

**EVOLUTION OF DEMOCRACY THROUGH THE
ELECTION COMMISSION OF INDIA**

**PREPARED BY
RAMANAND AND ALOLIKA CHAKRABORTY**

INTRODUCTION

“I mean to diminish no individual, institution or phase in our history when I say that India is valued the world over for a great many things, but for three over all others. The Taj Mahal; Mahatma Gandhi; and India’s electoral democracy.”

The Preamble to the Indian Constitution states that India is a country adopted by the people of India for the people of India. The Preamble has been considered to be an integral part of the Constitution.¹ India is a participatory democracy as has been clearly mentioned in the Preamble itself however owing to the size of the Indian republic direct democracy is neither feasible nor a possible alternative. Therefore the concept of indirect democracy had been adopted by the Constitution Makers. It is due to this system of indirect representation which forms the crux of the Indian democracy that the process of election becomes so important.

The Election Commission of India has been established as the guardian to ensure free and fair elections in the Country. Article 324(1) states that the Election Commission of India shall be concerned with the preparation of electoral rolls and with the conduct of elections of the Parliament, the State legislatures and to the offices of the President and the Vice-President of India.

The Indian elections have been hailed as the largest democratic exercise in the world. Thus it becomes clear that the Election Commission of India has been made responsible for planning and implementing a humongous task. During elections all individuals working with either the Centre or the State Government are deemed to be in deputation for the Election Commission of India. Moreover all police forces are at its disposal for ensuring a free and fair election.

Though in the recent past the apex body has been mired in controversies time and again in matters of allowing the violation of the model code of conduct or dissensions within its ranks, the Election Commission of India has over the years evolved from a body of people conducting the first election of 1952 to the powerful constitutional body of 2019 that is not afraid to exercise the wide powers conferred to it under Article 324 of the Election Commission of India. This paper seeks to trace the story of the evolution of the Election Commission through the largest exercise in democracy, its elections from the 1st Lok Sabha that had been formed way back in 1952 to the 17th Lok Sabha in 2019 and all the controversies in between.

¹ Keshavanad Bharati v. State of Kerala, (1973) 4 SCC 225)

COMPOSITION OF THE ELECTION COMMISSION OF INDIA

According to Article 324() Election Commission of India comprises of the Chief Election Commissioner (hereinafter CEC) and such other Election Commissioners (hereinafter EC) as may be appointed from time to time by the President. It has been further provided in Article 324() that the CEC shall be considered the Chairman of the Commission in cases when more there is more than one Election Commissioner. It has been further established that the CEC is not “*primus inter partes*”, he is merely the first among equals. Reference may be made to the Constitutional Assembly debates for better understanding.

1. CONSTITUTIONAL ASSEMBLY DEBATES

The Election Commission was faced with the question above in the 1990s about whether it was a single member body or was it required to be a three member commission. The Constitutional Assembly debates were looked into to understand the intention of the fathers of the Constitution.

It is found that it was the considered view that there shall be no disparity in the conditions of service between the CEC and other ECs, they should be required to be removed by the same process and on the same grounds in the same manner as a judge of the Supreme Court. It was further discussed and approved that there should be an express provision to the effect that the conditions of service of the ECs not be altered to their disadvantage during the period of service.² However such an amendment to the Constitution was not made finally and the seeming disparity between the positions of CEC and ECs was allowed to remain.

2. JUDICIAL DECISIONS

A plain reading of the Constitutional provision shall indicate that there is an apparent distinction between the CEC and the ECs on the grounds. It was thus decided in the **S.S. Dhanoa v. Union of India**³ that the CEC is *primus inter partes* on two grounds: (a) that the CEC unlike the ECs have been accorded a constitutional protection under Article 324(5) and thus their terms of service cannot be revised to their disadvantage. There was no corresponding provision for the ECs. (b) The CEC could be removed from office only in the manner as a

² Constitutional Assembly Debates, Prof. Shibban Lal Saxena.

³ S.S. Dhanoa v. Union of India, 1991 AIR 1745.

Supreme Court judge may be removed while ECs would be removed only on the recommendation of the Chief Election Commissioner. There exists an apparent distinction that seems to have been created by the Constitutional provisions.

On the basis of these grounds the Supreme Court decided that the Chief Election Commissioner is greater among the equals. It was on the basis of this decision that “The Chief Election Commissioner and Other Election Commissioners (Conditions of Service) Act,1991” was passed.

According to the 1991 Act, the CEC was to be removed from office as according to the procedure followed for removing a judge of the Supreme Court however the ECs were to be removed as per the procedure for High Court judges. The salaries and allowances for the CEC was equivalent to those of a Supreme Court judge and those of the ECs were equivalent to those of High Court judges. Both were to hold office till the age of 65 years.

However a constitution bench of the Supreme Court decided otherwise in **T.N.Sheshan v. Union of India**⁴ that Article 324 allows the appointment of as many number of Election Commissioners as deemed fit by the President. Further it clarified that the Chief Election Commissioner is not ‘*primus inter partes*’, rather he is merely the first among equals. Accordingly, the Chief Election Commissioner and Other Election Commissioners (Conditions of Service) Amendment Act,1993 was passed and it provided that the manner of removal and the conditions of service of both CEC as well as EC shall be equivalent to that of the Judges of the Supreme Court.

ROLE OF ELECTION COMMISSION IN INDIAN DEMOCRACY

The Supreme Court in **NP Ponnuswami v. Returning Officer, Namakkal Constituency**⁵ laid down the requirements of an election machinery as

- i. There should be a set of rules and laws making provisions to all matters in relation to elections. It should be decided as to how these rules are to be made.
- ii. There should be an executive charged with the duty of securing the due conduct of elections.

⁴ T.N. Sheshan v. Union of India.

⁵ N.P. Ponnuswami v. Returning Officer, 1952 AIR 64.

iii. There should be a judicial tribunal to decide all disputes arising in connection with elections.⁶

Part XV of the **Constitution** deals with election. The Constitution has provided through the provisions of Articles 324,327,328,329 that all the above requirements to be met by an election machinery are required to be performed by the Election Commission of India.

It was decided in **Common Cause Registered Society v. Union of India**⁷

“the Commission has the authority to issue directions, in the process of conducting elections, requiring all political parties to provide details of their expenditure in the elections, and the sources of their funds.”

. In **Election Commission of India v. Dr. Subramaniam Swamy**⁸ it was reiterated that the Election Commission of India is a multi-member body and that the Chief Election Commissioner was merely the first among equals. He was not to be accorded a higher position than the Election Commissioners and all decisions for the working of the Election Commission was to be taken by majority. It was further established that the absence of the CEC in a particular decision shall not render such decision invalid.

RECCOMENDATIONS OF THE VARIOUS COMMITTEES INSTITUTED TO REVIEW WORKING OF THE ELECTION COMMISSION

Thus the ECI has a very important role to play in the Indian democracy. In the last few years however it has faced a number of challenges in the form of paid news, criminalisation of politics and thus there has arisen an urgent need for electoral reforms. Looking through the recommendations of the various committees instituted to bring about electoral reforms, we shall refer to

1. JAYAPRAKASH NARAYAN COMMITTEE/TARKUNDE COMMITTEE(1975)

Instituted to study and reform the scheme of Elections existing in 1974. The Committee recommended that the Election Commission should be a three-member body. The minimum age of voting should be reduced to 18 years from the prevailing age limit of 21 years in consonance with the international scenario then. The TV and radio should be placed under the control of autonomous statutory corporation so that Governments misusing advertising

⁶ N.P. Ponnuswami v. Returning Officer, 1952 AIR 64.

⁷ Common Cause Registered Society v. Union of India.

⁸ Election Commission of India v. Subramaniam Swamy, 1996 SCC (4) 104

agencies to gain leverage in elections may be prevented. A voter's council should be formed in as many constituencies as possible which can help in conduct of free and fair elections.

2. GOSWAMI COMMITTEE REPORT(1990)

In 1990, the committee headed by Dinesh Goswami submitted a report titled "Report of Committee on Electoral reforms" recommending that

ordering of re-poll or countermanding should be not only be on the report of the returning officer, but also otherwise recorded.

To give the Election Commission the requisite powers to appoint investigating agencies, prosecuting agencies and constitution of special courts in order that it is able to carry out its functions properly

It expressed a need for amendment in the anti-defection laws on two grounds firstly that the grounds for disqualification be limited to the two grounds provided in Para 2 of the Tenth schedule. Secondly that the question of disqualification of members should not be decided by the speaker or the Chairman of the concerned House as this was considered to interfere with the neutrality of the decision.

There should be fresh delimitation on the basis of 1981 census and there should be a provision for rotation of reserved seats for Scheduled Castes and Scheduled Tribes.

No candidates should be allowed to contest an election from more than two constituencies. The age of Candidates for assembly seats should be reduced to 21 and for the Council to 25.

To discourage non-serious candidates, the security deposit for Lok Sabha should be increased to Rs.5000 and for Assembly it should be increased to Rs. 2500. The amount should be forfeited if the candidate fails to secure one fourth of the total votes. The member of proposals to nomination should also be increased

A model code of conduct be framed which would include issues relating to-the use of official machinery, transport, media, funds etc.

There should be a ban on transfer of officials and staff concerted with the elections. The Commission and the Central Government should continue the periodic revision of election expenses in consultation with the Election Commission. There should be a six month time limit for holding bye-elections.

Army and Para-military personnel, diplomats and others placed outside India should be allowed proxy voting.

Extensive restructuring of the accounting of election expenses is needed.

Monitoring of expenses should be undertaken by the Election Commission, and a speedy trial of election disputes through the help of adhoc judges should be ensured.

There should be provision to punish plying mechanically-propelled vehicles, carrying lethal weapons and fire arms or distributing liquor on, the polling day.

Electronic voting machines should be used to put an end to manipulating and tempering.

3. INDERJIT GUPTA COMMITTEE(1998)

The Parliamentary Committee on State Funding of Elections and strongly recommended the state funding of elections applauding it as a constitutionally and legally sound decision in public interest. However, it put certain restrictions on the manner of such state funding i.e. it should be only in kind (e.g. State support in printing materials and facilities, electronic media time and vehicles) and further that part of the financial burden of the parties should be borne by the State. Further the Committee recommended that Rs.600 crore contributed equally by Centre and State be kept aside to form an election corpus fund. Such corpus funds were recommended to be allowed only to those parties registered and recognized by the Election Commission. To be eligible for State funding the Committee recommended that such parties shall need to have a symbol. State funding could further not be provided to independents. The Committee further recommended partial funding in light of the existing conditions in the Country.

4. LAW COMMISSION OF INDIA REPORT(1999)

Headed by Mr A.P. Shah, proposed after extensive and in-depth analysis of various issues by the commission and due consideration and deliberations with the stake holders including of registered national and state political parties suggested a very comprehensive measures for changes in the law

Election Finance

The Commission does not consider a system of complete state funding of elections or matching grants to be feasible, given the current conditions of the country. Instead, it supports the existing system of indirect in-kind subsidies, with section 78B of the RPA being possibly amended in the future to expand these subsidies

a. Regulating the election expenses incurred or authorized by candidates or their election agents- currently extends from the date of nomination to the date of declaration of results. This period should be extended from the date of notification of the elections to the date of declaration of results

b. Contribution from the company's funds to a political party should be decided at the company's Annual General Meeting (AGM) instead of its Board of Directors.

c. Political parties should be required to maintain and submit annual accounts, duly audited by a qualified chartered accountant These accounts will fully and clearly disclose all the amounts

received by the party and the expenditure incurred by it. The ECI will then upload these accounts online or keep them on file for public inspection on payment of fee.

d. “Statement of election expenditure” to be filed by every party with an EC, contesting an election within 75 days of the Assembly elections and 90 days of the General elections election;

e. For a failure to lodge an account of election expenses - The disqualification of a candidate should be extended from the current three periods up to a five-year period.

Proportional Representation

It is also clear, from the experience of other countries that any changes in India’s electoral system will have to follow a hybrid pattern combining elements of both direct and indirect elections. It is clear that both the electoral systems come with their own merits and demerits – proportional representation theoretically being more representative, while the FPTP system being more stable. This, in turn will necessitate an increase in the number of seats in the Lok Sabha, which raises concerns regarding its effective functioning.

Anti-Defection Law in India

The Law Commission recommends a suitable amendment to the Tenth Schedule of the Constitution, which shall have the effect of vesting the power to decide on questions of disqualification on the ground of defection with the President or the Governor, as the case may be, (instead of the Speaker or the Chairman), who shall act on the advice of the ECI. This would help preserve the integrity of the Speaker’s office.

Strengthening the office of the Election Commission of India

The ECI should be strengthened by giving equal constitutional protection to all members of the Commission in matters of removability and making the appointment process of the Election Commissioners and the CEC consultative-made by the President in consultation with a three-member collegiums or selection committee, consisting of the Prime Minister; the Leader of the Opposition of the Lok Sabha (or the leader of the largest opposition party in the Lok Sabha in terms of numerical strength); and the Chief Justice of India. There is also a need to Create a permanent and independent secretariat for the Election Commission.

Paid News and Political Advertisements

The definitions of “paying for news”, “receiving payment for news” and “political advertisement” should be inserted in **section 2 of the Representation of People Act** (hereinafter RPA). The consequences attached to those indulging in such practices should be delineated by creating an electoral offence of “paying for news” or even for “receiving payment for news” in a newly inserted section **127B of the RPA**. In order to curb the practice of disguised political advertisement, disclosure provisions should be made mandatory for all forms of media.

Opinion Polls

At present EC prohibits the display of any election matter forty-eight hours before polling begins, is limited to display by means of “cinematograph, television or other similar apparatus”;

has to be extended to the print media. And EC at present does not deal with the independence and robustness of the opinion polls.

The regulation of opinion polls is necessary to ensure that credentials of the organisations conducting the poll known to the public and to assess by the public about the validity of the methods used in conducting the opinion polls.

Compulsory Voting

The Law Commission does not recommend the introduction of compulsory voting in India and in fact, believes it to be highly undesirable for a variety of reasons described above such as being undemocratic, illegitimate, expensive, unable to improve quality political participation and awareness, and difficult to implement.

Election Petitions

The introduction of one or more “election benches” in each High Court, exercising jurisdiction over all election disputes under the RPA. The procedure for presenting election petitions should be made simpler and less formalistic. The trial of election should be expedited by holding daily trial and minimising adjournments.

The trial should be concluded within six months from the date of presentation of the petition; and should be sent to the Chief Justice of the High Court explaining the reasons for the delay of trial). Appeals to the Supreme Court should now only be on the basis of a question of law, instead of the earlier provision permitting appeals on questions of fact *or* law as grounds for appeal.

Exercising Negative Vote

The Law Commission currently rejects the extension of the **NOTA principle** to introduce a right to reject the candidate and invalidate the election in cases where a majority of the votes have been polled in favour of the NOTA option.

The Right to Recall

The Law Commission is not in favour of introducing the right to recall in any form because it can lead to an excess of democracy, undermines the independence of the elected candidates, ignores minority interests, increases instability and chaos, increases chances of misuse and abuse, is difficult and expensive to implement in practice, especially given that India follows the first past the post system.

Totalizer for Counting of Votes

Totalizer for the counting of votes recorded in EVMs to prevent the harassment of voters in areas where voting trends in each polling station can be determined. Using a totalizer would increase the secrecy of votes during counting, thus preventing the disclosure of voting patterns and countering fears of intimidation and victimisation. Prior to the introduction of EVMs, ballot papers can be mixed under Rule 59A of the Election Rules, although this was not permitted for EVMs.

Restriction on Government Sponsored Advertisements

The Commission recommends regulating and restricting government sponsored advertisements six months prior to the date of expiry of the House/Assembly to maintain the purity of elections; prevent the use of public money for partisan

Restriction on the Number of Seats from which a Candidate May Contest

In view of the expenditure of time and effort; election fatigue; and the harassment caused to the voters, section 33(7) should be amended to permit candidates to stand from only one constituency .(now from up to two constituencies.).

Independent Candidates

The Law Commission recommends that only those political parties registered with the ECI under section 11(4) be allowed to contest Lok Sabha or Vidhan Sabha elections. It further recommends that independent candidates be disbarred from contesting elections because it allows a proliferation of independents, who are mostly non-serious candidates or those who stand (with the same name) only to increase the voters' confusion.

Preparation and Use of Common Electoral Rolls

The Law Commission endorses the ECI's suggestions regarding the introduction of common electoral rolls for Assembly, Parliamentary, and local body elections. However, require an amendment in the State laws pertaining to the conduct of local body elections

Further the Committee concurred with the Inderjit Gupta report on the legality and constitutionality of State funding of elections subject however to the condition that parties receiving funds from state shall be prohibited from receiving funds from any other source.

5. SECOND ADMINISTRATIVE REFORMS COMMISSION-ETHICS IN GOVERNANCE

Recommended that the suggestion of partial State funding of elections can be implemented as a method to reduce the menace of illegal party funds used to get an upper hand in elections by such political parties.

6. NATIONAL COMMISSION TO REVIEW THE WORKING OF THE CONSTITUTION (2001)

The Commission recommended the introduction of Electronic Voting Machines in order to curb the menace of wrong voting practices exercised by the political parties by misusing their power and clout.

- i. Amendment to **Section 58 A of the RPA** to empower the Election Commission to take decisions such as countermanding of elections in cases that there are found to be proof of tampering.
- ii. It recommended mandatory punishment for all those who were proved to be spreading caste and communal hatred as a bait to win elections.
- iii. The Representation of People Act shall need to be amended so that a person charged of any offence punishable by 5 years or more is disqualified from participating in any election as a candidate after a year provided that he has not been cleared of all charges within the period of one year.
- iv. It further recommended that offenders of heinous crimes such as murder, rape, smuggling etc. should be permanently barred from taking part in elections.
- v. Recommendation for establishment of Special Courts for speedy disposal of cases. Such Courts shall have powers similar to that of the High Courts and all matters decided by such courts shall be appealed to the High Court.
- vi. The Ceiling on election expenses to be determined by the election Commission in a reasonable manner keeping all circumstances into consideration. It further requires such ceiling to be enforced strictly.
- vii. Every Candidate shall be required to provide a statutory audit of all expenses and income borne by him.
- viii. At the time of each election the Committee recommended that each candidate shall need to declare all his personal assets and liabilities and thus such declaration should include the assets and liabilities of his close relatives as well. For such purpose proper regulations to be made and the term 'close relatives' to be defined.
- ix. It further recommended a considerable reduction in the campaigning period.
- x. Recommended the one candidate, one constituency rule.
- xi. Need to establish a model code of conduct so that all elections are held in a uniform manner.
- xii. The Committee further recommended the amendment to anti-defection laws in India recommending the repeal of para 3, an exception to para 2 provided for protecting members from being disqualified in case 1/3rd of the members decide to 'voluntarily give up the membership of the political party. It was recommended by the Working

Committee that the anti-defection law had been successful in reducing single defections but was encouraging defection in bulk and thus needed to be amended.

- xiii. It further recommended that the number of ministers in the Council of Ministers be fixed to 10% of the total strength of the popular House of the Legislature.
- xiv. Every independent candidate shall need to have won at least one local election or to have been nominated by at least 20 elected members of the Panchayats, municipalities. It was also recommended that the election laws be amended to state that the security deposit of all such independent candidates who are unable to win a second time shall stand forfeited.
- xv. Any candidate who fails to get even 5% of the seats in a constituency will be barred from contesting such elections for 6 years.
- xvi. Clearance of all Government dues to be made a pre-requisite to participating as a candidate in the election.
- xvii. One of the most important recommendations by the NCWRC was to create clear and firm regulations regarding the receipt of contributions by the political parties so as to bring in transparency into political funding and further to permit corporate donations however while maintaining transparency in the political parties.

EVOLUTION OF THE ELECTION COMMISSION THROUGH THE SOCIO-POLITICAL REALITIES OF THE ELECTIONS IN INDIA

The process of elections were initiated in the early months of 1952 on ending of the term of Mr Jawaharlal Nehru who had been appointed as the first Prime Minister of India due to his having held the position of the Congress Party President as well, the party had been considered to have achieved freedom for the people from the oppressive British rule.

1951-1960

The first elections held in the history of the recently liberated country India was scheduled from October 25, 1951 to February 21, 1952. It was contested by 14 National parties, 39 state parties and other independent candidates. The political parties battled over 401 constituencies for 489 seats and 1874 candidates were polled. Uttar Pradesh had the highest number of seats followed by Madras and then Bihar in the Lok Sabha. The elections were governed by the Representation of People Act, 1950 and the Representation of People Amendment Act, 1951.

Before elections due to difference in views and ideologies within the Congress, it was split with Shyama Prasad Mookherjee forming the Bhartiya Jan Sangh party (the precursor of Bhartiya Janata Party) and Dr B.R. Ambedkar forming the Republican Party of India. Other prominent political parties in the fray included the Socialist party headed by Ram Manohar Lohia and Jay Prakash Narayan.

Congress won by an overwhelming majority of 75% sweeping the polls with 364 of the 489 seats. It formed the Government in North-eastern states such as Assam, Uttar Pradesh, Bihar and a number of other states. The voter turnout for this election was around 50% and they elected the Congress with popular mandate. This was the first time India had a democratically elected Prime Minister and Jawaharlal Nehru was instituted into his second term as the Prime Minister of a free India.

Analysing the socio-political conditions of India in 1952, the overwhelming support for Indian National Congress can be attributed to the reputation of Congress and its goodwill among the Indian community. Congress had been agitating and fighting the freedom struggle alongside the masses and thus the people felt that Congress alone would be best suited to represent their hopes and aspirations for a new India. Thus in 1951 as today in 2019, one party polled absolute majority and formed the ruling Government in the House.

Unlike the 1951 General elections which had lasted for five months, the 1957 elections were planned by the Election Commission of India to last for only three and a half months from February 24, 1957 to June 9, 1957. One of the unique characteristics of this election was that the independents won over 42 of the seats in the Lok Sabha. This trend in 1957 shows that the people of India seemed to be voting on basis of the inherent attributes of the candidate rather than that of a political party.

The major challenges faced by the Election Commission of India in this election however was that it was the first election after the enactment of the State Reorganisation Act through which the States were reorganised on linguistic lines and thus there arose confusion over whether the constituencies should be according to schedule or otherwise. The Election Commission of India did a commendable job ensuring the smooth functioning of the election machinery. Further the Election Commission of India brought down the election expenditure through application of various tools and drawing from its experiences in the first general elections.

The Indian National Congress won yet again polling 371 of the enlarged assembly of 494 seats. The Communist Party formed the main opposition in the House but there was no practical opposing force because they had won only 27 of the seats. Other prominent parties who had

taken part in this election were the Praja Socialist Party, Bhartiya Jan Sangh. In this election only 45 women participated of whom only 22 were elected to the Lok Sabha.

This was the last time elections in India were on the basis of multi-seat constituencies meaning thereby that two persons were elected from each constituency, one person belonging to the Scheduled Classes and another from the general class. Introduced by the First Delimitation Commission, 1955, this system was introduced to ensure that the Scheduled Castes (SCs) and Scheduled Tribes (STs) get adequate representation in the Lok Sabha. However, the system was abolished before the third Lok Sabha election (held in 1962) and the multi-member constituencies were divided into two-one for the General category and the other (the one with greater SC/ST population) became the reserved category.

During the 1951 and 1957 general elections, the SC/ST candidate winning the maximum votes was declared the winner from the reserved seat. Winner for the General category seat would be decided from the remaining candidates (including the defeated SC/ST candidates). Whoever earned the highest votes would be declared the winner.

Mr Jawaharlal Nehru became the Prime Minister yet again with the overwhelming majority won by the Indian National Congress in 1957. This victory has been largely attributed to the strong standing of the Congress in the national politics and within the hearts and minds of the people of India.

1961-1970

These Lok Sabha elections of 1962 remain embedded in Indian memory due to a number of reasons such as that it was the first election with a single member constituency. That it was conducted under a week whereas the earlier had been cumbersome affairs spanning over a number of months. It was also an event of importance because 1962 was the first time that Election Commission of India used the indelible ink so that the menace of identity theft of voters may be curbed. This had been produced by the Mysore Paint and Varnish Ltd. for the first time and is still used in all elections till date.

However the political conditions of India during the 1962 elections were turbulent due to a number of reasons such as the complications in foreign relations. India was finding China a difficult ally as the border war continued and allegations of China supplying arms and

ammunition to Pakistan, Bangladesh and other neighbours surfaced. There rose a controversy regarding the sale of nuclear weapons and technology by India to Pakistan and its claims that India give up its membership of the Nuclear Suppliers group(NSG) and United Nations in the interest of India-china relations, thus India further started mistrusting China's intentions. Thus with the Indo-Chinese war and breach of the Panchsheel Agreement signed in 1954 for maintaining cooperation and peace in the region, the dream of a 'friendly China' was lost. Further India faced complications with the United States when it sent armed aid to Goa. This greatly angered Portugal which was a key American ally and further soured the relations between USA and India as well.

On the domestic front,1962 saw polling for the new State of Gujarat which was formed from the erstwhile Bombay Constituency on linguistic lines such that Maharashtra shall belong to Maratha speakers and Gujarat shall belong to Gujrati speakers. Events such as the death of Pandit Jawaharlal Nehru that created a huge void in the Congress, death of Lal Bahadur Shastri and the Green Revolution dominated the socio-political scenario of 1962. Even though Congress won the elections a third time, its vote share had dipped and would never again be the same. The five year plans of Pandit Jawaharlal Nehru were unable to rescue the country from economic distress and the people were disappointed due to the unfulfillment of the election promises.

Another important socio-political development was the emergence of the Swatantra Party with its liberal ideals. Initiated by Rajagopalachari who believed that the Indian National Congress was monopolising the narrative since after the death of Sardar Vallabhbhai Patel there was no one to question the Congress. Thus the party was formed as a platform to question the policies of the Government so that the aspirations of all members of society irrespective of those whose representatives have been elected by majority be made a part of the public discourse. Thus the Swatantra Party sought to take a stand against social justice and welfare being brought about by violence and oppression. It started off promisingly and as a looked a viable alternative to the hegemony of the Congress. In the 1962 elections, it was the third most popular party and won 18 seats in the fray.

The Communist Party of India with 29 of the total seats fared better than in the 1957 elections polling 9.5% of the total votes. They won a number of seats in the Southern states such as Kerala but was unable to win absolute majority by a large margin in any of the states.

Thus, it was the Indian National Congress who won the elections once again in 1962 polling 361 of the 494 seats. Though still clearly a majority, Congress won 3.06% less votes than the 1957 elections and this was the initiation of the down trend of Indian National Congress.

Hereafter the Congress was unable to repeat the huge majority margin won by it in the first two Lok Sabha elections.

However, as of 1962 Congress fared well in all northern states such as Andhra Pradesh, Assam and Bihar while in southern states the newly formed Dravida Munnetra Kazgham won a number of seats riding upon the anti-Hindi wave. The Indian National Congress won a majority and formed the Government with Pandit Jawaharlal Nehru at the helm. However, two years into office, Mr Nehru died of a heart attack thus leaving a void in the party ranks. It was also during this time that Indira Gandhi ascended the party ranks and was elected as the Party President of Indian National Congress thus initiating her long political career.

All the above factors affected the Lok Sabha elections to a large extent both in 1962 as well as subsequently in 1967. The people of India voted on basis of the leaders rather than the party such leaders were standing for and the image of the leader played a much more important role rather than the ideology of the party.

1967 LOK SABHA ELECTIONS

The 4th Lok Sabha election was during a very tumultuous period in Indian history. Pandit Nehru had died in 1964 and there was a void created in the Congress leadership. A number of supporters wanted Indira Gandhi to become the next Prime Minister whereas others were in support of Morarji Desai, however Lal Bahadur Shastri was appointed to the post as the best balanced choice among all options present.

It was after the death of Mr Shastri that Indira Gandhi took over the affairs of the nation and was appointed as the interim Prime Minister. This was an important development because it was Gandhi's thirst to prove herself capable of leadership of the Congress party that led her to campaign extensively. This further ensured that all the Opposition parties also campaigned to the fullest and India saw one of the most exhaustive campaigns in the history of elections.

Other events that influenced the socio-political narrative was the Indo-Pak war that followed close to the footsteps of the Indo-Chinese War. India was still sore from its humiliating defeat in the war with China that not only breached the Panchsheel Agreement but also destroyed the possibility of friendly relations with China. Thus when west Pakistan launched Operation Gibraltar and made its intentions to capture and declare Jammu and Kashmir as its own known, India declared war and dealt a strong blow to the Pakistani intentions however since then the Pakistan occupied Kashmir (PoK) has been a bone of contention between the two countries till date. Further during this time India was facing the problem of food shortage and even though

the Green revolution had started, it was yet unable to address the shortage completely. India was also facing the fear of Naxalite movement.

Elections were held for 520 single constituencies with 77 constituencies for Scheduled castes and 37 reserved for scheduled tribes. The 4th Lok Sabha elections continued the winning streak for the Congress however it barely scraped through with a majority of 283 seats out of the 520 seats being contested for. The reasons for such a thin winning margin are attributed to the fierce internal struggle within the Congress Indira Gandhi versus Morarji Desai. Due to the weakened condition of INC, a number of opposition parties emerged in the national political scenario. Swatantra Party won 26 seats while the Bhartiya Janata Sangh won 21 seats. Congress lost heavily in states such as Madras, Gujarat, Rajasthan, Orissa and they were voted out of 9 states. Thus from the statistics above, it can be understood that there was no clear majority. Even though Congress won enough seats to make the government at the Centre, it quickly lost power due to splits within the party and needed to form alliances with DMK, CPI, CPI(M) to stay in power.

1971-1980

1972 LOK SABHA ELECTIONS

The 5th Lok Sabha elections have been a matter of much political debate in India till date because this election paved way for the period of Indira Gandhi's autocratic rule. The events leading up to the election are by themselves quite significant. Indira Gandhi was known to follow a leftist policy envisaged by decisions such as the nationalisation of 14 private sector banks and abolishing the privy purse of the former rulers of the princely states. Things reached such a point that the President of Congress party Nijalingappa expelled Ms Gandhi from the INC for violating party discipline.

Such instances led to increasing internal conflict within the Congress between the Indira loyalists and those supporting the leadership of the Desai faction. There was a split and two factions were formed, the Congress (Organisational) Wing and the Congress (Ruling) Wing led by Indira Gandhi. The split led to a reduction in the strength of the ruling party in the Lok Sabha and they lost majority being reduced to 228 seats. This was once of the reasons for the preponement of the 5th General Elections.

On the diplomatic end, India was facing the India-Pakistan war of 1971 and the strong decisions by Indira Gandhi in the war efforts was much appreciated by Indians. Moreover, during this

time, the Cold War continued in full swing and India maintained its non-aligned stance in order to protect its sovereignty.

In the home front, Gandhi amassed huge popularity and support on the basis of her “*Garibi Hatao*” campaign and won by a huge margin in the 1971 elections. The Green revolution had been initiated and modern technologies were being utilized in order to increase yields and thus address the problem of food scarcity.

The Congress Ruling Party under Indira Gandhi won 352 of the 518 Assembly seats and completely destroyed the anti-Indira Grand alliance formed by the Swatantra party, Jan Sangh party, Samyukta Socialist party. The Congress Organisational wing won only 16 seats while Swatantra party that had shown promising potential in the 1967 elections could win only 8 seats dying out a natural death after the 1971 elections with the death of its leader c. Rajagopalachari. However, DMK emerged in the 1971 as a strong regional force to be reckoned with specially in the Southern States.

Thus in the 1971, Lok Sabha elections Congress won by an overwhelming majority and the Congress ruling party formed the Government at the Centre with Indira Gandhi at its helm. However soon after the election results came out in 1971, questions were raised on the credibility of such results specifically in the Rae Bareilly constituency where Indira Gandhi was accused of having misused the government machinery for winning the elections. A suit was filed against her and her win in the 1971 election was declared null and void. She was further ordered to vacate her seat. In retaliation to the court’s decision an enraged Indira Gandhi declared national emergency and amassed huge powers in her office. This development played a fundamental role in deciding the results of the 6th Lok Sabha elections 6 years later.

1977 LOK SABHA ELECTIONS

The 6th Lok Sabha election was held one year than the scheduled date due to imposition of emergency by Indira Gandhi. The emergency of 1975 had been declared by Gandhi in order to protect her position after the Court hearing her misuse of power at the Rae Bareilly constituency ordered her win in 1971 null and void. It was only after she withdrew emergency that the elections could be held thus the delay was caused.

The parties in the fray were Indian National Congress(Organizational) Party, Bhartiya Jan Sangh both battling under the banner of the Bhartiya Lok Dal led by Morarji Desai at one end and the National Congress led by Indira Gandhi at the other. In total there were 5 national parties and 29 state parties participating in the elections.

In this election, Congress won merely 154 seats while Bhartiya Lok Dal swept the polls with 295 seats and formed the Government at the Centre. Morarji Desai was the first non-Congress Prime Minister in the history of India. The Congress Ruling party led by Indira Gandhi and Sanjay Gandhi lost the elections by a large margin.

It was considered that Congress faced defeat due to the arbitrary use of power by Indira Gandhi. She declared emergency and thus used her considerable power to ensure that she was not voted out of power by postponing the general elections over and over again. She was also widely criticized for clinging to her position despite the charges of misuse of election machinery being proved against her.

Thus the 6th Lok Sabha election was an event of much importance because it was the first time that the people exercised their voting power to prove the power of the people of India when they were displeased with a political party. The 32.1 crore voters voting in these elections created history by voting the Congress out of power. An unimaginable feat till 1977.

1980 LOK SABHA ELECTIONS

In 1977 elections, Janata Alliance formed the government and Morarji Desai became the Prime Minister. Janata Alliance was the alliance of many parties and many other leaders had the desired to become the Prime Minister. Thus there always remained an undercurrent of instability in the regime. Thus when, Bharatiya Lok Dal and other parties withdrew their support from the alliance, Morarji Desai had to resign from his position.

Charan Singh established the Janata party (Secular) and thereafter formed the government with the support promised by the Congress. It was in power only three weeks when the Congress withdrew its support from the coalition and the government collapsed. Thus, Charan Singh also resigned as well and this resulted as the call for the 7th Lok Sabha election.

This election saw another comeback for the Congress in 1980. It won 2/3rd majority in the 542 member constituency and were victorious in the seats of Delhi, Andhra Pradesh, Assam, Bihar and Haryana. However, in the southern states like Tamil Nadu the story was different in that the regional parties such as DMK swept all the seats in the state riding on the strong anti-Hindi wave very prevalent there.

The results were themselves intriguing especially in light of the Congress debacle in 1977 however two factors that helped the Congress back to power was the split in the Janata party on one hand and on the other the disillusionment of the masses with coalition governments.

The people wanted a stable government at the centre capable of taking its decisions and thus brought Congress back to power with Indira Gandhi at its helm.

Congress came back strongly in Uttar Pradesh and Bihar. Janata party under the leadership of Charan Singh won 42 seats while Janata party led by Morarji Desai won merely 72 seats. Indira Gandhi became the prime minister of India with 286 more seats in 7th Lok Sabha election as compared to the previous Indian general election. Another matter of note was that 3% of total MP's were Muslims, in the 7th Lok Sabha which is the highest than other in the history.

1984 GENERAL ELECTIONS

The year 1984 was an eventful year that changed the Indian political history. In this year, Prime Minister of India Mrs Indira Gandhi was assassinated. After her demise, Indian general election was held on 24th, 27th and 28th December, 1984 for 8th Lok Sabha Election.

Congress won the Indian general election, 1984 under the leadership of Rajiv Gandhi by winning 404 seats out of 542 seats. This record of 404 seats in the 8th Lok Sabha election is the best performance by the Indian National Congress party, which hasn't been broken by any other party till date. 27 state and 7 national parties contested for 542 seats in Indian general election, 1984. 267 seats were needed for the majority from all 533 seats in 8th Lok Sabha election. In June 1984, Indira Gandhi held an army's operation called the "Operation Blue Star" at the Golden temple in Amritsar, Punjab. The reason for this operation was the internal violence and terror in parts of Punjab. Many Sikhs were joining the Khalistan movement and to stop this movement, Indira Gandhi started the 'Operation Blue Star' which damaged some portion of the Akal Takht and that resulted in massive casualties of the Sikh pilgrims.

This decision angered the Sikh community towards Mrs Gandhi and on 31st Oct she was assassinated by her Sikh bodyguards Satwant Singh and Beant Singh at Safdarjung Road. Widespread violence followed this and many Sikhs were killed in the aftermath of the assassination. Rajiv Gandhi took over the helm of the party and became the Prime Minister. In 1984 the Congress won the Lok Sabha elections due to the sympathy wave created due to the death of Gandhi. These elections saw the birth of the Bharatiya Janata party however it failed to win any seat in this particular election.

In 1984 however in certain parts of India such as in the states of Andhra Pradesh regional parties proved a reckoning force. Bharatiya Janata Party (BJP) debuted in Indian general election, 1984 and won 2 seats with the voting percentage of 7.74%. Janata party won 10 seats.

In spite of the Sikhs being angry upon Indira Gandhi, INC won 49.07% seats in the election, a record any other political party in India till date is yet to break. The Congress bagged 32.14% votes whereas BJP won 1.83% of the total votes in the delayed elections held in Assam and Punjab. The Congress won 30 seats more than in the 1980 Lok Sabha elections. Rajiv Gandhi held his position as India's Prime Minister.

It was after the win by tremendous margin in 1984 that the Bofors controversy came to the headlines in India due to the reporting of Chaitra Subramaniam, then covering a story in Sweden for The Hindu. The scam was to do with a \$1.4-billion howitzer deal between Swedish arms manufacturer Bofors and the Indian government signed in 1986. It was alleged that the Swedish company paid nearly \$9 million to politicians, Congress leaders and bureaucrats. The case is still alive in the Supreme Court. The post-1987 environment saw Rajiv Gandhi saw his moniker as Mr Clean come under great damage. His former finance minister Vishwanath Pratap Singh quit the government and set about creating a coalition.

1989 LOK SABHA ELECTIONS

The election to the ninth Lok Sabha brought about a politics of uncertainty and confusion in the Indian political scenario, for the first time in the electoral history of the country a hung parliament came into being, the Congress (I) which emerged as a single largest party with 197 refused to form the government. Naturally, the choice fell on the leader of the second largest party, the Janata Dal with 142 members in the Parliament V.P. Singh to form the government. V.P. Singh earlier was elected as a leader of the Janata Dal Parliamentary Party on December 1, 1989. Thereafter he was elected to head the coalition National Front Parliamentary Party. He was sworn in as the sixth Prime Minister of the country on December 2, 1989 along with Chaudhury Devi Lal, as the Deputy Prime Minister by the President R. Venkataraman.⁹

The defeat of the Congress was attributed to a number of events such as the Bofors scam, the civil war between LTTE and the Sri Lankan Government and the conditions of rising terrorism in Punjab. Which destroyed its credibility in the eyes of the people; V.P. Singh who was the finance minister in the Rajiv Gandhi government resigned and formed the Janata Dal. Thus it was the Janata Dal which had won 143 seats that formed the Government with the BJP which

⁹ The Hindustan Times, New Delhi, December 2, 1989

had won 85 seats and the two Communist parties who formed the Government after the 1984 Lok Sabha elections.

It was seen in this election that Congress lost by a large margin in its strong bastions such as Uttar Pradesh, Bihar, Rajasthan and Madhya Pradesh. However, it maintained its majority in the states of Karnataka and Arunachal Pradesh.

It was around this time that the controversy regarding the **Election Commission of India** being a **multi-member body** was also clarified and the Supreme court decided that the CEC was the apex position and there was a distinction between the powers envisaged by the Constitution to be conferred upon the CEC and the ECs. It was only after the subsequent decision in the **T.N. Sheshan case**¹⁰ and the amendment to the **Chief Election Commissioner and other Election Commissioners (Conditions of Service) Act, 1991** that the matter was put to rest and the law on the issue was settled

There were a number of changes taking place in India and the political scenario was no exception. The ninth Lok Sabha was the shortest House elected till then with a life span of less than 15 months, the election process itself produced dramatic results, as no party for the first time got majority and a hung parliament came into existence.

There was a hitherto unexperienced **minority government** brought into existence. The largest party i.e. Congress Ruling Party refused to form a government and the second largest party formed the government with outside support of the left parties and the BJP.

An issue of note was that there was **substantial decrease of the women** in the lower house as compared with earlier houses, they constituted only 5.22 per cent of the membership but the diversity in their occupational background ranging from trade unions to law was notable. The 1989 elections were also the first time that the recommendations of the various committees were put into effect to allow the youth of the country between 18-21 years of age to vote. Till then the privilege had been conferred only upon individuals over 21 years of age.

1991-2000

¹⁰ T.N. Sheshan

It can be said that the elections was also one of the most violent. It was a poll for which neither the political parties nor the electorates were prepared but never the less could not help but participate because of the failure of political leadership to provide stability. The first phase of elections as scheduled was held on May 20, 1991 but due to violence and incidents of booth capturing, re-polling were ordered in 1000 polling booth and in an unprecedented decision the chief Election Commissioner countermanded elections in five Lok Sabha constituencies.

During the campaigning for second phase, the Congress President and former Prime Minister, Rajiv Gandhi was tragically assassinated by a sympathiser of LTTE at Sriperumpudur, a town 40 kms from Chennai on May 21, 1991 46 throwing the entire party mechanism into disarray.

On May 29, 1991, the Congress (I) working committee elected P.V. Narasimha Rao as the "provisional" President of the party.⁴⁷ The second phase of elections held on June 12, 1991 was by and large peaceful except in Bihar where 23 persons lost their life and more than 100 were injured.

The elections verdict was not in favour of any one political party, the Congress emerged as the single largest party with 244 seats but was still short of a majority in a house of 545. The BJP ended up as runners up with 120 seats in its favour. What surprised the election watchers was that while Congress was in the top in the BJP ruled states; the BJP did extremely well in Uttar Pradesh and Gujarat. The Congress gained in the South and West whereas the BJP suffered setbacks in Madhya Pradesh and Rajasthan.

The elections virtually reduced the status of Janata Dal and Janata Party to that of regional parties. Congress President P.V. Narasimha Rao was unanimously chosen as leader of the Congress (I) Parliamentary Party. L.K.Advani of BJP was recognised as leader of the opposition in the Lok Sabha.

Over a period of next five year the P.V. Narasimha Rao government wanted to achieve a competitive financial system free from allocative values and administered prices and an economy existing in a free market conditions. His government had some credible achievements in the programme of economic liberalisation implemented by his finance minister Manmohan Singh.

Inflation rate which was as high as 7 percent was brought down to low 5 percent in February 1996, the lowest since 1988.⁵⁵ Foreign investment had risen from less than 200 million dollars in 1991-1992 to nearly 5 billion dollars in 1995 and direct foreign investment to rise to about 2 billion dollars from almost nil.⁵⁶ The growth rate of the GDP, which was less, then 1 per

cent accelerated to 6.2 percent in 1995-1996. It was one of the swiftest and strongest recoveries of economy in the world¹¹.

Narasimha Rao claimed to be the first duly appointed party President after Shankar Dayal Sharma who was elected as President of the party in 1972. Mrs. Sonia Gandhi reluctance to plunge into politics opened a new era of competition in the party. Open race for leadership marked the emergence of a new epoch, Arjun Singh and Sharad Pawar competed openly against Rao for the top post in the party. This was a period in Indian politics known for democratisation, decadence and decay of value in Indian politics.

It was also during this time that the **Model Code of Conduct** that had been adopted by the Election Commission of India way back in 1962 by adopting the code of Conduct that was followed in Kerala in order that elections in all parts of the Country be held on the basis of uniform rules. However, it was only in the year 1990 that T.N. Sheshan during his tenure and M.S. Gill subsequently applied the model code in earnest with the aid of the Civil Society and the staff of the Election Commission so that the various issues of violence in elections, paid news, distributing freebies among people to sway their votes or the use of muscle power and clout by the stronger parties may be addressed and that the elections may be conducted in a peaceful manner.

The need for a model code of conduct in elections was further understood after the assassination of Rajiv Gandhi by the LTTE supporters that further pushed the reformative tendencies of the Election Commission to establish a proper system for the application of the Model Code of conduct.

It was in the midst of such surrounding developments that the **1996 Lok Sabha elections** were held. These elections officially signed the death warrant for the once mighty Congress party. The total number of seats that it won was a paltry 136. This was primarily due to the last minute decision of Rao to align with the AIADMK, a party that had angered the electorate as it reflected the corrupt, autocratic and oppressive regime of its Chief Minister Jayalalithaa. The biggest gainers in this election were the regional parties. The share of votes secured by the regional parties were almost equal to those secured by the Congress party and if we also take into consideration alliances of the regional parties with the national parties and the seats won

¹¹ John Wright (ed.): The New York Times Almanac 2002, Penguin Books, New York, 2002, p. 584. Budget Speech by Finance Minister in the Lok Sabha, February 28, 1996.

by them, then they constituted nearly 25 percent of the seats in the Lok Sabha compared to the tenth of the seats in 1991. This gain of the regional parties was partly due to their well-designed and considered alliances with the national parties.

Atal Behari Vajpayee was invited by the President as the leader of the single largest party in the Lok Sabha to form the Government with a stipulation to prove his majority on the floors of the Lok Sabha. Vajpayee's government remained more than 70 seats short of a majority when the eleventh Lok Sabha finished debating a motion on confidence on May 28, 1996, Vajpayee immediately submitted his resignation without even waiting for the voting on the motion.⁷⁷ Thus, A.B. Vajpayee's first government lasted for 12 days¹²

The Congress Ruling Party that was the second largest party in the house declined to accept the responsibility of forming the government at the Centre. Meanwhile, the national front and the leftist parties decided to forge unity under the banner of United Front.

On May 13, 1996 elected **H.D. Deve Gowda** who was holding the post of the Chief Minister of Karnataka as the leader of the Janata Dal parliamentary party was fielded as the prime ministerial candidate of the front. The United Front consisting of 13 parties was one of the most fragile combination of parties witnessed,¹³ it consisted of nine parties of the National Front (JD, TDP, DMK, TMC, AGP, SP, KCP, MPVC, Cong (T) and four parties of the Left Front (CPI-M, CPI, FB, RSP) and formed the Government at the Centre with Prime Minister Deve Gowda at its helm. This was another Government formed majorly with the tactical support of the Congress ruling party.

Thus it fell apart in the midst of widespread confusion when the Congress sent a letter to the President stating that it shall withdraw its support from the United Front Government unless the leadership of H.D Gowda was changed. In order to appease Congressional demands I.K.Gujral replaced Mr Gowda as the Prime Minister.

1998 Elections to the Lok Sabha

Thus the 11th Lok Sabha was unable to continue functioning amid the rising instability in the political conditions of the nation and thus elections for constituting a new House was called in 1998. It was to be held in 4 phases from February 16 to March 7.

¹² The Hindustan Times, op. cit, May 29, 1996

¹³ N. Jose Chander: Coalition Politics - The Indian Experience, Concept Publishing Company, New Delhi, 2004, p. 42.

The final tally in 1998 elections came out to be 182 of the BJP, 5 of the BSP, 9 of the CPI, 32 of the CPM, 141 of the Congress, 6 of the JD, 12 of the SAP, 101 of the regional parties, 49 of the registered unrecognised parties and 6 of the Independents.¹⁴

The pre-poll allies of BJP included AIADMK in Tamil Nadu, TDP (Parvarthi) in Andhra Pradesh, Trinamul Congress in West Bengal, Biju Janata Dal of Orissa and Lok Shakti in Karnataka. It also retained its earlier alignment with Shiv Snails in Maharashtra, Haryana Vikas Party in Haryana, Akalis in Punjab and Samata Party in Bihar. The twelfth house also had as many as 44 women members.¹⁵

However this Government was a product of the coalition era and was thus subject to the same problems as its predecessors. It was unable to meet the varied needs of all its allies who threatened to withdraw their support to the Government at the slightest of things. Thus when Ms. Jayalalithaa threatened to withdraw her support from the Government if her demands were not met and yet BJP rejected her demands two AIADMK ministers resigned from the Union Council. Finally on April 14, 1999, the AIADMK submitted a letter to the President of India withdrawing the party's support to the NDA government.

The President advised the government to seek confidence motion in the Lok Sabha. The government decided to move the confidence vote on April 15, 1999 and after a lengthy debate the government lost the confidence motion on April 17, 1999 by a margin of a single vote-269 voted in favour of the government and 270 voted against it.

A.B. Vajpayee immediately tendered the resignation of his ministry and advised the President to seek fresh mandate from the people, the President asked Vajpayee to continue till alternative arrangements were made. The President subsequently dissolved the Lok Sabha. The Lok Sabha had been in power for only 413 days.

1999 ELECTIONS TO THE LOK SABHA

The elections to the 13th Lok Sabha was held in five phases from September 5 to October 3, 1999. BJP reached understanding with more regional parties by underpinning the importance of regional allies. Besides their old allies like Trinamul, Akalis, Shiv Senas, Biju Janata Dal, Janata Dal (United), Shiv Senas, INLD etc., two new entrants into BJP led coalition were TDP and DMK. The grand coalition now consisted of 24 parties.

¹⁴ Statistical Report on General Elections, 1998 to the Twelfth Lok Sabha (National and State abstracts), Election Commission of India, New Delhi, 1998.

¹⁵ Members of the Twelfth Lok Sabha - A Socio-Economic Study, Parliament Library and Reference, Research, Documentation and Information services, New Delhi, 1998

The BJP narrative was that the Congress and AIADMK were responsible for creating instability and forcing election in a country when nobody was prepared for it. Vajpayee addressing election meetings reiterated, "Polls are to democracy what heart is to a body, but should the heart beat too frequently it could spell doom."

The NDA presented their leader Vajpayee as a moderate without apologies, a person who put India on a path to economic recovery, a person who stretched his hands of friendship with Pakistan in Lahore as well used his fist in Kargil. Thus NDA was able to further improve its performance in this election and secured 299 seats out of 543 for which the elections were held. The National Conference though not a part of the pre-poll allies of the BJP also expressed its willingness to support the NDA government and later became a part of the government. The Sikkim Democratic Front and Mizo National Front with one member each in the house also joined the BJP led NDA coalition, the number of partners in the alliance increased from 13 in the previous government to 18 including independent member Mrs. Maneka Gandhi. Thus there was a clear mandate in favour of BJP led coalition.

Though there was no clear sympathy vote in favour of the BJP led alliance, but it seemed that the voters wanted to give them more time to perform before deciding on their fate and alliance was able to strike the right chord among the voters by arousing the nationalist sentiments during the conflict in Kargil. The President had no difficulty in inviting A.B. Vajpayee, the leader of NDA to take over as Prime Minister, Vajpayee was sworn in as Prime Minister on October 13, 1999¹⁴⁹ third time in a matter about three years.

The BJP led NDA governance lasted for its full term and brought about stability out of chaos and disorder, the instability which marked the previous period created doubts in the minds of the people about the very utility of democracy in the country and the doubts created in other countries about decision taken by the Indian governments were put to rest .¹⁶

It was also around this time only that the recommendations by the various Commissions on the working of the Election Commission of India was applied into the election laws. Earlier **The Constitution (Sixty-first Amendment) Act, 1988** reduced the voting age from 21 years to 18 years for the Lok Sabha (house of the people) and state assembly elections.

Provisions for deputation of members of the Centre and the States were made so that the Election Commission may be able to deploy staff effectively on the field for the purpose of preparation, revision and conduct of elections.

¹⁶ K.G. Joglekar: Five Years of Vajpayee Government, PIB release, New Delhi, 2004.

In order to address the **problem of non-serious candidates** the number of electors required to sign as proposers in nomination papers for elections to Council of States (Rajyasabha) and State Legislative Council has been increased to 10% of the electors of the constituency or ten such electors, whichever is less mainly to prevent frivolous candidates.

Further, the number of **proposers and seconders** for contesting election to the office of the President of India has been increased to 50 each from 10 and; number of electors as proposers and seconders for contesting Vice-Presidential election has increased to 20 from 5. The security deposit has been increased to Rs. 15,000 from Rs. 2,500 for contesting election to the offices of President and Vice- President to discourage frivolous candidates.

Electronic Voting Machines(EVM) were introduced in certain areas so as to ensure effective and efficient voting. Further, booth capturing was made an offence under the Representation of People Act.

The **Security Deposit** which a candidate needs to deposit at an election to the Lok Sabha or a State Legislative Assembly has been enhanced to check the multiplicity of non-serious candidates. In the case of an election to the Lok Sabha, the security deposit has been increased to Rs. 10,000 for the general candidate and to Rs. 5,000 for a candidate who is a member of a Scheduled caste or scheduled tribe. In the case of elections to a State Legislative Assembly, the candidates will have to make a deposit of Rs. 5,000 if they are general candidates and Rs. 2,500 if they belong to a Scheduled Caste or Scheduled Tribe respectively.

The Election Commission further declared that no election will be countermanded on the death of a contesting candidate and If the deceased candidate, however, was set up by a recognized national or State party, then the party concerned will be given an option to nominate another candidate within seven days of the issue of a notice to that effect to the party concerned by the Election Commission.

Prohibition with respect to Going Armed to or Near a Polling Station has been declared as a cognizable offence punishable with imprisonment up to two years or with fine or with both. Further selling liquor at or near the polling are during the period of 48 hours ending with the hour fixed for the conclusion of poll was made punishable with imprisonment up to 6 months or fine up to Rs 2000 or both. Further the effective campaigning period was reduced. from 20days to 14 days.

2000- 2010

In the year 2004, the NDA Government completed its five years' duration period and the stage was set for the **14th Lok Sabha election** that was held in four phases from 20th April, 2004 to 10th May, 2004. On 20th April the election was held for 141 constituencies, on 26th April Lok Sabha election was held for 137 constituencies, on 5th May for 83 constituencies and on 10th May for the remaining 182 constituencies. 273 seats were needed for the majority in 14th Lok Sabha election from 543 seats.

The Congress Party won 145 seats. Congress formed the government by uniting a grand alliance called the United Progressive Alliance (UPA) and **Manmohan Singh** became the Prime Ministers of India for the 14th Lok Sabha. The Indian general election, 2004 was conducted by T.S Krishnamurthy, the Chief Election Commissioner. 224 state parties and 6 national parties participated in the 14th Lok Sabha election.

The results of the elections of 2004 in favour of the Congress ruling party was attributed to the disastrous '**India Shining Campaign**' which brought to light the high-handedness of the BJP and created a perception of the BJP as a pro-urban party who cared nothing for the plight of the poor farmers in the rural areas of India. The slogan of the Congress on the other hand was extremely simple and fashioned to exploit the weakness of the ruling party. Thus even the massive rath yatra organised by L.K. Advani to divert the attention of the masses from the incapacity of NDA as a Government was unable to secure a win for the saffron party.

2009 ELECTIONS

The voters of the country elected the UPA government a second time round and Dr. Manmohan Singh continued to be the Prime Minister of the country for the second term. Sonia Gandhi became the chief of the UPA. The UPA won around 261 out of 543 seats, and in the second position was NDA with 158 seats, while 23 seats were won by Left parties.

Around 714 million people exercised their right to vote, which led to around 58% turnout in the whole country. The Congress-led coalition, the first of its kind, had lost the support of the Left eight months before the polls, in protest against the nuclear deal with the US. A controversial vote of confidence followed, which the UPA won easily.

The Congress president clearly stated Manmohan Singh was the coalition's prime ministerial candidate while the BJP tacitly agreed L K Advani was its candidate. Welfare schemes, loan

waivers, and an economy that seemed relatively unaffected by the 2008 slowdown provided the backdrop for these elections. Dr Manmohan Singh became the first PM after Jawaharlal Nehru and Indira Gandhi to get re-elected after a full term of five years.

It was also around this time only that the Election Commission further applied certain recommendations for the purpose of effective conduct of elections. **Restriction on exit polls** were placed and thus conducting exit polls and publishing results of exit polls during the elections to the Lok Sabha and state legislative assemblies during the period notified by the election commission was declared to be punishable with imprisonment up to 2 years and with fine or both. It has further been established that the political parties shall be required **to report contributions** in excess of Rupees 20000 to the Election Commission for claiming income tax benefit.

Further in light of the rising inflation and keeping other factors in mind, the ceiling on election expenditure was increased from 16 to 40 lakhs in bigger states for the purpose of parliamentary elections.

Further it allowed government servants and certain other class of persons to vote via postal ballot following the Election Commission's consent in order to ensure that no citizen of India is denied their right to vote. It also made provisions for Indian citizens living abroad for employment, education etc., who has not acquired the citizenship of any other country and has his name registered in the electoral roll of a particular constituency (place of his residence) can vote.

Such provisions became applicable in all elections subsequently held in India. The 2014 Lok Sabha elections heralded the dawn of a new era for India and for the first time in a long period, India elected a Government with absolute majority at the centre.

The BJP led NDA government won 336 seats sweeping the elections while the mighty Congress could win merely 54 of the 543 seats up for election. Thus it was unable with such a meagre number to even head the Opposition in the House as there exists a practice that the Opposition Party who has won at least 10% of the total seats alone can be the Leader of Opposition in the Lower House.

The BJP had done very well in Delhi, Rajasthan, Madhya Pradesh and Chhattisgarh, where it faced the Congress head on and where it did well in recent assembly polls. But it has also scooped up seats in states like Uttar Pradesh and Bihar, breaking through old barriers of caste that kept Brahmins voting the same way with Bhumihars, or Dalits siding with Yadavs or

Thakurs.¹⁷ Thus it was able to tap the Hindu vote bank without been held back by the caste politics usually practiced in India.

Thus on analysis for the reasons why BJP had fared so well in the 2014 election. It may be attributed to its electoral strategy of reinventing social engineering in what may be termed as its second transformation. As a result, it secured significant support among the Other Backward Classes as well as scheduled caste and scheduled tribe voters to gain a winning edge. Besides this, its promise of development and the projection of Modi as a strong and decisive leader attracted support among the lower and middle classes.¹⁸

2019 LOK SABHA ELECTIONS

In the Lok Sabha polls held recently the BJP led NDA Government won an even larger number of seats than in the last elections. It swept the polls winning 352 of the total seats with BJP alone winning 303 of the total seats. The citizens of India have given popular mandate to the saffron party as in the last elections of 2014 though on a grander scale.

It marked the first time that any non- congress Prime Minister has been voted to a second term, the first time any national party other than the Congress has been polled such an overwhelming majority and also the first time that any party has single-handedly destroyed the regional party strongholds in Bengal, Odisha and Bihar.

The reasons for such an overwhelming victory is being attributed widely to two factors i.e. the Modi wave characterised by the charismatic personality of the Prime Minister Narendra Modi. This becomes more relevant because the 2019 elections had actually become a contest not between the policies of the NDA versus the Opposition policies largely led by Congress, it became a Modi versus Gandhi fight and thus it became an all the more easy win for BJP. Secondly, the Opposition was unable to bolster and coordinate their forces thus leaving a clear field for BJP. Due to fragmentation between the Opposition parties and their inability to provide an alternative picture the people voted overwhelmingly for the saffron party so that it may form a stable Government at the Centre.

¹⁷http://economictimes.indiatimes.com/articleshow/35215846.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

¹⁸ Critical Shifts in the Long Term, Caution in the Short Term- India's 2014 Lok Sabha Elections. Economic and Political Weekly.

A peculiar voting behaviour was noticed in the elections that all factions of society voted for a particular party without heeding the temptations of Caste politics. The greatest example stands Uttar Pradesh where BJP won despite the Grand Alliance of SP, BSP and RLD.