Indian Electoral System & EVM

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Abstract:

India the largest democratic country in the world. In India election determines the structure of government. According to the constitutional provision of India elections are conducted and the laws are supplemented which are made by the parliament. The division of country has been put into in 543 parliamentary constituencies, each of which proceeds one MP to Lok Sabha. Independent Delimitation Commission determines the shape and size of parliamentary voters. The basic phenomena of Indian elector system is based on the election and In India elections are conducted by using electronic voting machine (EVM). Fundamental right to vote or simply voting in elections forms the basis of democracy. In previous year electors cast their votes by using the stamp against the name or symbol of his/her favorite candidate but it cause security and transparency issue. But now Electronic Voting Machines are used in election. This article discussed about the electoral system of India and the features of machine used for voting which is electronic voting machine (EVM).

Keywords: India, Democracy, EVM, Constitution

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Introduction

Democracy is a system of government where every eligible citizen vote for their representatives and consequently play a vital role in forming a government for the people, by the people. India is the largest republic and democratic country in the world. India can be fairly called the leading epitome of Democracy. In democratic countries, people choose their representatives through the election, but the election needs to be held transparent, fair and impartially. For these purposes, the Indian constitute provides an Election Commission with autonomous (Art 324-329) involving a Chief Election Commissioner and other Election Commissioners.

Article 21 of the Universal Declaration of Human Rights (UDHR), States that:

"Everyone who is above or of 18 years of age is eligible to cast his or her vote irrespective of caste, creed, colour, or religion. Every citizen of India has the right to exercise his or her fundamental rights".

The most important function of the Election Commission is to ensure that the elections should be conducted fairly and impartial, every person gets a fair chance for the vote. Therefore in the recent past, several new initiatives have been taken. The human error can be eliminated by making the whole electoral system into a standard tamper-proof computerized system, which will neglect the chances of error made by human involvement.

The growth of Electoral System of India: Post independence in August 1947, on the basis of universal adult suffrage, there was a urge to conduct general election to elect eminent and honest representatives to form a Government. From November 26th, 1949, an independent constitutional body Election Commission was brought into force which was provided by Article 324. January 25th, 1950, a day before India became a Sovereign Democratic Republic Election Commission was formally constituted.

March 21st, 1950 the First Chief Election Commissioner was appointed. From 1950 to October 16th, 1989.The distribution of power and decision is equal to all the three Commissioners in case of any difference of judgment on any issue the decision is taken by the majority. The duration of the office of Chief election commission (CEC) and election commission (EC) is 6 years or till the age of 65.

In all States by November 15th, 1951 electoral Rolls for voters were published. According to the 1952 census, the total population of India was 35,66,91,760 and the total number of voters are 17,32,13,635 excluding the population of J&K.

In between October 1951 and March 1952 the first general election of Vidhan Sabha and Lok Sabha were held.

First Lok Sabha constituting 497 members was formed on April 2, 1952. On April 3rd, 1952.

The first Rajya Sabha comprising of 216 members was formed.

On May 1952 the first Presidential election was held. In 1962 when the 3rd general election was conducted the election commission switched to the "marking system" of the voting. A common ballot box was used to collect all the marked ballot papers.

In 1982, The Electronic Voting Machines (EVMs) were used first on the experimental basis in the part of Parur Assembly Constituency in Kerala. But in 2004 for the 14th General Elections to the Lok Sabha, the EVM were used in all polling center of the country. Since then all elections to Lok Sabha and Legislative Assemblies were conducted using EVMs.

Political Institutions in India

India has Union Legislature at the centre and State Legislatures at the state. It is a federal country. The bicameral Union Government consists of the President of India in which the upper house i.e. Rajya Sabha represents the state of the Indian federation it is also known as a legislative council or Vidhan Parishad. Another side the lower house i.e. Lok sabha represent the people of India. The nominated or elected person to both the houses of parliament i.e Lok Sabha and Rajya Sabha are known as members of parliament (MP) and people who are elected or nominated at state level are referred to as Member of Legislative Assembly (or MLAs). In a given constituency the candidate with a maximum number of votes wins and the party or the union of parties with a majority has the first opportunity to form a government.

Indian Electoral System:

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The electoral system of India is broadly divided indirect election based on territorial voters and by means of a single transferable vote. The direct election based on territorial voters is followed for the elections in state assemblies, Lok sabha, and union territories assemblies. Another system which is a single transferable vote is for president of India, member of Rajya Sabha, member of Legislative councils and for the vice-president of India.

The main features of the Indian electoral system:

1. A person whose age is more than 18 years and a citizen of India can be registered as a voter in the electoral roll of India. There is no any type of discrimination on the basis of religion, sex, caste or any. Elections are held on the basis of the Universal adult license.
2. In Lok Sabha and Assemblies of State and Union Territories, the provision is mentioned for the reservation of seats for Scheduled Castes (84 Seats) and Scheduled Tribes(47 Seats). In Rajya Sabha at the Union level and Legislative councils at the State level not any type of provision is mentioned.
3. In India multi-party system prevails in which political parties play an important role in the elections and voting process.
4. On the basis of the comparative majority of valid votes polled, Elections are determined.

Reservation of Seats

To ensure the representation of schedule caste and schedule tribe there is some provision in which candidates only from these communities can stand for election. The size of Lok Sabha is limited according to the Constitution which is limited to 550 elected members. Two members are nominated from the Anglo-Indian community.

Rajya Sabha

By using the single transferable vote system Rajya Sabha members are elected. The member of Rajya Sabha was elected indirectly by each state Vidhan Sabha.. At present Vidhan Sabha elected 233 members of the Rajya Sabha. 12 members are nominated who had exceled in their field such as literature, art etc. The time-serving of Rajya Sabha is six years and the elections are staggered in two years with one-third of the assembly being elected.

State Assemblies

The procedure of election of Vidhan Sabha is same as that of Lok Sabha where the states and union territories divided into single-member constituencies. The size of the assemblies ranges on the population of the state. The largest Vidhan Sabha is for Uttar Pradesh, with 403 members; the smallest Pondicherry, with 30 members.

President and Vice-President

The elected members of Rajya Sabha, Lok Sabha, and Vidhan Sabhas elect the President, who serves for 5 years. To allocate the votes a formula is used in which balance between the no of votes of assembly members and a population of each state can cast and give an equal balance between the members of national parliament and state assembly. Elected members of Lok sabha and Rajya sabha cast their vote to elect the President or Vice president of India.

Majority System

The majority of votes the person or candidate wins but the system of majority leads to any problems. The majority system decided the party who gets the majority of contesters irrespective of getting a voting percentage, and sometimes the percentage is less than 25% of total votes even the candidate win an an election which leads a winning person to represent its population with the minority of votes, but they represent the 100% of people. Which will further lead the caste and communal system in society? In its place the person needs to get more than 50% votes in an election to win, if nobody can get then another round of election should be held between the top two candidates. This system leads to collectiveness and decreases the planed politics of caste and communalism. Then there is need of support from all groups of people to win otherwise no one can win an election. System of Election

Indian EVM Device:

India being the largest democracy of the world. It accommodates regional, cultural, social, and economic disparities still is supposed to be magnetic one and able to stand on its own. For the elections, India had adopted electronic voting machine in 2004. The design of electronic voting machines are designed by Bharat Electronics Limited (BEL) and Electronics Corporation of India Limited (ECIL) both are owned by Government Owned Defense Equipment Manufacturing Units.

Electronic voting:

Electronic voting is also called e-voting, it is a term encircling various types of voting procedures, both electronic means of counting votes and electronic means of casting a vote. In the technology of electronic voting optical scan voting system, punched card etc. can include. There is also an involvement of transmission of votes and ballots via telephone, internet or by private computer networks. The most important is that the electronic voting machine can maintain proper voting secrecy even without the use of ballot paper. From EVM result can get by just pressing a button after the end of the poll.

Electronic Voting Systems

To improve the election system many studies has been conducting on using computer technology. Because of the number of challenges like the vulnerability of network, insider threats, challenges of inspection, etc.

The EVM has mainly two units:

1. Control unit
2. Ballot unit

The System is a set of two units. The control unit controls the functioning of EVM and as the main unit, it stores all data. It is operated by the electoral officer. On the surface of control unit three buttons are attached, one for voting, one to see the total no of vote cast till now and the third is for to close the process of election.

Properties of Electronic Voting Machine EVM

Accuracy:

- No manipulation of votes.
- A valid vote cannot be discarded or eliminated from the unit.
- An invalid vote cannot be counted in the final tally.

Democracy:

- Only eligible voters are permitted to vote.
- Eligible voters can be a vote only one time.

Privacy:

- The voter who cast the vote none of the authorities neither anyone else can link any ballot.
- It cannot be proved by the voter that he/she voted in a particular way.

Verifiability:

- It can be independently verified by anyone that all votes have been counted correctly.

Availability:

- As long as the poll stands the system works appropriately.
- From the beginning to the end of the poll any voter can have access to it.

Conclusion

The electoral system of India is one of the most practical systems. It is the only system of government in which people can enjoy their valued right and liberties. The Constitution, powers, functions, and independence of the 'Election Commission of India' as the guardian of free and fair elections may be seen as indispensable in the electoral process of India. As every system have their own weaknesses but it does not decrease the excellence of the Indian electoral system. The weakness is found generally due to the factors like social and economic. The system of democracy and electoral process is adopted by the people of India as the central principle of the fundamental law of India. There is no doubt that the people of India have their full faith in this system. The electoral system is based on voting. With the change of the world, the way of voting is also changed from paper to electronic. In India, Electronic voting Machine is used to cast the vote which help the government in maintain the fair and transparency in the voting system. In many favors, the electronic voting agenda has points of interest over the paper ballot framework.

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