Assessing the Impact of Electoral and Administrative Reforms on Indian Democracy - A Review

Swarna Devi^{1*}, Dr. Rachna Yadav²

¹ PhD Research Scholar, Shri Venkateshwara University, Uttar Pradesh, India

Email: swarnabhougal48@gmail.com

² Guide, Shri Venkateshwara University, Uttar Pradesh, India

Abstract - This review article provides an analysis and evaluation of the effects that electoral and administrative changes have had on the democratic system in India. Electronic Voting Machines (EVMs), voter identity cards, decentralization via Panchayati Raj institutions, digitization of government services, and anti-corruption initiatives like as the Right to Information (RTI) Act, Lokpal, and Lokayuktas Act are some of the important changes that are discussed in this report. Elections are a crucial aspect of a democratic polity, reflecting the attitudes, values, and beliefs of the people towards their political environment. They grant the people the right to govern and are the central democratic procedure for selecting and controlling leaders. Elections allow the people to express their faith in the government and change it as needed. They symbolize the sovereignty of the people and provide legitimacy to the government's authority. Free and fair elections are indispensable for the success of democracy, as mandated by the Constitution for parliamentary democracy. The growth of a democratic polity can only be achieved through a content of free, fair, and effective election processes in the legislative bodies. This article examines the success of these changes in promoting transparency, accountability, public involvement, and governance efficiency within India's democratic framework. It delves into the obstacles that these reforms face as well as the implications that they have. In addition to this, it addresses possible areas for additional reform efforts and changes to be made in order to boost elections in India.

Keywords- Elections, Reforms, Issues, Democracy, Criminalization of Politics, Money Power.

INTRODUCTION

Elections are the basic foundation upon which democracy is built. A democracy is a form of government in which citizens are able to engage in public affairs and express their will via the process of voting. Again, elections are the means by which power is transferred in a democratic system in a way that is both peaceful and orderly, and they are the means by which the authority of the government is clothed with legitimacy. The elections, therefore, not only maintain democracy but also give it a sense of vitality. Consequently, the holding of elections that are both free and fair is an essential component of democracy. Not only is India the most populous democracy in the world, but it is also the biggest democracy in the world. In addition to this, in contrast to the majority of the established democracies throughout the globe, India continues to struggle with issues such as poverty, illiteracy, and other similar issues, much like the majority of the developing nations. In addition to being very large, its electorate is also incredibly diversified, which is a reflection of the social mosaic's many different castes, religions, regions, languages, and other characteristics. It is a tremendous challenge to hold elections on a regular basis in the nation while simultaneously promoting widespread involvement from the populace. According to India's history in this respect, periodic elections have been a consistent and successful element of India's democracy for the last seventy years. These elections serve as a way of ensuring a seamless transition of power from one party to another. Furthermore, Indians have repeatedly shown their confidence in elections as the most effective method of non-violent and peaceful protest against all actions, omissions, and misdeeds of the government. This is something that has been done on several occasions. Elections have thus become an important component of India's democratic system, just as they are across other prosperous liberal democracies around the globe (Acharya, S. 2020).

Over the course of the years, however, there have been a few anomalies that have become more apparent in the functioning of the voting system. There is now a discussion going on in the nation about election changes as a result of the need to address such unsettling issues. The Election Commission, vested with the actual power superintendedness, direction, and control of elections in the country, has, from time to time, come up with concrete proposals or suggestions based on objective difficulties encountered in the conduct of elections. This power is vested in the Election Commission by the Constitution. It is via the platform of parties and Parliament, including the many committees that have been established for the purpose, that politicians have expressed their desire for change. In addition, governments have decided to implement specific corrective actions in response to the suggestions made by a number of different committees. As far as I can tell, the process of changes and the discussion that has been going on in this respect have been nearly continuous processes.

A massive and comprehensive election system is in place in India, which is the largest democracy in the world. 23.1 million eligible voters were first-time voters between the ages of 18 and 19 in 2014. There were 8251 candidates running for 543 seats in the Lok Sabha in 2014. The number of eligible voters who participated in the election was 66.38%, making it the greatest voter participation ever recorded in the history of the Indian General Elections. 81.45 crores of Indians were included on the list of eligible voters, and 55.1 crore voters exercised their right to vote (Chaturvedi et al. 2018). The country spent a total of Rs. 3426 crores on the elections. On May 16, 2014. the results of the election were announced, and there were around 9,30,000 voting sites across the nation. When compared to the total population of the majority of nations across the world, the election workforce is much larger. Since the country's independence, India has successfully held sixteen elections for the Lok Sabha and multiple elections for the members of the states. In a democratic system of administration, elections are the most significant and vital component of politics. This is because elections legitimize political power and are efficient tools of determining the will of the people during elections. The present elections, on the other hand, are not being conducted under perfect circumstances because of the fact that winning the elections requires a significant quantity of muscular strength and a tremendous amount of money. Since the fifth general elections in 1971, the electoral system in India has been plagued by major flaws, one of which is political corruption. This corruption manifested itself in subsequent elections, particularly those conducted in the eighties and beyond, and has continued to grow in frequency. At whatever cost, and regardless of their moral principles, there are candidates and parties who engage in the electoral process.

INDIA'S ELECTORAL REFORMS AND REFORMS

Since the late 1960s, India has been seeing a growing awareness of the need of electoral changes occurring. Up until that point, the election system had been functioning pretty smoothly, with the exception of a few

anomalies, which took the shape of certain malpractices such as rigging or violence, which were quite rare in number. The majority of the states and the central government were ruled by a single political party. Following the Fourth General Elections, which took place in 1967, this situation started to undergo a transformation. In the United States, the emergence of regional parties and the control of coalitions of parties started to take place. As a result of the formation of alternative party administrations in the state, some negative characteristics and distortions in the political system were more pronounced. These characteristics and distortions expressed themselves to a higher degree in electoral politics. In the year 1970, a parliamentary Committee was established for the very first time with the purpose of proposing revisions to the Election Law from every possible viewpoint. On the other hand, the existence of this Committee came to an end in December of 1970, when the Lok Sabha was dissolved. A joint Parliamentary Committee on Amendments to Election Law was established by the Parliament in 1971, after the Constitution of a new Lok Sabha. Shri Jagannath Rao was appointed as the chairman of this collective committee (Dhawan, S. 2019).

In succeeding years, a number of committees, including the Tarkunde Committee (1974), the Dinesh Goswami Committee (1990), the V.K. Krishna Iyer Committee (1994), and the Indrajit Gupta Committee (1998), have been established in order to investigate concerns that are associated with electoral changes. In addition to these, the Election Commission has also, on occasion, put up suggestions for changes to be made. The proposals that the Election Commission has made about election changes have been presented in the years 1977, 1982, 1990, 1992, and 2004. These recommendations date back to 1970. In addition to this, political parties have come out with suggestions for election changes via the platform of all-party meetings. In addition, the Law Commission, which turned out to be the 15th Law Commission, was established in November of 1977 with the purpose of conducting a comprehensive study of the Representation of the People Act of 1951. The objective of this research was to determine and identify the required steps that need be taken in order to implement electoral changes. It has been reported that the Law Commission has handed in its 170th report concerning the reform of the Election System. In addition, the government has, on occasion, taken corrective actions in order to make amends.

Proposals for reforms

It was in the case of "Public Interest Foundation & Others V. Union of India & Anr- Writ Petition (Civil) No. 536 of 2011" that the Supreme Court of India issued a directive to the Law Commission of India, requesting that they provide recommendations on two specific issues. These issues are as follows: (i) "curbing criminalization of politics and needed law

reforms"; and (ii) "impact and 7 consequences of candidates filing false affidavits and needed law reforms to check such practice." Taking into consideration the verdict, the Commission focused its efforts exclusively on these two areas. Following a series of deliberations, which were followed by a National Consultation that took place on the first of February 2014, the Commission presented its 244th Report, which was titled "Electoral Disqualification," to the Government of India on the 24th of February 2014.

The Union Law and Justice Ministry received the Report No. 255 on "Electoral Reforms" that was compiled by the Law Commission of India. Justice Shri A. P. Shah, Chairman of the Law Commission of India, submitted the 201-page report after giving it serious attention and engaging in debates with the many stakeholders, which included registered national and state political parties, as well as conducting a thorough and in-depth research of a variety of topics. This is a summary of the report on the numerous problems that were mentioned in the report, which are as follows:

- 1. Election Finance: The Law Commission has proposed extensive reforms on the issue of expenses incurred by candidates, including limits, disclosure obligations of individual candidates and political parties, and penalties that can be imposed on political parties. Additionally, the Law Commission has examined the issue of state funding of elections. An example of a technique of financing political campaigns is the electoral bond system, which was launched in 2018. The purpose of this initiative was to provide more accountability in order to combat the rising threat posed by black money and to encourage openness in the financing and contributions that political parties receive. A political party that is registered under the Representation of the People Act of 1951 and that has received more than one percent of the votes cast in the most recent election for the Lok Sabha would be the only one that would be eligible to receive the bonds. In light of the existing state of affairs in the nation, the Commission does not believe that it would be possible to implement a system that funds elections entirely via the state or that provides matching grants.
- 2. Regulation of Political Parties and Inner Party Democracy- Democratic theory may be regarded of as including descriptions of both procedural and substantive democracy. An example of this would be the regulation of political parties and the democracy that exists inside parties. A practice that may be referred to as procedural democracy is the practice of universal adult franchise, periodic elections, and secret ballots. On the other hand, substantive democracy can be said to relate to the internal democratic functioning of the parties, which are supposed to represent the

- people. inside this section, we discuss the democratic processes that take place inside parties, as well as the subject of how parties ought to operate and how they need to control themselves.
- 3. Proportional Representation It is abundantly evident that both of the election systems come with their own set of advantages and disadvantages. Proportional representation, on the other hand, is theoretically more representative, although the first-past-the-post system is more stable. It is also evident, based on the experiences of other nations, that any modifications to India's electoral system would need to adhere to a hybrid pattern that incorporates parts of both direct and indirect elections. In turn, this will entail an increase in the number of seats in the Lok Sabha, which raises issues over the effectiveness of the Lok Sabha's functioning.
- 4. Anti-Defection Law in India The Law Commission suggests suitable а amendment to the Tenth Schedule of the Constitution. This amendment would have the effect of vesteding 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 would perform their duties in accordance with the advice of the ECI. As a result, this would contribute to the maintenance of the Speaker's office's integrity. Over the last several days, the Supreme Court has handed down a decision that has the potential to have far-reaching implications for legislative assemblies. There were two significant declarations issued by the Court. In the first place, the Speakers of both the State Assemblies and the Parliament are required to make a decision on petitions to disqualify members within a period of three months, unless there is an exceptional scenario. The court also ruled that it is within the courts' authority to intervene in the event that the procedures are delayed. Secondly, the court made a recommendation to Parliament, suggesting that it should seriously contemplate the removal of the disqualification powers of the Speakers and the establishment of an independent tribunal to handle these petitions. Due to the fact that Speakers almost always come from the parties that are currently in power and behave in a political manner, our idea is based on this fact.
- 5. Strengthening the office of the Election Commission of India The Election Commission of India (ECI) should be strengthened by first providing equal constitutional protection to all members of

the Commission in matters of removability; second, making the appointment process of the Election Commissioners and the CEC consultative; and third, establishing a permanent but independent Secretariat for the ECI.

- 6. Paid News and Political Advertisements Amendment in the RP Act 1951, to provide that publishing and abetting the publishing of "paid news" for the purpose of furthering the prospect of election of any candidate or for the purpose of prejudicially affecting the prospect of election of any candidate be converted into an electoral offence under chapter-III of part-VII of the RP Act, 1951, with a minimum of two years of imprisonment as a punishment. Disclosure measures should be made necessary for all kinds of media in order to put a stop to the practice of disguising political advertisements; this will help curtail the behavior.
- 7. In accordance with Section 126 of the Representation of the People Act of 1951, which prohibits, among other things, holding, convening, or attending any public meeting or procession, "display to the public any election matter by means of cinematography, television, or other similar apparatus," during the period of forty-eight hours ending with the hour that is fixed for the conclusion of the poll, opinion polls are prohibited. When the aforementioned ban is violated, it is a criminal offense that may result in a fine, imprisonment for up to two years, or both of these penalties.
- 8. The Law Commission does not recommend the implementation of compulsory voting in India. In fact, it is of the opinion that it is highly undesirable for a variety of reasons that have been described above, including the fact that it is not democratic, that it is illegitimate, that it is expensive, that it is unable to improve the quality of political participation and awareness, and that it is difficult to implement.
- 9. Petitioning for Elections The Election Commission has proposed a wide range of adjustments in order to address "disputes to be resolved regarding elections."

 In situations when a majority of the votes have been polled in favor of the NOTA option, the Law Commission is presently against the expansion of the NOTA concept to add a right to reject the candidate and invalidate the election. This is because the Law Commission believes that the right to reject would be a violation of the principle.
- 10. The Right to Recall The Law Commission is not in favor of introducing the right to recall in any form because it has the potential to lead to an excessive amount of democracy, it

- undermines the independence of the elected candidates, it ignores the interests of minority groups, it increases the likelihood of misuse and abuse, it is difficult and expensive to implement in practice, and it is especially difficult and expensive to implement in India because it follows the first past the post system.
- 11. Totalizer for Counting Votes The Commission reaffirms and supports the request made by the ECI to use a totalizer for the counting of votes recorded in electronic voting machines. This is done with the intention of preventing the harassment of voters in regions where voting patterns in each polling station may be ascertained. It was possible to combine ballot papers in accordance with Rule 59A of the Election Rules prior to the introduction of electronic voting machines (EVMs), but this was not authorized for EVMs. An enhancement in the confidentiality of votes throughout the counting process would be achieved by the use of a totalizer. This would avoid the exposure of voting trends and alleviate concerns about intimidation and victimization.
- 12. Restrictions on Government-Sponsored Advertisements The Commission suggests that measures should be taken to regulate and restrict advertisements sponsored by the government six months before the expiration of the House or Assembly. This is done with the intention of preserving the integrity of elections, preventing the use of public funds for partisan purposes, such as highlighting the achievements of the government, and ensuring that the ruling party or candidate does not obtain an unfair advantage over another during elections.
- 13. Restrictions on the Number of Seats from Which a Candidate May Contest The Law Commission suggests that section 33(7) of the RPA be amended. This provision allows a candidate to run for any election (parliamentary, assembly, biennial council, bye-elections) from up to constituencies. Law Commission The advises that this provision be amended. Considering the amount of time and effort that is spent, the exhaustion that is experienced throughout election the process, and the harassment that is inflicted upon the voters, section 33(7) need to be altered so that candidates may only run from a single constituency.
- 14. It is recommended by the Law Commission that independent candidates be disbarred from participating in elections. This is due to the fact that the current system permits a

large number of independent candidates, the majority of whom are either dummy or nonserious candidates or those who stand (with the same name) solely for the purpose of increasing the confusion among voters. It is thus necessary to change sections 4 and 5 of the RPA in order to make it possible for only political parties that have been registered with the ECI in accordance with section 11(4) to run for elections to the Lok Sabha or Vidhan Sabha. Preparation of Common Electoral Rolls and Applications of These Rolls The proposals made by the Election Commission of India (ECI) regarding the implementation of unified electoral rolls for elections to the Parliamentary, Assembly, and local body levels are supported by the Law Commission (Joshi R. 2020)...

NEED OF ELECTORAL REFORMS

Representation is an integral part of parliamentary democracy, which is why elections are held at certain intervals. Only via elections are representation, government creation, control over government, and changes in governing political parties carried out. Elections are the only vehicle that accomplishes these things. For this reason, elections are characteristics that are necessary for parliamentary democracy. On the other hand, elections alone are not sufficient to satisfy the hopes and dreams of the people. It is essential for a functioning democracy to have elections that are both free and fair. When it comes to elections. democracy and "free and fair election" are inseparable twins (Baruah 2018, page 1). Regarding this matter, electoral reforms have made it possible to have elections that are both free and fair. When we talk about electoral reforms, we are referring to the implementation of best practices that would ensure a more responsible parliamentary democracy, the elimination of structural faults, clean politics, honest politicians, the preservation of people' confidence, and accurate representation, among other objectives. If we want to guarantee that a healthy democracy, at least in a form that is practicable, if not in its ideal form, continues to exist in the nation, we need to implement electoral changes, and we need to do it as soon as possible (Chhokar 2010, webpage 3977). Article 324-329 of the Indian Constitution include provisions pertaining to elections and electoral reforms.

There are many aspects of electoral reforms in India, transparency of includina the following: backgrounds of candidates; liberation of the election processes from the influence of money and muscle; transparency in election funding; guaranteeing the right to information for Indian citizens; removal of the criminalization of politics; protection of confidentiality voters: fair registration of and recognition of political parties; the solution to the problem of delisting voters; the non-partisan role of the media; efficient application of the model code of conduct; and rationalization of existing electoral procedures. The need for electoral reforms has also

been felt, primarily for the purpose of fulfilling the aspirations of the younger generation, prohibiting the criminalization of politics, discouraging the power of money and muscles, putting an end to the misuse of government machinery, enhancing the trust that citizens have in the government, strengthening the election commission, making the election commission independent, and utilizing technology in the electoral process. The elections for members of parliament in India took place in 2019, and the people of India finally gave their decision. In the most significant democratic process, there were around 613 million people who exercised their right to vote. An electoral campaign that had been drawn out and contentious for a long time culminated in this moment. During this election, concerns about electronic voting machines (EVMs) and the election commission's potential for bias have surfaced. It is uncertain if the electoral commission will have a role in the 2019 election.

The credibility of the electoral commission has been undermined in the eyes of voters and opposition institutions. For all intents and purposes, the election commission was operating as stockholders of a corporate corporation. On the other hand, the problem with electronic voting machines has caused people to lose faith. It is thus of the utmost importance to resolve these concerns as soon as possible. Now is the moment for reforming the political funding system (Mohanty, P. 2019).

IMPACT OF ELECTORAL AND ADMINISTRATIVE REFORMS ON INDIAN DEMOCRACY

Considering India's position as the democracy in the world and its continual attempts to deepen democratic processes, the question of the influence of electoral and administrative changes on Indian democracy is one that is of great concern today. The primary goals of electoral reforms are to improve the electoral system, guarantee that elections are conducted in a free and fair manner, and increase the representation of all elements of society. On the other side, administrative reforms focus on increasing accountability, transparency, and governance mechanisms within the public administration. This article is a comprehensive of the effects that electoral administrative changes have had on the democratic system in India:

1. Electoral Reforms:

a) Introduction of Electronic Voting Machines (EVMs): The use of electronic voting machines has made the voting process more efficient, decreased the amount of electoral fraud, and sped up the tabulation of results. Elections have been more accurate and efficient as a result of this technology, which has contributed to the general integrity of the electoral system via its contributions.

- b) Campaign Finance Regulations: The regulation of campaign funding has been one of the goals of electoral reforms, with the intention of reducing the influence of money in politics. An effort is being made to provide a level playing field for candidates and parties via the implementation of measures such as spending limitations, transparency regulations, and monitoring procedures. This will ultimately result in an increase in the fairness of elections.
- c) Voter Registration and Education: There has been an increase in voter participation and awareness as a result of reforms that have focused on voter registration and education. More residents have been encouraged to participate in the political process, which has resulted in increased democratic involvement. This has been accomplished via the implementation of initiatives such as online voter registration, voter ID cards, and voter education programs.
- d) Political Party Reforms: Efforts to reform political parties include internal democracy, transparency in party funding, and accountability mechanisms. These reforms aim to promote ethical conduct within parties, enhance intra-party democracy, and build public trust in political institutions.

2. Reforms to the Administrative System:

- a) The Right to Information Act (RTI Act): The RTI Act has the effect of empowering individuals by providing them with access to information about the government, fostering transparency, and making it possible for the public to scrutinize the acts of the government. As a result of this change, accountability has been improved, and potential for corruption have been minimized.
- b) Initiatives for Digital Governance:

 Administrative changes have made use of technology to improve service delivery, promote efficiency, and decrease bureaucratic impediments thanks to the implementation of digital governance initiatives. Through the implementation of initiatives like as egovernment platforms, online services, and digital payment methods, governance has become more accessible and responsive to the requirements of all residents.
- c) Anti-Corruption Measures: In order to fight corruption in public positions, a number of anti-corruption measures have been enacted. These efforts include legislative changes, institutional strengthening, and public awareness programs. The purpose of these initiatives is to maintain the integrity of governance and to guarantee that public

resources are handled in a responsible manner.

3. Influence on the Democratic System:

- a) Increased Electoral Integrity: The use of electronic voting machines (EVMs) and restrictions regarding campaign money has resulted in an increase in electoral integrity, which has led to a reduction in incidences of fraud and malpractice. The resulting increase in popular confidence in democratic institutions and the election process is a direct result of this.
- b) Increased Voter Participation: Voter registration and education campaigns have contributed to increased voter participation, particularly among populations who are disadvantaged and underrepresented in the political process. A democracy that is more inclusive and representative is fostered by the greater engagement of its citizens.
- c) Empowered people: Reforms such as the Right to Information Act and digital governance efforts have empowered people by giving them with the tools necessary to hold the government responsible, participate in decision-making processes, and access important services in an expedient manner.
- Improvements in Governance Transparency: Administrative changes resulted improvements in governance structures, an increase in transparency, and a reduction in corruption within the public administration. As a result, the delivery of services has improved, public faith in government institutions has grown, and democratic governance has been enhanced.

CONCLUSION

Election and administrative changes in India have led to enhanced election integrity, heightened citizen participation, and a more democratic approach. The use of Electronic Voting Machines (EVMs), rules on campaign money, and programs for registration have improved the efficiency of voting procedures and decreased instances of misconduct. The implementation of the Right to Information (RTI) Act. digital governance efforts, and anti-corruption measures have significantly improved transparency, accountability, and efficiency in government. Nevertheless, there are still obstacles to overcome, including apprehensions over the security of Electronic Voting Machines (EVMs), disparities in political representation, inefficiencies within the bureaucracy, and ongoing issues of corruption. A comprehensive strategy is required to effectively address these difficulties in a holistic manner. It is crucial to continue progressing by maintaining the beneficial effects of these changes and overcoming any remaining obstacles. Strengthening democratic institutions, supporting inclusive governance, boosting transparency, encouraging accountability, and guaranteeing equal representation are essential foundations for effectively navigating the changing dynamics of Indian democracy. Sustained study, assessment, public discussion, and engaged citizen involvement will be essential in determining the future direction of Indian democracy and maintaining democratic norms and principles.

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Corresponding Author

Swarna Devi*

PhD Research Scholar, Shri Venkateshwara University, Uttar Pradesh, India

Email: swarnabhougal48@gmail.com