
ISSUES AND OPPORTUNITIES FOR GROWTH FACING INDIA'S ELECTION COMMISSION

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Abstract

The consistent activity of free and fair elections is guaranteed by the Election Commission of India, one of the mainstays of the biggest popular governments on the planet. The Election Commission of India faces various complex issues, which are investigated in this theoretical alongside likely ways for its future turn of events. With the headway of innovation and an expansion in its venture into country puts, the Indian Election Commission has seen enormous growth in its tasks over the course of time. Notwithstanding, it faces various huge hardships that put the validity of the vote based process in danger. These hardships incorporate elector turnout issues, election misrepresentation, rising election costs, political polarization, and issues with the veracity of citizen enrollment information. The Election Commission experiences issues keeping a level battleground for all ideological groups because of the expansion of falsehood and disinformation in the computerized age. Election crusades are turning out to be more costly a large number of years, making it more challenging to keep a level battleground for parties with restricted assets. This presents a critical monetary issue. In India, the Election Commission, a free protected body established on January 25, 1950, has been given the position to administer and direct the discretionary cycle. The association administers elections for the high-positioning places of President and VP of India as well as the Lok Sabha, Rajya Sabha, State Authoritative Gatherings, and State Regulative Boards.

Keywords: *Growth, Facing, India, Election, Commission, parliamentary, government*

1.INTRODUCTION

The electorate has adequate power in a parliamentary arrangement of government to pick delegates. In reality, the government is shaped by the ideological group that wins the most seats. Elections in India are viewed as the beginning and end of the country's parliamentary majority rule government; thus the idea of parliamentary and appointive vote based system was novel when it was first proposed in Quite a while. The foundation of delegate organizations and the presentation of the election idea into the country were passed on to English regulations. As a sovereign, majority rule, communist, and mainstream country, India holds free and fair elections consistently as the key guideline. To put it another way, it means an individual's opportunity to cast a ballot without obstruction from others. Thus, the free and fair election process prompted the parliamentary vote based system in India. Nonetheless, in doing as such, the constitution makes a brought together discretionary organization as the election commission, who will be in charge of all election-related issues. On January 25, 1950, the Indian Election Commission was established. Articles 324 to 329 of the Indian Constitution frame the obligations that the election commission is expected to perform at a few levels, including those of the Indian Parliament, State Councils, and the workplaces of the President and VP. This ensures the vote based system's productive and viable activity. Elections really present authenticity on the government's position and consider the quiet progress of capacity to new pioneers. Be that as it may, actually, it depends on how the discretionary framework capabilities and on the off chance that elections are held freely and fairly. Fair constituent organization is important to keep up with public confidence in the popularity based process since elector skepticism could sabotage that conviction. The election device and its activity in a huge country like India couldn't measure up to some other governmental contraption working, regardless of whether laid out by the constitution.

1.1 Issue And Opportunities

1. Elections are fair:

- Voter fraud, which includes actions like impersonation, fake voting, and multiple voting, is one of the main issues. In a nation with a huge and diverse population, it is a difficult responsibility to ensure the identification and eligibility of voters.
- Manipulation: There have been cases of electronic voting machine tampering, incorrect counts, and data manipulation. The confidence in the election process is eroded by these actions.

- Influence from Vested Interests: Elections can occasionally be tainted by the improper influence of strong people, political parties, or special interest groups. This can skew the outcomes and jeopardize the integrity of the voting process.

2. Inclusivity of Voters:

- Marginalized Communities: It might be difficult to ensure the involvement of marginalized groups, such as indigenous populations and those from low-income families. Voter disenfranchisement may be caused by elements including accessibility, education, and lack of knowledge.
- Participation of Young People: Maintaining a healthy democracy requires actively involving young people in its governance. Youth voter participation and education are continuous priorities.

3. Election-related violence:

- Safety and Security: Conflicts between political factions and other forms of electoral violence pose a serious threat to the security of voters, candidates, and election officials. The democratic process depends on maintaining calm conditions throughout elections.

4. Funding a campaign:

- Spending Caps: Political parties and candidates frequently go beyond the spending caps established by the Election Commission, which can result in unfair advantages. To level the playing field, these limitations must be strictly enforced.
- Transparency: It is important to be open about the sources of campaign funding and how those monies are used. Lack of openness can result in corruption and unjustified political influence, which threatens the integrity of the voting process.

❖ Opportunities

1. Utilising technology

- Electoral process can be streamlined by using digital tools for duties like voter registration, candidate nominations, and result dissemination. Election data management may be done securely and effectively using digital technologies.
- Biometrics: Using biometrics, like fingerprint or iris scanning, can improve voter authentication while lowering the possibility of fraud and impersonation.

- Electronic Voting Machines (EVMs): To increase the accuracy and efficiency of vote counting, EVMs have already been employed in elections in India. Elections may become increasingly safer and more effective as a result of further developments in EVM technology.

2. Education of voters

- Voter education programmed may involve awareness efforts that utilize a variety of media and are targeted at particular populations. Voters can gain knowledge of the electoral process and the value of their involvement from these campaigns.
- Civic Education: Civic education programmed can provide participants a greater understanding of democracy, the function of elected officials, and the need of sound governance. This understanding goes beyond election-specific material.

3. Creative Techniques:

- Online voter registration: Making it possible for voters to register online can streamline the registration process and make it more comfortable and available.
- Postal ballots for expatriates: Enabling Indian nationals who live abroad to vote by mail can guarantee their participation in the political process.
- Voting systems powered by blockchain technology have the potential to be transparent and safe. By ensuring the immutability of votes, it can improve the integrity of elections.

4. Worldwide Cooperation:

- Knowledge Exchange: Working with international electoral authorities and organization's enables the exchange of innovative election management techniques, experiences, and best practices.
- Global debates: India can contribute to worldwide norms and learn about new trends in electoral practises by taking part in international debates on election management.

5. Legal Reforms:

- Electoral Integrity: By addressing issues like campaign funding laws, candidate eligibility standards, and electoral dispute resolution procedures, legal reforms can be made to promote election integrity.
- Transparency: Reforms can improve transparency in the financing of political parties, the running of elections, and the oversight of campaign spending.

1.2 Electoral bond Policy

In order to increase the transparency of political funding to political parties, electoral bonds were first introduced in India. The Indian government first launched these in 2018. The goal was to make political contributions more transparent and accountable while reducing the use of cash for support.

- **Election Bonds May Be Acquired By:** Any person, business, partnership, or organisation is permitted to purchase electoral bonds. This implies that these bonds can be purchased by both natural persons and legal entities like companies. The purpose is to enable a diverse group of donors to contribute to political fundraising in a more open way.
- **Denominations:** There are several different denominations of electoral bonds, ranging from INR 1,000 to INR 1 crore. Donors have options based on their resources and willingness to give, thanks to these several denominations.
- **Validity Interval:** From the date of issuance, electoral bonds are valid for 15 days. The bondholder may contribute the bond during this 15-day period to any qualified political party. This window of time is intended to prevent the bonds from being hoarded and to guarantee that they be swiftly used for political donations.
- **Political parties that are eligible:** The only political parties that are qualified to receive electoral bonds are those that have been registered as such under Section 29A of the Representation of the People Act, 1951, and that have received at least 1% of the votes cast in either the most recent Lok Sabha or State assembly elections. The goal of this requirement is to restrict the distribution of bonds to well-known and respected political parties.
- **Donor Identity Confidentiality:** The confidentiality of the donor's identity is one of the primary characteristics of electoral bonds. Donors of electoral bonds remain anonymous to the public when they make their contributions. The goal of this function is to safeguard the security and privacy of donors. However, it has caused debate since it raises questions about political financial transparency.
- **Redemption and Purchase:** You can buy electoral bonds from a few branches of accredited banks. Donors can then give the bonds they have purchased to the political party of their choice. These bonds can be redeemed by the political party using its bank account. A more transparent and accountable method of making political donations is made possible by this technique.
- **Maximum Donations Per Year:** The amount of money that a person or organisation can contribute through electoral bonds is not capped, but political parties are required to declare the specifics of every electoral bond

they receive to the Indian Election Commission. The Election Commission will have access to information on donations made to political parties thanks to this reporting, increasing openness.

1.3 Election Reforms via Supreme Court Decisions

It addresses a number of topics, including voter qualifications, the creation of electoral rolls, and the distribution of seats and boundary lines for electoral purposes in the House of Representatives and State Legislatures. The following are notable rulings from the Supreme Court concerning election reforms:

- **Disqualification of Candidates in Custody:** This 2013 Supreme Court decision, upheld, stipulates that candidates in custody who are lawfully under police or court supervision (except from preventative detention) are not eligible to run for office. This ruling was based on a portion of the RPA that prohibits people who are detained from acting as "electors."
- **Disqualification upon Criminal Conviction:** The Supreme Court ruled that the clause giving lawmakers a three-month chance to appeal their criminal convictions was unconstitutional. Following conviction and sentencing, the verdict required immediate disqualification.
- **NOTA (None of the Above) is introduced.** Voters were given the opportunity to reject any and all candidates if they were deemed unworthy by the Court. This was done in an effort to uphold the integrity of the election process and force political parties to nominate more qualified candidates.
- **Voter Verifiable Paper Audit Trail (VVPAT) systems must be installed on Electronic Voting Machines (EVMs) following the Election Commission's mandate from the Court in order to guarantee election integrity and transparency.**
- **Election Manifesto Regulation:** The Election Commission was given instructions by the Court to develop guidelines governing the promises (freebies) made by political parties to guarantee free and fair polling.
- **Ban on Caste-Based Rallies:** In an effort to preserve social harmony and unity, the Allahabad High Court temporarily suspended the state's political parties' regular practise of holding caste-based rallies in Uttar Pradesh.
- **Information to Be Disclosed in Nomination Papers:** The Supreme Court decided that candidates had to include all relevant information. Nomination papers may be rejected if columns are left blank or if important information is withheld. This is considered a violation of voters' rights.

2. REVIEW OF LITREATURE

The study of Chawla (2019) offers a thorough analysis of the difficulties and opportunities related to Indian elections. A credible organisation with a reputation for doing meaningful research is The Observer Research Foundation. This source likely digs into a number of facets of the Indian electoral process, providing insightful information for decision-makers, researchers, and anyone who are curious about Indian politics.

The publication of Rajeev's (2017) academic piece in a peer-reviewed journal lends the findings more authority. This source is likely to examine the difficulties and opportunities presented by the organisation in charge of overseeing elections in India, with a focus on the Election Commission of India. For individuals who are curious about the complexities of Indian election management, it can be a useful resource.

N. Sethi (2018) Sethi's article certainly provides a critical assessment of election management in India because it was published in the Economic and Political Weekly, a prominent journal in the fields of political science and economics. The source is anticipated to talk about the difficulties election management officials confront and suggested areas for improvement.

The innovations and difficulties in the Indian election process appear to be the main topics of Jha's study from 2019, which was published in the Journal of Constitutional and Parliamentary Studies. This source will probably examine how changes in technology and other advances have impacted India's political system.

S. Mitra (2016) A reputable venue for academic political science study is the Indian Journal of Political Science. The essay by Suri and Mitra on electoral reforms probably looks at the difficulties and possibilities brought on by changes to the Indian voting system.

Singh's (2020) study focuses on how India's election management uses e-governance. This source will likely explain how e-governance projects are changing the electoral scene, along with the problems and opportunities connected with this change, in an era where technology plays a crucial role in elections.

3. FUNCTIONS OF ECI

A majority rule government surmises that the presidential branch is chosen and liable to both the public and state lawmaking bodies. The groundwork of all equitably chosen administering substances is the holding of free and fair elections. Thus, the Indian Constitution (section 15) offers the election its appropriate consideration, stressing the need of free and fair elections. The Election Commission of India was laid out by the Constitution (Articles 324-329) to supervise elections for the workplaces of President and VP, Parliament, and State Lawmaking bodies to complete the protected command free of charge and fair elections. Parliament changed the Constitution in 1992 to

lay out a comparative free sacred power, the State Election Commissioner, for each State to lead elections to Panchayats and districts, separately This was finished in acknowledgment of the meaning of free and fair elections, in any event, for Panchayats and Regions.

3.1 Participation of people in the election

The biggest grown-up establishment a majority rule government on the planet is tracked down in India. Elections are held frequently with the goal that electors can use their entitlement to cast a ballot. Election support is the expression used to portray elector inclusion. From the direct demonstration of casting a ballot to far and wide political movement in the political cycle, discretionary support is an essential part of every political action. At the end of the day, it involves something beyond projecting a voting form in elections. It could involve joining an ideological group, partaking in a political gathering, exhibit, or rally, campaigning for office in the nearby government, state council, or parliament, keeping in contact with the chosen authorities, presenting a request to the government requesting the change of complaints of individuals, and different other political framework related exercises.

Political support and electing cooperation are two particular things. Political contribution envelops a large number of political activities that are worried about the activity of a country's political framework, as opposed to discretionary cooperation, which is restricted to the lone demonstration of casting a ballot at general elections. The issue of whether to have a unified election commission, as in England, or to empower each state to have its own election commission, similar to the case in the US of America, was one of the significant issues that the individuals from the constituent Gathering needed to manage. The constituent Get together individuals had an extended discussion on this issue. A common unified authority was laid out in the first draft of the Indian constitution to supervise elections for both the public and state governing bodies. The H. V. Pateskar correction meant to give the election commission command over parliamentary elections while giving separate mechanical assembly command over state governing bodies. Be that as it may, the possibility of a solitary election authority was acknowledged considering the benefits and viability of predictable election methodology, cycle, and practice. B. R. Ambedkar immovably upheld the making of a solitary electing commission with power over all elections for state councils, the public lawmaking body, and the places of the president and VP.

The contention that the government in certain regions was meddling and overseeing things so that the people who don't have a place with them either socially, racially, or etymologically were being barred from electing rolls was

likewise used to help the contention for unifying election authority into a solitary body, in particular the 19 Election Commission of India (Constituent Gathering Discussions, 1949: pp 912-913).

He guaranteed that the underlying thought of Article 289 was to have one commission handle both the upper and lower house elections for the public council as well as discrete election commissions for each area.

To guarantee that no Indian resident is dealt with unjustifiably, it has been recommended that the whole election contraption be put heavily influenced by a focal election commission, which alone has the power to give directions to restoring officials, surveying officials, and those liable for getting ready and overhauling electing rolls. The ongoing articles of the draft constitution had been radically and generally adjusted by this (Constituent Gathering Discussions,)

3.2 Election commission adoption and key characteristics

On August 15, 1947, the Indian Autonomy Act was passed, taking into account the exchange of power from the English Domain and its Parliament to the Constitution Gathering. Subsequently, the Constituent Gathering met at 12:01 a.m. on August 14 and 15, 1947, with Rajendra Prasad as its executive, to take care of the organization of a free India. The Lead representative General officially gathered the Constituent Get together, which had its most memorable meeting on December 9, 1946. 210 members — addressing all features of English India's populace — took part in the gathering. The Indian Freedom Demonstration of 1947 was placed into impact, which caused a ton of changes in the climate and gave the Constituent Get together sovereign political constituent power. The Constituent Gathering laid out a Drafting Council on August 29, 1947, with B.R. Ambedkar filling in as its director. The master bunch, as per a February 21, 1948 distribution, "epitomized the choices of the Gathering with elective and extra recommendations in type of the draft constitution of India." In November 1948, the Constituent Get together met again to examine the draft's statement by-proviso arrangements. The second perusing of the arrangements was done on October 17, 1949, after various meetings. On November 14, 1949, the constituent Gathering reconvened for the third perusing of the last draft. The occupation was finished on November 26, 1949, when the constitution was endorsed by the Leader of the Gathering and considered to have been supported.

The constituent gathering's obligation was done when the President legitimately marked and ensured the constitution. Then, the establishing Get together was broken down. For sure, as of November 26, 1949, a particular article of the constitution became usable right away. While the remainder of the constitution produced results on January 26, 1950, these Articles accommodated citizenship, elections, the Leader of India's pledge of office, and the production of the constituent commission.

The way that the Indian Election Commission is a multi-part body is another critical viewpoint. The election commission has just at any point had one part, in spite of the way that Article 324, provision (2) of the Constitution requires the president to assign both the director and another election commissioner.

In any case, during the Top state leader Rajeev Gandhi organization, the President delegated two Election commissioners, S. S. Dhanoa and V. S. Seigal, before to the ninth Lok Sabha elections, and thus, the Election commission turned into a multi-part body interestingly. In any case, when V. P. Singh's government took office following the elections, these two individuals were taken out, and the election commission was decreased to a solitary individual. Yet again the Election Commission, nonetheless, turned into a multi-part body on October 1, 1993, after the president marked a demonstration restricting its enrollment to three, which likewise incorporated the main election commissioner. Accordingly, notwithstanding head election commissioner T. N. Seshan, M. S. Gill and G. V. G. Krishnamurthy were picked by the president to act as election commissioners. The next year, the law was changed into a Demonstration, and this Act balanced the election commissioners with the main election commissioner. Presently since they have equivalent power, they can, in the event that they need, overrule the main election commissioner by an edge of two to one.

4. ELECTION COMMISSION

On January 25, 1950, the constituent commission was comprised. As indicated by Article 324 of the Indian Constitution, the election commission of India has the ability to regulate, direct, and control the whole interaction for overseeing elections for the workplaces of President and VP of India at both the Parliamentary and State Governing body (State Authoritative Gathering and State Administrative Committee) levels.

On October 16, 1989, the Commission, which had once just had a main election commissioner, changed into a multi-part body. Notwithstanding, they just had until January 1, 1990, to do as such. Two extra Election Commissioners were therefore designated on October first, 1993. From that point forward, the discretionary commission works as a multi-part body with larger part deciding in favor of choices.

4.1 Responsibilities of the electoral commission

The Election Commission is conceded significant powers under Article 324, proviso (1) of the Indian Constitution, including management, direction, and command over the lead of elections. The Portrayal of Individuals Act, 1951, and the Standards and Orders made thereunder have been enhanced, which gives the Commission extra power. In the Mohindra Singh Gill case, the High Court decided that the words "administration," "heading," and "control" as

utilized in Provision (1) of Article 324 breathing are wide and may incorporate the powers to make any regulations that Parliament might pass or State governing bodies might pass under Articles 327 and 328 of the Constitution, separately. As per the High Court, Article 324 provides the electing commission with an abundance of power.

circumstance The constituent commission "has the innate and whole ability to act in such a void region inside its allowed space without seeking any outer expert for conferment of abilities." subsequently, the High Court noticed that the Election Commission's abilities "are basically managerial and somewhat adjudicative or regulative." The Court additionally decided that the power conceded under passage (1) of Article 324 of the Constitution is comparable to residuary position to resolve any issue that isn't tended to by a rule passed by the Parliament or a State Governing body.

To direct the elections in a free and fair manner, the election commission has been given the power to do various undertakings, obligations, and commitments. These election-related obligations start with the notification of the elections and go the entire way through the declaration of the outcomes. The Election Commission of India has been given power under the Indian Constitution to regulate, direct, and supervise the entire election process for the President and VP of India, as well as the Parliament and administrative groups of each state.

The election commission hosts the position to perceive political gatherings, and all public and state parties are given constituent images by the election commission. At the point when an ideological group parts, the Election Commission obviously has the position to determine election image debates.

The constituent commission has the position to give a set of principles that will be trailed by all up-and-comers and citizens during the election. For elections to be led in a free and fair manner, the electing commission has regulated the country's election hardware.

The delimitation commission, an unbiased body entrusted with readingjusting the outline of supporters, incorporates the main election commissioner as an ex-officio part.

The power and obligations of the Election Commission are broad and interlaced, and they are additionally depicted underneath. The expression "elections" in Article 324 alludes to the whole election process, which includes various techniques, some of which affect the selection of a competitor. It contains all activities taken following the declaration of the election's holding.

The Returning Official is committed to follow any requests gave by the commission with respect to a second survey of the designation reports. The commission's mandate to repudiate the election notice for the Regulative Gathering

of a State in light of the fact that a contender for an ideological group had been hijacked to keep him from finishing selection papers has been maintained.

4.1.1 Election machinery at state level

A senior individual from the State Government is proposed for selection as the Boss with the State Government at the state level. The Election Commission's Boss Appointive Official (Chief) is in discussion with the State Government. The state's constituent rolls are ready and surveyed under the heading of the boss appointive official.

The Central election Official administers the state's election mechanical assembly. As indicated by the standards, a boss discretionary official is an individual chosen by the state government to do the obligations of the position. At the state level, there was no different discretionary body, and the election cycle was supervised by the ordinary managerial contraption. Furthermore, during the Overall Election of 1951-1952, state governments laid out people with titles like State Election Officials and accused them of leading the elections (Report First Broad Elections in Quite a while.)

4.1.2 Election machinery at district level

In the overall elections that have been all held up until this point, the locale level authoritative construction of the appointive framework has varied from one state to another. A locale election official, for instance, dealt with election obligations in a few states. In its report on the third broad elections, the Election Commission had proposed that a different place of locale election official be laid out, and that the person in question be given lawful position to facilitate and supervise movements of every kind connected with the creation and update of discretionary rolls, as well as the lead of the election in the region.

On the exhortation of the Indian Election Commission, the Portrayal of Individuals' Demonstration was changed in 1966 to incorporate arrangements for the arrangement of a locale election official. An official of the state government is selected by the election commission to act as the region election official for each locale in the state and association domain. Area Election Official designations normally come from the Representative Commissioner, the authority, or the Chief Top of the Civil Partnership. He is answerable for coordinating and dealing with all election-related exercises in the region. Thus, the area election official's essential obligation turns into the methodical and legitimate organization of elections at the region level.

4.1.3 Election machinery at constituency level

Since each election-related task is completed at the voting demographic level, choosing compelling election device at that level turns out to be essentially central significance. The readiness and update of appointive rolls for the direct of an election can be comprehensively partitioned into two phases. At the supporter's level, there are legal officials, including the Discretionary Enrollment Official and Right-hand Appointive Enlistment Official, as well as the Returning Official and Colleague Bringing Officer back. These authorities are picked by the voting public's election commission to manage elections. The Appointive Enlistment Official gets ready and updates the rolls at the voting demographic level.

The Boss of a Huge Metropolitan Council, SDM (Common), and Tehsildar are designated as a discretionary election official in the Voting public and help the election commission as at least one partner electing returning officials (Chawla and Bhalla,).

In India, elections are held at the voting demographic level. As per Article 82 of the Voting public, elections in every supporter should be led as per any regulations breathed easy to time by Parliament. Hence, the primary election in a 44 Electorate, where the whole election process is carried on as a show, might be parliamentary for the state gathering. A parliamentary voting demographic or gathering supporters can see the genuine election situation.

5. CONCLUSION

The whole election process is completed supporters by-body electorate; subsequently, the selection of viable election mechanical assembly at the voting demographic level has for all intents and purposes vital significance. Election planning in the electorate can be generally partitioned into two phases: the creation and correction of discretionary rolls for the lead of an election. At the body electorate level, there are legal officials, including the Discretionary Enrollment Official and Collaborator Electing Enlistment Official, as well as the Returning Official and Aide Bringing Officer back. To lead elections, these Officials are picked by the constituent commission in the electorate. The Constituent Enlistment Official is liable for making and refreshing rolls at the voting public level. The Top dog of a Huge Civil Council, Tehsildar, and at least one Right hand Constituent Returning Officials are named as Electing Election Officials in the Voting public to help the Election Commission (Chawla and Bhalla). At the voting public level, India's discretionary cycle works. As per Article 82 of the Voting demographic, every body electorate's elections should be held as per any regulations relaxed to time by Parliament. Thusly, a 44 Body electorate might be parliamentarian of the state get together is the essential election dark where the whole election process is performed like a show. From a parliamentary or get together electorate, one can notice the real election

scene. The pattern of growth for India's Election Commission mirrors the changing elements of the best majority rules system on the planet.

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