

## ELECTORAL INSTITUTIONS IN INDIA: CONSTITUTIONAL VISION AND REFORMS

Pooja\*

### ABSTRACT

*This paper examines the constitutional vision underlying India's electoral democracy and evaluates the functioning of key electoral institutions in light of contemporary challenges. Part XV of the Constitution enshrines free and fair elections as the foundation of representative democracy, with the Election Commission of India playing a pivotal role in safeguarding electoral integrity. However, issues such as the criminalization of politics, opacity in campaign finance, weak internal party democracy, and the misuse of digital platforms continue to undermine electoral fairness.*

*By analysing the constitutional framework, judicial interpretations, and institutional practices, this paper highlights the gaps that persist between constitutional ideals and electoral realities. It further explores reform proposals, including fast-track adjudication of criminal cases against legislators, transparent mechanisms for political funding, strengthened intra-party democracy, regulatory checks on electoral misinformation, and periodic revision of electoral rolls. The study argues that sustained legal, institutional, and civic interventions are essential to restore public trust and realize the constitutional promise of free, fair, and transparent elections in India.*

**Keywords:** Electoral Institutions; Election Commission of India, One Person, One Vote, One Value; Electoral Reforms, Free and Fair Elections.

### 1. INTRODUCTION

The constitutional framework of India, established in 1950, enshrined democratic principles, fundamental rights<sup>1</sup>, and equality as core values, opting for a parliamentary democracy rooted in the populace's experiences during the freedom struggle.<sup>2</sup> This foundational vision sought to establish not merely a political democracy but also a social democracy that would address pervasive inequalities.<sup>3</sup>

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\* LLM, Department of Laws, Panjab University, Chandigarh.

<sup>1</sup> The Constitution of India, Part III.

<sup>2</sup> Vikash Kumar, "Electoral Reforms in India: Needs, Issues and Challenges" 2(2) *International Journal of Political Science and Governance* 4 (2020).

<sup>3</sup> Kanchankumar Tejram Shewale, "The Indian Constitution: Navigating Challenges in the 21st Century" *International Journal for Multidisciplinary Research* (2024).

Central to this democratic structure are regular elections, which serve as a cornerstone for legitimizing governmental authority and fostering popular participation. This system, termed representative democracy, delegates the responsibility of governance to elected representatives, thereby making free and fair elections crucial for upholding the integrity of the democratic process and ensuring political stability. Indeed, the electoral process and politics are integral to consolidating India's parliamentary democratic system, requiring continuous reform to address emergent challenges and maintain integrity.<sup>4</sup> The Election Commission of India, a constitutional body, is instrumental in overseeing these elections, ensuring their freeness and fairness, and thereby upholding the democratic ethos<sup>5</sup>. Despite the Election Commission of India's pivotal role in safeguarding electoral integrity, there remains a notable absence of extensive constitutional theorizing regarding its institutional framework and accountability.<sup>6</sup> This lacuna is particularly striking given the Election Commission's expanding powers, which have, in many instances, exceeded original constitutional or legislative mandates, raising concerns about its institutional accountability.<sup>7</sup>

### 1.1 Objectives of Study

The main objectives behind writing this paper are as follows:

- To examine the constitutional vision that underpins electoral democracy in India.
- To analyse the functioning and role of electoral institutions, particularly the Election Commission of India, in safeguarding free and fair elections.
- To evaluate the challenges posed by issues such as criminalization of politics, opacity in campaign finance, weak internal party democracy, and electoral misinformation.
- To study the reforms proposed to strengthen electoral integrity and ensure the realization of the constitutional promise of “one person, one vote, one value.”

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<sup>4</sup> *Supra* note 2.

<sup>5</sup> M.N. Singh, “Election Commission, Electoral Democracy and Constitutionalization of Elections in India” 67(2) *Indian Journal of Public Administration* 165 (2021); Markandey Katju, “Institutional Initiatives towards Expanding Democracy: The Election Commission of India and Electoral Mobilisation” 29(2) *Contemporary South Asia* 147 (2020).

<sup>6</sup> M.A. Bhat, “Between Trust and Democracy: The Election Commission of India and the Question of Constitutional Accountability” in Swati Jhaveri, Tarunabh Khaitan and Dilini Samararatne (eds.), *Constitutional Resilience in South Asia* 303 (Hart Publishing, Oxford, 2023).

<sup>7</sup> M.M.A. Bhat, “Governing Democracy Outside the Law: India’s Election Commission and the Challenge of Accountability” 16 *Asian Journal of Comparative Law* S85-S104 (2021).

## 2. RESEARCH METHODOLOGY

This research paper is based on a qualitative method of study, incorporating doctrinal research and secondary sources to conduct a comprehensive analysis. The qualitative approach allows for an in-depth exploration of India's electoral framework, institutional practices, and constitutional obligations by analysing existing literature, case law, and data.

### 2.1 Data Collection

All information in this study is gathered from secondary sources. These include:

- **Books:** Academic and professional texts providing theoretical frameworks and detailed analyses of constitutional law and electoral processes.
- **Newspapers and Digital Media:** Reports and articles offering current insights into electoral challenges, reforms, and institutional practices.
- **Journal Articles:** Peer-reviewed works discussing the constitutional framework, judicial pronouncements, and contemporary challenges to electoral democracy.
- **Internet Archives and Official Websites:** Digital repositories and Election Commission of India resources containing official documents, election reports, and legal texts.

### 2.2 Secondary Sources

The secondary sources are carefully selected to ensure accuracy, reliability, and relevance. They provide a comprehensive perspective on the legal, political, and institutional aspects of electoral democracy. Special emphasis is placed on:

- **Legal Documents:** Constitutional provisions, Representation of the People Acts, and electoral rules that govern elections.
- **Case Laws:** Judicial pronouncements from the Supreme Court and High Courts of India that interpret electoral rights, institutional accountability, and electoral reforms.
- **Reports from Commissions and Committees:** Publications such as Law Commission reports and Election Commission reports that highlight electoral challenges and recommend reforms.

### 2.3 Analysis

The qualitative data is analysed thematically, identifying key concerns such as independence of electoral institutions, financial transparency, inclusiveness, and accountability. This method enables a detailed examination of the interplay between constitutional ideals and electoral realities, while highlighting reforms required to bridge the gap.

### 2.4 Ethical Considerations

Ethical considerations are observed by ensuring that all sources are duly acknowledged and cited, and the analysis is presented with academic integrity and impartiality.

By adopting a qualitative approach and relying on doctrinal analysis of secondary sources, this research seeks to provide a nuanced and comprehensive understanding of India's electoral institutions, their challenges, and the reforms necessary to align electoral practices with constitutional ideals.

## 3. CONSTITUTIONAL VISION OF ELECTIONS

The Constitution of India ushered in a democratic republic for the free people of the country. The founding fathers took solemn care to devote a separate chapter to elections niched safely in Part XV of the Constitution. It is inherent in a democratic set up that the agency which is entrusted the task of holding elections should be fully insulated so that it can function as an independent agency free from external pressures from the party in power or executive of the day.<sup>8</sup> Therefore, the Election Commission of India, a constitutional body established in 1950, is entrusted with the superintendence, direction, and control of elections to Parliament, State Legislatures, and the offices of the President and Vice-President. This extensive mandate underscores its critical role in maintaining India's robust electoral democracy, ensuring that eligible citizens can exercise their franchise independently.<sup>9</sup> Its powers encompass the administration of elections and a wide array of associated activities, solidifying its central role in upholding electoral fairness and integrity.<sup>10</sup> This includes the preparation of electoral rolls, delimitation of constituencies, and the adjudication of electoral disputes, thereby contributing to the institutionalization of democratic processes. Over the decades, the Election

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<sup>8</sup> *T.N. Seshan v. Union of India*, (1995) 4 SCC 611.

<sup>9</sup> The Constitution of India, art. 326.

<sup>10</sup> *Supra* note 6.

Commission has not only conducted a total of 430 Lok Sabha and State Assembly general elections in the last 72 years (1952-2024)<sup>11</sup> but has also evolved into one of India's most powerful regulatory bodies, often exceeding the strict confines of framework laws to establish new rules and mechanisms for electoral conduct. This institutional development, characterized by its substantial powers and extensive oversight, has cemented its reputation as a highly trusted public institution in India.<sup>12</sup> The constitutional design further stipulates that the Chief Election Commissioner and other Election Commissioners are appointed by the President of India, who also determines their tenure and service conditions, subject to parliamentary law.<sup>13</sup>

As was observed by the Apex Court in *Mohinder Singh Gill and Anr v Chief Election Commissioner and Ors.*,<sup>14</sup> the pervasive philosophy of democratic elections as vivified by Sir Winston Churchill, in his matchless words, is: 'At the bottom of all tributes paid to democracy is the little man, walking into a little booth, with a little pencil, making a little cross on a little bit of paper'. And that is poll. However, the right to vote is a statutory right and not a fundamental right.<sup>15</sup> The right to vote is also not absolute, but is subject to certain prescribed restrictions. A person cannot vote, notwithstanding that his name is entered in the electoral roll, if he is suffering from any of the disqualifications for registration as an elector under s. 16 of the Representation of the People Act, 1950.<sup>16</sup> Therefore, Art. 326 provides that a person above the age of 18 years is eligible to vote if he is a citizen of India and not otherwise disqualified, and Art. 325 prohibits any discrimination for inclusion or exclusion of people in electoral roll, on the grounds of religion, race, caste or sex. The law merely granted a right to vote positively, that is, an elector who presented himself at the polling station could only vote, and failing to vote any of the candidates, he had to expressly say so, to the presiding officer, thus revealing his identity and defeating the secrecy of the ballot [Rule 41(2) and Rule 49 O of the Conduct of Elections Rules, 1961]. *Peoples Union for Civil Liberties and Anr v. Union of India and Anr*<sup>17</sup> the petitioner tried to bring in a new dimension of the right of the elector to stand by without infringing on the secrecy of his vote. In its ruling, the Supreme Court asserted that the right to vote is a pure and simple

<sup>11</sup> News18, "All Lok Sabha & Assembly Elections Since 1952," News18, available at: <https://www.news18.com/elections/special/all-lok-sabha-assembly-elections-since-1952/> (last visited Sept. 30, 2025).

<sup>12</sup> Amit Ahuja and Susan L. Ostermann, "From Quiescent Bureaucracy to 'Undocumented Wonder': Explaining the Indian Election Commission's Expanding Mandate" (Feb. 28, 2018).

<sup>13</sup> The Constitution of India, art. 324.

<sup>14</sup> AIR 1978 SC 851.

<sup>15</sup> Dr. Krishna Murthy v. Union of India, (2010) 5 SCJ 757.

<sup>16</sup> The Representation of the People Act, 1951 (Act 43 of 1951), s. 62(2).

<sup>17</sup> (1997) 1 SCC 301.

statutory right and not a fundamental right or a constitutional right and thus the opportunity was created to allow an introduction of a none of the above (NOTA) choice.

The democratic ethos rests on the principle of “*one person, one vote, one value*,” which signifies that every individual’s vote must carry equal weight and no citizen’s ballot should be accorded greater worth than another’s. Upholding this norm is essential to preserve both the integrity of elections and the equality of citizens in a constitutional democracy.

#### 4. ELECTORAL INSTITUTIONS IN INDIA

The Constitution has provided a separate chapter on elections. In this respect, it has made a departure from the usual practice of constitutions to leave elections as a comparatively unimportant subject to be dealt with by the Legislature. The Constituent Assembly entrusted the responsibility of safeguarding the political rights to the committee on Fundamental Rights, which recommended that the independence of elections and avoidance of any interference by the Executive in the elections should be regarded as a fundamental right.<sup>18</sup> Thus, Elections have been assigned a separate chapter i.e., Chapter XV of the Constitution.

##### 4.1 Election Commission of India

The Election Commission of India, established under Art. 324, is a permanent body, tasked with the comprehensive oversight of electoral processes. This constitutional body is responsible for ensuring free and fair elections, addressing various challenges such as missing names from electoral rolls, and implementing reforms to enhance the democratic process.<sup>19</sup> The Election Commission is statutorily empowered to conduct elections at both state and central levels, affirming its role as a fundamental pillar of India's democratic framework.<sup>20</sup> Moreover, its functions extend to issuing the Model Code of Conduct, delineating electoral expenditures, and establishing a robust framework for political parties' registration and recognition. The Commission's efforts to enhance democratic participation and ensure the integrity of electoral processes have led to the implementation of significant reforms, including the introduction of Electronic Voting Machines and Voter Verified Paper Audit Trails. These technological advancements aim to improve transparency and efficiency in the electoral system,

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<sup>18</sup> *IX Constituent Assembly Debates* 916 (June 15, 1949).

<sup>19</sup> *Supra* note 5; Md. Naiyer Equbal, “Electoral Reforms in India: An Analysis” 1(1) *International Journal of Political Science and Governance* 43 (2019).

<sup>20</sup> G. Sunkad, “The Election System in India” 7 *Journal of Political Science and Public Affairs* 352 (2019).

thereby reinforcing public trust in the democratic process.<sup>21</sup> The Election Commission's mandate extends beyond mere administrative duties, as it often operates through extra-legal mechanisms to regulate the electoral process, thereby raising questions about its institutional accountability.<sup>22</sup> This dynamic between its extensive powers and the need for transparent oversight necessitates a continuous re-evaluation of its accountability mechanisms.<sup>23</sup>

#### 4.2 Delimitation Commission

Delimitation, a process of redrawing boundaries for electoral constituencies to ensure equitable representation, is critically overseen by the Election Commission, adhering to principles of population proportionality and geographical compactness. This process, conducted by the Delimitation Commission, a statutory body established by Parliament after every decennial census, has historically been exemplary in its execution, ensuring fair representation across the nation.<sup>24</sup> However, the process is not without its challenges, as concerns have arisen regarding the potential for political manipulation and the exclusion of certain demographic groups during constituency redrawing.<sup>25</sup> These concerns underscore the need for transparent methodologies and robust oversight to maintain public trust in the impartiality of the delimitation process. Furthermore, the Election Commission's autonomy and capacity to resist political pressures during delimitation are vital for upholding the foundational principles of representational fairness enshrined in the Indian Constitution.<sup>26</sup> Delayed delimitation, for instance, has led to significant disparities in political representation, particularly impacting states with rapid fertility decline, which have become overrepresented while those with slower decline remain underrepresented, thereby distorting the principle of equal representation.<sup>27</sup> These disparities are further compounded by issues such as malapportionment and gerrymandering, which can undermine the principle of "one person, one vote" and lead to unequal voter power.<sup>28</sup>

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<sup>21</sup> Naganoor M., "A Study on Electoral Reforms and Their Effectiveness in Enhancing Democratic Participation in Indian Context" 5 *International Journal of Research Publication and Reviews* 1141-1150 (2024).

<sup>22</sup> *Supra* note 7.

<sup>23</sup> *Ibid.*

<sup>24</sup> Krishna K. Tummala, "Is Constitutional Democracy in India in Crisis?" 26 *Public Administration and Policy* 282-294 (2023).

<sup>25</sup> *Supra* note 5.

<sup>26</sup> *Supra* note 11.

<sup>27</sup> P.K. Patel and T.V. Sekher, "Parliamentary Delimitation: A Study on India's Demographic Struggle for Political Representation" *Journal of Asian and African Studies* (2024).

<sup>28</sup> Chandra Pal Singh, "A Century of Constituency Delimitation in India" 19 *Political Geography* 517-532 (2000).

### 4.3 Political Parties

The Representation of the People Act, 1951 defines a “*political party*” as any association or group of citizens registered with the Election Commission under Section 29A. In essence, a political party is an organised body of individuals seeking to attain and exercise political power within the constitutional framework. With the coming into force of the Constitution on 26 January 1950, the Election Commission acknowledged the role of political parties and their intent to participate in the first general elections of independent India.<sup>29</sup> However, following the 1951–52 elections, the Commission obtained a clearer understanding of the actual strength of the parties that had earlier been provisionally recognised. Consequently, recognition was withdrawn from those parties that had performed poorly at the polls. At the same time, recognising that certain newly constituted parties had insufficient time to mobilise before the elections, the Commission fixed a threshold of at least 3% of valid votes to qualify for recognition. This standard was subsequently raised to 4% after the third general elections.

Before August 1968, neither any statute nor the rules or orders of the Election Commission contained a mechanism for the formal registration of political parties. The process of registration was introduced for the first time through the Election Symbols (Reservation and Allotment) Order, 1968.<sup>30</sup> The 1968 Order made it compulsory for political parties to register with the Election Commission, and candidates of unregistered groups were regarded as independents. From that point onwards, a systematic process of party registration under the Election Commission began. The registration was governed by this Order until 1988 when Parliament decided to intervene by way of adding s. 29A in the 1951 Act which provided for registration of political parties by the Election Commission.

## 5. CHALLENGES & CRITIQUES

To enable democracy to flourish, rule of law should prevail and that elections be made in a free and fair manner that men of high moral and ethical values are elected to power, the law has provided some rules of electoral morality and has outlawed some acts of commission and omission that tarnish the purity of elections. Despite significant advancements, challenges such as campaign finance irregularities, the spread of misinformation, and voter suppression tactics continue to threaten the integrity of democratic processes. These malpractices encompass a range of illicit

<sup>29</sup> Election Commission of India, “Report on the First General Elections in India 1951-52”.

<sup>30</sup> V.S. Ramadevi and S.K. Mendiratta, *How India Votes: Election Laws, Practice and Procedure* 558 (LexisNexis, 3rd edn., 2014); *Election Symbols (Reservation and Allotment) Order, 1968*, available at <https://eci.gov.in> (last visited on Sept. 27, 2025).

activities, from voter intimidation and ballot stuffing to the illicit use of money and muscle power. The influence of unaccounted wealth and criminal elements significantly distorts the electoral playing field, undermining the principles of equal opportunity and fair competition among candidates.<sup>31</sup>

While corrupt practices under the Representation of the People Act, 1951, provide a statutory framework to penalise electoral misconduct, the larger challenge lies in ensuring that the constitutional promise of free and fair elections is realized through strong and impartial institutions. The framers of the Constitution, by vesting the superintendence and control of elections in the Election Commission of India under Article 324, underscored their commitment to insulating the electoral process from partisan influence. Yet, questions often arise about the degree of autonomy enjoyed by the Commission in practice, particularly in matters of appointments, funding, and enforcement powers.

While the list of illicit activities, voter intimidation, ballot stuffing, and the illicit use of money and muscle, paints a stark picture of electoral vulnerability, these malpractices are largely symptoms of systemic weaknesses.<sup>32</sup> A resilient democracy, therefore, is less about spotlighting individual wrongdoings and more about fortifying the very institutions that shape the electoral landscape. In this context, institutional accountability becomes central to ensuring the constitutional vision of fair and equal participation.

Equally pressing is the issue of campaign finance. Although statutory limits on candidate expenditure exist, the reality of excessive and often unaccounted spending creates a gulf between the law and electoral practice. The introduction of electoral bonds, rather than enhancing transparency, has raised fresh concerns regarding opacity in political funding, thereby weakening the citizen's right to make an informed choice under Article 19(1)(a).<sup>33</sup> Such financial distortions undermine the principle of political equality that forms the bedrock of democratic legitimacy.

Another dimension that challenges the constitutional vision of fair representation is the criminalisation of politics. Despite repeated judicial observations and parliamentary debates, a significant number of legislators

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<sup>31</sup> *Supra* note 2.

<sup>32</sup> Sartaj Singh, "Electoral Reforms in India: Challenges and the Way Forward" 7(4) *Journal of Political Science* 151 (2019).

<sup>33</sup> Gauri Kashyap, "Electoral Bonds Constitution Bench, Judgement Summary" Supreme Court Observer (Feb. 15, 2024).

continue to face serious criminal charges.<sup>34</sup> This not only corrodes public trust but also contradicts the vision of elections as a vehicle for elevating individuals of integrity and service to positions of authority. The gap between the constitutional aspiration of clean politics and the reality of compromised candidatures highlights the pressing need for deeper institutional reforms.

What adds to this topography is the issue of political defection. Even though the Tenth Schedule aimed at deterring unprincipled floor-crossing, it is still an unstable tool since manoeuvres to bypass its clauses remain common and against the electoral mandate. The practices undermine the purity of representative democracy and undermine the confidence of the voters in the stability of the elected institutions.

Another structural deficiency is the issue of the underrepresentation of women. Women still make up almost half the population and are grossly underrepresented in the legislative bodies. Not only does a lack of meaningful gender diversity go against the constitutional guarantee of equality as provided in Articles 14 and 15 but it also denies the polity perspectives that are inclusive and crucial in influencing equitable policies. This is as disturbing as the problem of disproportionate representation in the form of malapportionment and imbalances in demographics. Some constituencies with significantly different voter counts are usually given equal representation in the legislature, thus abusing the one person one vote one value principle. This compromises political equality and the representative nature of the democratic institutions. Therefore, attention must shift from individual malpractices to broader systemic safeguards.<sup>35</sup> An independent Election Commission, transparent party structures, a vigilant judiciary, and an active civil society together form the backbone of electoral democracy, ensuring that every vote is counted fairly and without bias.

## 6. REFORMS & WAY FORWARD

Electoral systems, as fundamental mechanisms for democratic representation, are perennially subject to scrutiny and calls for reform to enhance their fairness, efficiency, and public trust. The Indian electoral system which can be said to be the largest democracy in the world has gone through many reforms since independence. This notwithstanding, there remain obstacles to fairness and credibility of elections. The criminalization of politics is an issue of great concern.

<sup>34</sup> Times of India, “40% of Sitting MPs Have Criminal Cases, 25% Serious” (Jan. 27, 2023), available at <https://timesofindia.indiatimes.com/india/40-pc-sitting-mps-have-criminal-cases-25-pc-serious-criminal-cases-adr/articleshow/103607096.cms>.

<sup>35</sup> Law Commission of India, “255th Report on Electoral Reforms” 219 (2015).

Records that were compiled by the Association of Democratic Reforms (ADR) indicate that a significant proportion of incumbent legislators have been charged with serious offences such as murder, attempted murder, kidnapping and offences against women.<sup>36</sup> This issue has been raised on several occasions by the judiciary and parliament, but its widespread occurrence points to gaps in the system of applying the legal safeguards that are in place. The other important challenge is the excessive effects of money in politics. Such unaccounted and excessive electoral expenditure, coupled with the obscuration created by tools such as electoral bonds undermines transparency in political finance and erodes the right of citizens to make an informed decision under the Article 19(1)(a) of the Constitution.<sup>37</sup> Both scholars and policy analysts have observed that these kinds of financial distortions cripple political equality and distort the election playing field to enable those candidates with more resources or illicit funding to prevail in elections.<sup>38</sup> Political parties also need to reform in terms of their inner work. Poor internal party democracy can also lead to the situation when a decision is made by a small number of leaders, which reduces accountability and makes the true representation less real, which is also accompanied by the misuse of social media as a means of spreading false information and promoting polarization (as a contemporary problem).<sup>39</sup>

In order to resolve these problems, a number of reforms have been proposed. The legislature can also have fast-track courts to help deliver justice in good time, as well as to deter criminals who may want to challenge elections. The impact of unaccounted wealth can be minimized through transparent political funds such as compulsory disclosure of donors. The quality and fairness of the electoral process can be even better by strengthening internal party democracy and providing regulatory frameworks to check the distribution of electoral misinformation on social media. Also, detailed updates of electoral registers, including those carried out during Special Intensive Revision (SIR) exercises, may enhance the level of accuracy and inclusivity of electoral registers.<sup>40</sup> Finally, although India has achieved a lot in its efforts to reform its electoral system, the challenges that are still present require a set of legal, institutional, and civic interventions. The

<sup>36</sup> Association for Democratic Reforms, “Criminalisation of Politics in India” (2024), Times of India, available at <https://timesofindia.indiatimes.com/india/40-pc-sitting-mps-have-criminal-cases-25-pc-serious-criminal-cases-adr/articleshow/103607096.cms> (last visited on Sept. 29, 2025). (last visited Sept. 29, 2025).

<sup>37</sup> *Supra* note 32.

<sup>38</sup> *Supra* note 31.

<sup>39</sup> *Ibid.*

<sup>40</sup> Times of India, “Delhi Gets Ready to Roll with Voter List Overhaul” (Feb. 15, 2024), available at <https://timesofindia.indiatimes.com/city/delhi/delhi-gets-ready-to-roll-with-voter-list-overhaul/articleshow/124097263.cms> (last visited on Sept. 29, 2025).

constitutional vision of free, fair, and transparent elections can only be achieved through long-term and thorough efforts.

## 7. CONCLUSION & SUGGESTIONS

In sum, the paper underscores that India's constitutional promise of free and fair elections, the ideal of "one person, one vote" can only be fulfilled through vigilant institutional and legal reforms. As noted in Article 324 of the Constitution, the Election Commission is vested with the power to conduct and oversee elections<sup>41</sup>, however, realizing that mandate requires stronger checks on money and criminal influence, and greater transparency within parties. The analysis suggests that enhancing internal party democracy, enforcing stricter campaign finance disclosure, and curbing electoral misinformation are all imperative to safeguard electoral integrity. Ultimately, achieving the vision of a robust democratic process will demand a sustained, collaborative effort by the judiciary, legislature, and civil society to implement the reforms identified.

In the future, the reinforcement of this constitutional pledge will require more radical structural innovations. Another way to strengthen the independence of the Commission is to have a more open process of appointing Election Commissioners, who is not part of the executive. The gap between law and practice of campaign finance transparency could be bridged by real-time reporting of political donations over what is a reasonably acceptable limit. Similarly, civic education programs, especially by the young voters, would foster informed voting and minimize the effect of misinformation. Electoral tribunals can be specialized, guaranteeing that the resolution of disputes is implemented promptly, and the electoral process is credible; technology should be used, e.g., for voter roll secure digital audit trails. Lastly, legislatures would be more reflective and inclusive of the social diversity of India with a significant rise in the number of women and representatives of marginalized groups. In this way, institutional reforms will not suffice to fulfil the constitutional dream of free, fair and transparent elections but the holistic approach comprised of legal, technological, and civic innovations. It then and only then will India be able to take a couple of steps towards a closer match of its electoral practices and the democratic values inscribed in its Constitution.

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<sup>41</sup> *Supra* note 7.