

# Indian electoral system explained



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Federalism is a political term which means a group of members bound by a legal agreement guided by a representative leader. India is a federal nation where the legal agreement is synonymous to the Constitution of India and group of members comprise of the 29 states and 7 union territories. It includes a three tier system where the first is the Central Government, second is the State Government and third tier is in the form of panchayats and municipalities. With an exception of Article 370 (with reference to J&K), Article 371 (with reference to North Eastern States and Andhra Pradesh) and the Presidents Rule makes the federalism for India, asymmetric.

It is one of the important aspects of a government organization to provide a tool for change, in legal terms this tool is called Elections. An election in a nation provides opportunities to its people to select in terms of their better prospects. The supreme legislative body in India is comprised of The President and the two houses namely Lok Sabha (Lower House or House of the People) and Rajya Sabha (Upper House or Council of States).

In India, elections take place at federal, state and local level. Elections are conducted by the Election Commission of India. At national level the Prime minister (Head of the Government) is elected by the members of the Lok Sabha. All the members of Lok Sabha are directly elected through general elections which are held in every five years under normal circumstances by the people of India also called *Universal Suffrage* which consists of right to vote to the adult citizen which also includes extending the rights to minors and non-citizens, except for the two members which can be nominated by the president of India. The members of the Rajya Sabha, the Upper House

are elected by the elected members of the legislative assemblies of the states and the Electoral College for the Union Territories of India.

### Indian Electoral System

The House of the People (Lok Sabha) represents citizens of India provided by the Constitution of India, currently the members of Lok Sabha are 545, out of which 543 are elected for five-year term and two members represent the Anglo-Indian community. The 545 members are elected under the plurality electoral system. The Council of States (Rajya Sabha) has 245 members, 233 members elected for a six-year term, with one-third retiring every two years. The Vidhan Sabha or the Legislative Assembly is the lower house (in states with bicameral) or the sole house (in unicameral states) of the provincial (state) legislature in the different states of India.

A Member of Parliament (M. P.) is a representative of the voters to a parliament. In many countries with bicameral parliaments, the term applies specifically to members of the lower house, as upper houses often have a different title, such as senate, and thus also have different titles for its members, such as senators. A Member of the Legislative Assembly (MLA) or a Member of the Legislature (ML), is a representative elected by the voters of a constituency to the legislature or legislative assembly of a sub-national jurisdiction.

The members of Rajya Sabha are indirectly elected, this being achieved by the votes of legislators in the state and union (federal) territories. The twelve nominated members are usually an eclectic mix of eminent artists (including actors), scientists, jurists, sportspersons, businessmen and journalists and

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common people.[3]The elected members are chosen under the system ofproportional representationby means of theSingle Transferable Vote.

Qualifications for becoming a member:

Lok Sabha:

According to Indian Constitution for a person to be a member of Lok Sabha he/she should be a citizen of India and must subscribe before theElection Commission of Indiaan oath or affirmation according to the form set out for the purpose in theThird ScheduleofIndian Constitution, the person should have his/her name in the electoral rolls in any part of the country, should be at least twenty five years in age, must possess such other qualifications as may be prescribed in that behalf by or under any law made byParliamentand should not be proclaimed criminal i. e. they should not be a convict, a confirmed debtor or otherwise disqualified by law. Though it's not necessary for the person to belong to the same state from which he/she is contesting the election.

A person cannot be a member of both Houses of Parliament in which case provision shall be made by Parliament by law for the vacation by a person. A member both of Parliament and of a Legislative Assembly of a State.

Rajya Sabha:

According to the Article 84 of the Constitution of India, for the membership of Rajya Sabha a person must be a citizen of India, should be thirty or more in terms of age, should subscribe before the Election Commission of India to the form set out for the purpose in theThird ScheduleofIndian

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Constitutions similar to the Lok Sabha, must possess qualification as prescribed by the law in Indian Constitution, Be elected by the Legislative Assembly of States and Union territories by means of Single transferable vote through Proportional representation. The twelve members nominated by the president of India are not eligible to vote in the presidential elections.

Vidhan Sabha:

According to the constitution of India for the membership of Vidhan Sabha the person should not be aged less than 25 years, the person should have a clearance affidavit conforming that there are no criminal procedures or proceedings against him/her, also the person should be mentally and financially stable i. e. should not be bankrupt. The Speaker of Vidhan Sabha acts as a neutral judge and manages all debates and discussions in the house. Usually he is a member of the stronger political party.

Lok Sabha Elections:

Lok Sabha consists of representatives of people chosen by direct election on the basis of adult suffrage. Consisting of total 552 members out of which 530 are representatives of states remaining 20 members are representative of Union Territories and maximum two members are members of the Anglo Indian Community which are nominated by the president of India.

The total elective membership is distributed among the States in such a way that the ratio between the number of seats allotted to each State and the population of the State is, so far as practicable, the same for all States. The total membership of members from each state is selected on the basis of

ratio of their population. A total of 131 seats are reserved for Scheduled Castes (84) and Scheduled Tribes (47) representatives.

Each Lok Sabha is elected for the term of five years unless it is dissolved in-between. In case of *proclamation of Emergency* the operating period of Lok Sabha can be extended up-to one year and maximum of six months if the proclamation has ended.