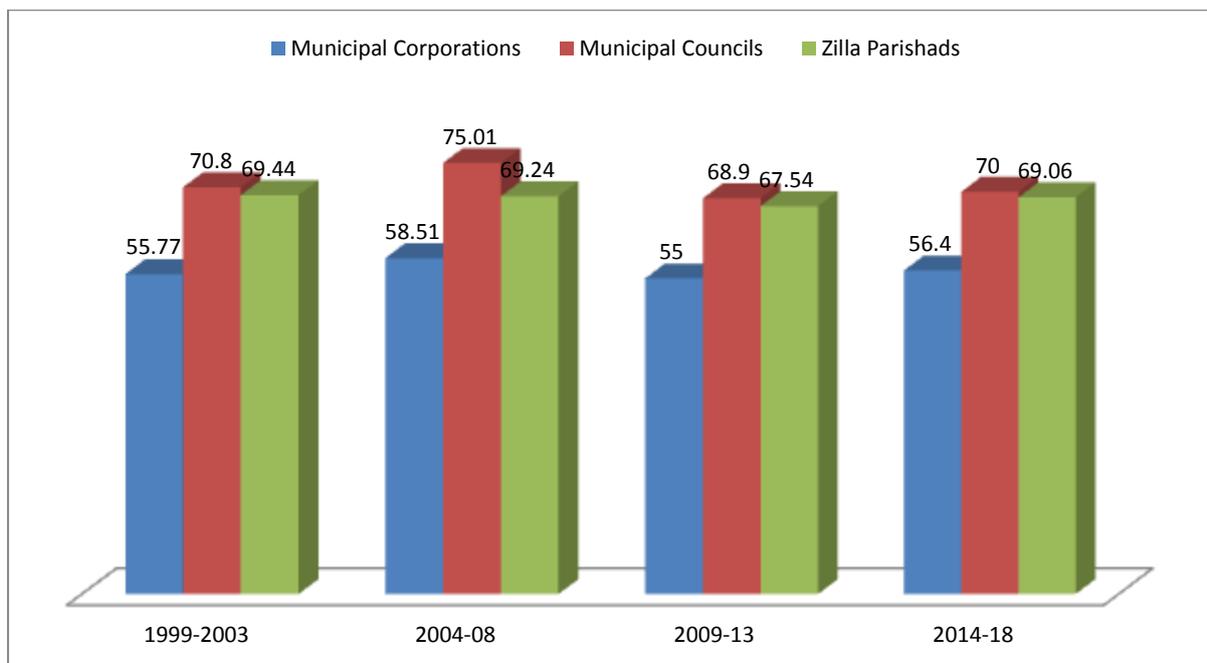
If the “connection” that the voter perceives vis-à-vis the polity affects her probability of voting, then local body elections should witness higher voter turnouts than the Lok Sabha elections. This is because the voter is normally more concerned with the immediate service delivery experienced by her. Secondly, the constituencies for local body elections are far smaller than those defined for Lok Sabha elections. Hence, the probability of the vote of a single voter being a significant determinant of electoral outcomes within local body elections is higher than that of it determining electoral outcomes at the Lok Sabha level. This section presents the data on voter turnouts in the elections to Urban Local Bodies (ULBs) and Rural Local Bodies which are also termed as Panchayat Raj Institutions (PRIs).

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<sup>9</sup>Voter Turnout in Indian States: An Empirical Analysis, R Diwakar (२००८), Journal of Elections, Public Opinion and Parties

Within Maharashtra, trends in voter turnouts in the PRIs and ULBs have shown marked differences. We find that the voter turnout for PRI elections tends to be higher as compared to that for the ULB(Municipal Corporations and Municipal Councils) elections. Please note that there exists a three-tier structure within the PRIs in Maharashtra. The local bodies governing district, taluka, and villages are called as Zilla Parishads, Panchayat Samitis and Gram Panchayats respectively. Since the Zilla Parishad (ZP) and Panchayat Samiti (PS) elections are necessarily held on the same day and each voter casts her vote for the ZP and PS without which the voting process is not deemed to be complete, the voter turnouts for ZPs and PSs are identical. The data shown below only reflects the voter turnout in the ZP/PS elections. The average voter turnout for GP election is 78.60 percent which is highest in all types of local body elections.

**Figure 3: Voter Turnouts at Urban and Rural Local Body Elections in Maharashtra**



Thus, on an average, the voter turnout at the ZP/PS elections stands at about 68.82 percent across all four rounds of elections conducted in Maharashtra after the passage of the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional amendment. The average voter turnout in cities is far lower at 56.42 percent. It is interesting to note that the voter turnout in townships governed by Municipal Councils stands at 71.17 percent, which is higher than the voter turnouts recorded at Municipal Corporation elections as well as ZP elections. One of the possible explanations for

the lower ZP voter turnout could be the fact that rural to urban migration is getting pronounced in Maharashtra.

Further examination of the voter profiles reveals that it is voters from the young, educated, well-off categories that tend not to vote. Further, women are more reluctant voters as compared to men voters. Why is it that people do not vote? A survey carried out by Gokhale Institute of Politics and Economics<sup>1</sup> during local body elections in Maharashtra suggests that the top reasons for not voting have to do with incomplete voter registration lists, with the apathy of the voters (“Casting my vote has not changed anything so far”) and with frustration with the quality of candidates. Though the survey aimed at understanding why people do not vote in the local body elections, the reasons could also be applicable to understand the reluctance to vote in State Assembly and National level elections.

### **1.5: Challenges in increasing Voter Participation**

The trends in the data reveal that voter turnouts seem to have stagnated at all levels of elections in the country. Higher participation from youth, well-off individuals, educated voters, and women is now required to increase the voter turnout quantitatively and qualitatively. Following are some of the main challenges in increasing voter participation in India:

- a. Improvement in the voter lists is a must and is quoted as one of the top reasons as to why people do not vote. Mobility due to jobs has increased tremendously; however, de-registration of the voter from the earlier list and re-registering the voter as per the changed address is cumbersome. Most voters feel that the process of registration is cumbersome and time-consuming. Voter lists need to be updated throughout 5 years and not only in the year preceding the elections. E-Kiosks can be set up at the level of the Collector Offices which will create appointments at which voters can register themselves. The Kiosks will be active 24 x 7 x 365 so that voters can get registered as per their convenience and can avoid the last minute rush before elections.
- b. An apathy seems to have set in at all levels which leads to disengagement of the voter from the polity. The general feeling seems to be that one vote cannot change the outcome significantly. The apathy is also connected to the quality of candidature; more discussion/ awareness is needed on getting good candidates to the fore.

- c. Voters only engage with the polity actively once in 5 years through the act of voting. There is a dearth of other mechanisms to draw the voters into the polity actively throughout the period of 5 years.

## **2. Participation of candidates and political parties**

Susan Scarrow states that the rise of party-based politics is one of the “most transformative inventions of the nineteenth century.” The role of political parties has been studied exhaustively in the political science literature. Russell J. Dalton identifies five main forms of linkages between parties and voters. These are:

- a. Campaign linkage: Parties recruit candidates and hence set the framework for the electoral campaign
- b. Participatory linkage: Parties mobilize voters to vote during elections
- c. Ideological linkage: Parties inform voters about their ideologies based on which potential delivery outcomes are identified by voters
- d. Representative linkage: Parties represent citizen preferences in the Parliament
- e. Policy linkage: Parties deliver on policies promised during the electoral campaign.

Thus, the role of political parties is undeniably important. When citizens join political parties, volunteer their time, donate money and vote for their leaders, they are practicing their basic democratic rights. Participation of citizens in political parties offers unique benefits, including opportunities to influence policy choices, choose and engage political leaders, and run for office.

For the quality of electoral democracy, it is first important to recognize the various functions accomplished by political parties. There are seven functions<sup>2</sup> that parties ordinarily perform in democracies. First, they train individuals as an activist and nominate candidates for elective office. Second, they mobilize electoral support for these candidates and encourage voters and voting. Third, they structure the choices among competing groups of candidates along different issue dimensions. Fourth, they speak for different social groups, either symbolically or in advancing different specific interests. Fifth, they provide political stability. Sixth, they form and sustain governments to formulate public policies. These policies are made keeping in mind the interest of the general public. Seventh, they incorporate citizens more broadly into the nation-state and its political process. Different parties and parties in

different political systems perform these seven functions to different degrees and with varying levels of effectiveness.

Thus, political parties are the most direct way to influence government policy-making. Without political parties, the government may be loosely organized and people's opinions would hardly be reflected. Therefore, political parties are necessary for the advancement of democracy.

However, in recent years, various democracies have faced the problem of non-democratic and corrupt practices in elections. Citizens are cynical about their representative institutions, political parties, and, most of all, their politicians. Trust or confidence in these institutions is almost everywhere low (with more than half the public cynical or distrusting) and it has been steadily declining. Indeed, Robert Putnam, Susan Pharr, and Russell Dalton conclude, "there is evidence of some decline in confidence in politicians in 12 out of 13 countries for which systematic data are available."

In India, perhaps the surest way to assess the confidence of the people in the candidature of the political parties is by studying trends in NOTA votes. Introduction of the NOTA option indicates that India is maturing politically and is giving a chance to her voters to record their displeasure at the quality of candidature. However, NOTA currently does not have electoral value since it does not lead to dismissal of the present candidates. Having said that, it is however also true that introduction of NOTA will create a force that will lead to political parties giving election tickets to deserving and meritorious candidates.

### **2.1 Challenges in creating qualitative participation of political parties and candidates**

In terms of numbers, participation by political parties as well as candidates has risen sharply in the country. The average number of candidates per constituency also shows a huge increase from 1951 – 2014. Following data elucidates.

**Table 2: No. of political parties, poll percentage and average number of candidates per constituency in Lok Sabha elections**

Year of elections	Total no. of political parties contesting elections	Poll Percentage	Average no. of candidates per constituency
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1951	53	44.87	4.67
1991	145	56.73	16.64
2014	465	66.74	15.19

**Table 3: No. of political parties, poll percentage and average number of candidates per constituency in Vidhan Sabha elections**

Year of elections	Total no. of political parties contesting elections	Poll Percentage	Average no. of candidates per constituency
1962	10	60.36	4
1991	35	62.26	13
2014	90	63.08	14

Thus, data show that a higher number of political parties and candidates are participating in the elections in India. However, large sample surveys carried out by different research agencies suggest that while the quantitative participation of political parties and candidates may have increased, voters are dissatisfied with the quality of participation. Thus, the following are the challenges in the participation of political parties and candidates in India:

- a. Quantitatively, the political participation of parties and candidates has increased. This, by itself, is a positive sign. Higher competition ushers efficiency over a period of time and hence augurs well for democracy in the country. However, voters continue to be disgruntled with the quality of candidates. Recent surveys indicate that distribution of tickets to candidates depends on “winnability” of the candidates and winnability, unfortunately, does not always exhibit causality with merit. Rather, winning elections is more causally dependent on whether the candidate belongs to a political family, whether he is loyal to the party and whether he has resources to spend during the election campaign. Thus, getting political parties to support good candidates is the first challenge in encouraging qualitative participation of political parties in the country.

- b. The other big challenge is to make NOTA electorally potent by giving the rights to dismiss the entire set of candidates if the percentage of NOTA votes in a constituency is higher than the percentage of votes garnered by any of the candidates.
- c. The third challenge is to get parties and candidates to deliver on their electoral promises. Presently, there are no mechanisms to carry out an M&E activity on the elected representatives. Sharp deviations between electoral promises and delivery outcomes are hence more the norm than the exception. How can institutional mechanisms be created to assess delivery of social outcomes by candidates? Further, how can this assessment feed into the ticket distribution process of the political parties in the next round of elections?

### **3. Changing role of the Policy Makers**

In his book “When Crime pays: Money and Muscle in Indian Politics”, author Milan Vaishnav<sup>3</sup> compares the role of political parties in India to that of market intermediaries who help to match the buyers (voters) with the sellers (politicians). According to him, the main reason as to why political parties support the candidature of corrupt and/or criminal candidates is due to the requirement of funding. Thus, there is a marketplace for politicians associated with “wrong-doing” and deals get struck successfully in this marketplace.

However, there is no reason as to why policymakers must not try and change the basic structure and tenets of such markets. This is where the role of the Election Commission of India and State Election Commissions becomes relevant. It also becomes rather pertinent to review the nature of relations between the Election Commissions and the Government and to understand whether independence and autonomy of the Commissions are respected in letter and spirit by the Government. There have been instances wherein the Election Commission of India and/or State Election Commissions have undertaken bold steps for electoral reform, often in the process alienating some political parties/ parties in power/ candidates/ Government. A few such instances<sup>4</sup> are:

- a. Political parties were warned that if internal organizational elections were not held to identify party leaders in a democratic manner, they could face action under the Election Symbols (Reservation and Allotment) Order, and their status of being legitimate democratic parties could be jeopardized.

- b. Election Commissioners have disqualified candidates if they did not submit an account of election expenses incurred by them in the prescribed time limit and/or in the prescribed formats.
- c. Election Commissions have also been known to order re-polls at specific polling stations or at times, even for entire constituencies, if the original polls were vitiated.
- d. The Election Commission of India as well as State Election Commissions have been extremely strict about enforcing the Model Code of Conduct (MCC). There have been instances of bye-elections to the Legislative Assemblies of some of the States being postponed because the Commissions observed a violation of the MCC by the party in power in the concerned State.
- e. In an attempt to curb the criminalization of politics, the Election Commission on 28th August 1997 passed an order, which prohibited convicted persons, regardless of whether an appeal was pending in a higher court, from contesting elections. Under Section 8 of the Representation of the People Act, 1951, it is already provided that any convict would stand disqualified from contesting elections to the Parliament and Legislatures for six years. However, those on bail or with an appeal pending were being allowed to contest till 1997. In its wisdom and by using precedence of several High Court judgements, the Election Commission issued a directive to States and Union Territories that disqualification of candidates under section 8 of the Representation of the People Act had to do with conviction of the candidate and that whether the candidates was out on bail or not was irrelevant to the spirit of the provision.
- f. Subsequent to the efforts by the Association of Democratic Reforms, the Election Commission issued an order requiring each candidate to furnish information to the Returning Officer on (i) past criminal convictions, (ii) pending criminal cases carrying a conviction of more than two years, (iii) assets, (iv) liabilities (especially public dues) and (v) educational qualifications. In this particular case, there were a lot of issues because the Government came out with a draft bill which, if passed, would have been able to override the Election Commission's guidelines.

In particular, the State Election Commission of Maharashtra (SECM) has been noteworthy for having created several guidelines to create higher transparency in elections at the local body level. Following are some of the innovative steps undertaken by SECM in Maharashtra in the 2014 elections:

- a. Formation of the ward should be done by using Google map and satellite mappings
- b. Committee of Divisional Commissioner, Municipal Commissioner and Collector for the approval of the formation of the draft ward
- c. While starting the ward formation, announce the last date for accepting the voter's list
- d. Restrictions on spending voluntary fund three months before the end of the term
- e. Filing of Nomination and Affidavit of the Candidates online
- f. Summary of the submitted affidavits of the candidates to be displayed at the polling booths and at the main chowk
- g. Cancellation of the registration of the political parties which do not contest the elections in last five years.
- h. To give an official copy of the assurance given in the elections to the Collector, Municipal Commissioner and to publish the abstract of the work done every year after coming in power. Deregistered political party if they don't publish.
- i. Making amendment in the affidavit formats so that the candidates declare their source of income and also declare at the nature of contracts undertaken by him/her vis-a-vis the local body.
- j. Introduction of True Voter & COP
- k. Making available voting rights to service voters in municipal councils and municipal corporations
- l. If the registered political parties win at least five percent of their seats in the previous elections of local bodies, their candidates have the opportunity to give a uniform symbol in this election.
- m. The senior officers of the Income Tax and Sales Tax office are appointed as Observers for Municipal Corporation elections
- n. Making changes in first-year admission forms at University admissions so that students undertake an oath to register themselves as voters
- o. Creating a module in the syllabus for first-year students on topics related to democracy, elections, and good governance.
- p. Arranging first-year students visit to local government bodies.

The State Government of Maharashtra, on recommendations from the SECM, has also passed several laws to make the local body elections in Maharashtra free, fair and transparent. Some of the relevant laws are:

- a. Candidates with more than two children would not be able to contest local body elections
- b. Electronic Voting Machines (EVMs) will be used in the polling process for local body elections
- c. Compulsory submission of caste certificate for candidates wishing to contest on reserved seats at the time of filing nomination and affidavits
- d. Disqualify candidates who do not submit accounts of expenses incurred on elections to local bodies
- e. 50 per cent reservation to be given to women candidates in local body elections
- f. Candidates desirous of contesting elections need to present a certificate of usage of toilets at home
- g. Direct elections for the posts of Adhyaksha and Nagaradhyaksha at Nagar Parishads and Nagar Panchayats
- h. Direct election for the post of Sarpanch in Gram Panchayats

#### **4. Concluding Remarks**

Who owns the elections? Who owns the responsibility of electoral outcomes? Our contention has been that there are multiple stakeholders in the system. It is not only the voters but also the candidates, the political parties which support the candidature, the Election Commission and also the Government which jointly own the process of elections and are responsible for electoral outcomes. However, electoral outcomes have not been optimal; in fact, they are notorious for being sub-optimal. Poverty, misinformation or intimidation of voters and excessive opportunism on part of candidates can result in the wrong type of candidates coming into power. As the role of money power and muscle power in Indian elections has escalated, the changing role of the Election Commission will also have to be examined more minutely. Issues of independence and autonomy of the Election Commission are extremely important in the current debate on electoral reforms in India. A corollary to this debate is the changing and evolving relationships between the Election Commission and Government, which will also have to be researched differently.

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