

WHISMUN 2026

The Next Frontier



27th & 28th June, 2026.



STUDY GUIDE

Lok Sabha

Agenda : *Deliberating Electoral Reforms & the Evolution of Representative Equity*

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Speaker: Adv. Shivam Jain Kakadia

Deputy Speaker: Mr. Anuj Ganesh Shenoy



Letter From Executive Board:

Dear Members,

We hope you and your loved ones are in good health and high spirits. It gives us immense pleasure to welcome you all to the simulation of the Lok Sabha at WHIS MUN 2026. The study guide has been made with the sole purpose of guiding you all and helping you understand the agenda. The guide should not be used as the only reference for research; instead, it should be considered the initial point where one could start their research, but not end it. The topic at hand is vast and complex, and you should address the agenda holistically, ensuring that the debate addresses various sub-aspects within the larger agenda. With just a few days left for the conference, we hope that you have already started your research and will be covering all topics which shall help you contribute to the committee to the best of your ability. While this guide will direct your research, we would appreciate it if you go beyond this and come up with innovative discussions in the committee.

During the committee sessions, please focus on learning, deliberating, collaborating, and taking efforts to make a difference. The most important aspect of any conference is not just to debate; instead, it is based on how we learn and experience things and implement them back into our daily lives. Try thinking out of the box, being creative, respectful, and accepting of a diverse set of opinions. During any conference, try to balance the art of listening along with talking. Let's strive to participate regularly in the committee, share whatever inputs you have, know before deliberating, and not just focus on competing.

Our agenda is very relevant and relatable, considering that demographically, India has a young population. It is our responsibility to strive for good governance and protect the democratic essence of our country. Freedom and liberty may be intangible, but they remain worth defending as active and responsible citizens. Maintaining electoral integrity is crucial for our democracy. Let's try to tackle this agenda holistically to understand its nuances and deal with its technicalities. These are interesting and confusing times that surround us; let's try to be aware

citizens who are able to gauge their role and responsibility. As young men and women, let's be a force to be reckoned with as catalysts to accelerate growth towards sustainable development.

The working languages for this committee will be English and Hindi. We will follow the Rules of Procedure prescribed by the Ministry of Parliamentary Affairs. You can find the Conducting Youth Parliament document in the further readings section and get familiar with it. It will not only help you understand the procedure we will be following, but also help you understand and appreciate the essence behind the simulations of Indian committees. Further, for all those participating in their first MUN through this conference, we would like to inform you that there will be a briefing session for everyone on the Rules of Procedure beforehand.

Lastly, despite the exciting agenda before us, any simulation is worthless without the active participation of the committee members. So we urge you to attempt preparing sufficiently to facilitate a healthy discussion and learning experience for all. We wish you all the very best; have fun researching and analysing.

May the Force be with you!

Looking forward to seeing you all at the conference.

Regards,

Adv. Shivam Jain Kakadia

Speaker

Mr. Anuj Ganesh Shenoy

Deputy Speaker

India's Long Democratic Tradition:

Democracy is not a new concept to India. India has a long tradition of tolerance of different views and creeds, which is the hall-mark of any true democracy. There is also considerable evidence of widespread existence of democratic institutions in ancient India. In the Vedic period The republics were called Gana-Rajyas. These Gana-Rajyas were autonomous and were governed

by an elected Gana-Mukhya. The lichchhavi republics which came later, had four elected officials who ran the administration. Decisions were taken by voting on important issues. The elected representatives could be recalled if they neglected their duty. Sabhas (General assemblies of the people), (Councils of elders) and Gram Sabhas (Village assemblies) were a common feature in ancient India. In fact, the Gram Sabhas continued to exist in some form or the other in spite of successive foreign invasions in the country. However, it must be admitted that the present democratic institutions that are in existence in the country, are a part of British legacy.

The Indian Constitution which came into force on 26 January, 1950, has set up a democratic form of government. By a democratic form of government is meant a government which is based on the consent of the governed. It is a system in which free public opinion is the main source of law and in which the government depends upon public opinion and responds to changes in public opinion. Democracy derives its vitality from the freedom of opinion and discussion which it tolerates. In democracy it is believed that truth emerges from the competition of ideas. The outstanding merit of democracy is that by making people voters and participating in public affairs, it compels people to consider public issues and form their opinion on them.

One of the rationales of democracy is that in it everybody gets a chance to be heard. All citizens have the right to express their opinions freely and thereby contribute to the taking of right decisions and passing of good laws that govern the country. In order to actively and meaningfully participate in the democratic functioning of our civic and political institutions, citizens are required to have certain competencies. Not on a few occasions do we observe that Normal rules of discussion are violated by the people who manage civic and political affairs. Decorum which is essential for making any discussion purposeful, is flouted and participants are

swayed by emotions. Many a time discussions become one sided in the sense that only the more vocal people present their views and others sit as silent observers. As a result various aspects of problems are not presented properly, and consequently appropriate decisions are not taken. In some cases where every participant is on his/her toes to present his/her point of view, the very functioning of the institution is jeopardised owing to chaotic conditions prevailing in the deliberations.

It is, therefore, necessary that at the school and college stage a suitable programme is devised to train students for their role as citizens in a democracy. Education should make students competent enough to consider public issues and form their opinion on them judiciously. Youth is a season of hope and aspiration. It is proper to take advantage of this and develop in our young students the necessary civic competence.



CONSTITUTION OF INDIA

The constitution is the supreme law of India. This is a written document which lays down the framework demarcating fundamental basic code, structure, procedures, powers, and duties of Government and its organizations and rights & duties of the citizen. It was adopted by the

Constituent Assembly on 26th November 1949 and came into force on 26th January 1950. At the time of its adoption, the Constitution contained 395 Articles and 8 Schedules and was about 145,000 words long, making it the longest national Constitution to ever be adopted. Every Article in the Constitution was debated by the members of the Constituent Assembly, who sat for 11 sessions and 167 days to frame the Constitution, over a period of 2 years and 11 months. The preamble of the Constitution declares India a sovereign, socialist, secular, and democratic Republic and assures its citizens justice, equality, and liberty, and endeavours to promote Fraternity.

The Constitution provides for a Parliamentary form of government which is federal in structure with certain unitary features. The constitutional head of the Executive of the Union is the President. As per Article 79 of the Constitution of India, the council of the Parliament of the Union consists of the President and two Houses are known as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha). Article 74(1) of the Constitution provides that there shall be a Council of Ministers with the Prime Minister as its head to aid and advise the President, who shall exercise his/her functions in accordance with the advice. The real executive power is thus vested in the Council of Ministers with the Prime Minister as its head.

Dr. Bhim Rao Ambedkar is regarded as the chief Architect of Indian Constitution. Dr. Rajendra Prasad, the first President of India became the first person to sign the constitution of India. It is the largest written constitution of the world. The Constitution of India is neither printed nor typed. It is handwritten and calligraphed in both Hindi and English. It was handwritten by Sh. Prem Behari Narain Raizada and was published in Dehradun by him. Every page was decorated by Shantiniketan artists including Beohar Rammanohar Sinha and Nandala Bose. It took two years, 11 months, and 18 days to complete the final draft.

Lok Sabha:



The House of the People (Lok Sabha) consists of five hundred and forty-three members. The Representation of the People Act makes provision for allocation of seats to various States and Union territories. The actual strength of the Lok Sabha at present is five hundred and fifty. The first Lok Sabha under the Constitution was constituted after the General Elections held in 1952.

The Lok Sabha, unless dissolved sooner, continues for five years from the date appointed for its first meeting.

At the commencement of Lok Sabha, Members of the House elect a Speaker and Deputy Speaker to preside over the proceedings. In the Speaker's absence, the Deputy Speaker presides over the House. When both Speaker or Deputy Speaker are not present, a member from the Panel of Chairpersons are requested by the Speaker or Deputy Speaker to preside over the House. This A panel of 10 Members from Lok Sabha is nominated from time to time by the Speaker.

India witnessed a mammoth democratic exercise during its 18th Lok Sabha elections.

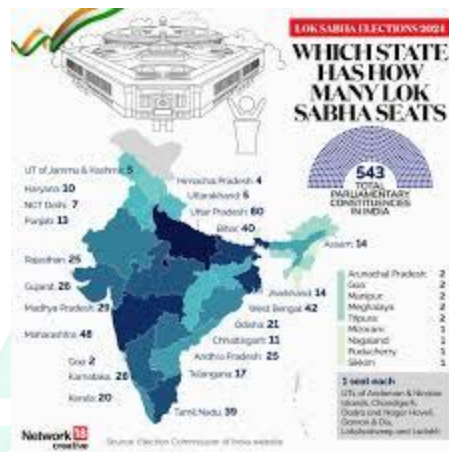


Figure 1
 highlights the Lok Sabha seats distribution.

A TYPICAL DAY IN THE LOK SABHA:

Lok Sabha begins work at 11 am and is ordinarily scheduled to work till 6 pm. The first half of The day is reserved for MPs to raise issues and ask questions in their individual capacity. In the Second half, typically, government business is taken up. This could be discussion on Bills, budgets, or longer debates. Every week, one half day (typically on a Friday) is reserved for Private Members' Business.

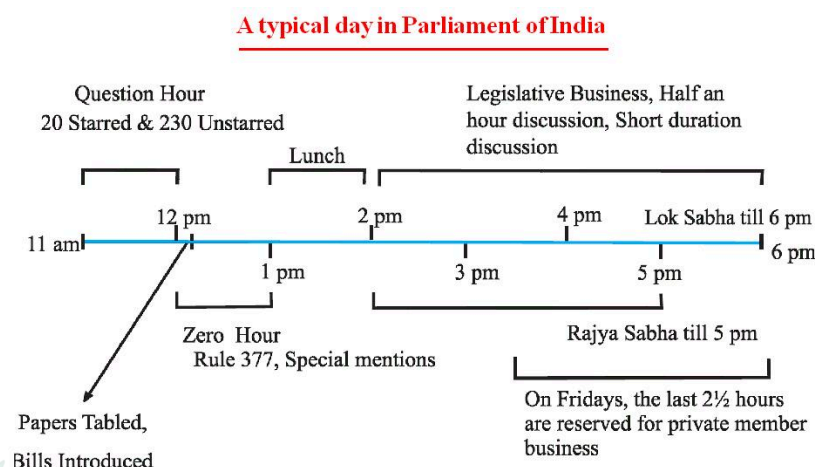


FIGURE 2
Highlight of the Lok Sabha Schedule

- Seating Arrangement

The chamber of the Lok Sabha is a semi-circular hall with the Speaker sitting in a canopied chair, placed conspicuously at the centre of the diameter connecting the two ends of the semi-circle. There is a dividing space in front of the Speaker's rostrum. The seating arrangement for members are in the shape of a horseshoe. On the left of the rostrum are the seats for the Opposition and on the right are seats for the Treasury (Government).

- Participation in the House

Members participate in the House in broadly two ways. In certain proceedings, such as Question

Hour, raising matters of public importance, and private member business, MPs can raise issues

independently. These matters are chosen for discussion either through a ballot, or at the speaker's

discretion. In other proceedings like debates on national issues, and discussions on government Bills and budgets, the time is allocated party-wise and the party leadership decides

who will participate in such proceedings.

- Decision making in the House

All decisions in the House are posed as motions, which are put to vote in the House.

Typically,

the voting is done orally with Members supporting the motion saying "aye" and those opposing

the motion saying "no". The motion is accepted if the Speaker is of the opinion that more Members are in favour of the motion. However, if any Member is unsatisfied with the Speaker's

decision, they can ask the Speaker to hold a recorded vote, called a division. Once this demand is

raised, the Speaker must hold a division, in which the vote of each Member is recorded.

Historical Evolution of Electoral Democracy in India

India's first general election in 1951–52 marked a historic achievement in the global history of democracy. Conducted under the leadership of Sukumar Sen, the Chief Election Commissioner, the election involved over 170 million voters, most of whom were illiterate, and required massive logistical innovation. The electoral process was marked by fairness, credibility, and citizen enthusiasm, setting a global precedent. However, the decades that followed were not devoid of challenges. The 1960s and 1970s saw a rise in electoral violence, booth capturing, and state-sponsored coercion. The imposition of Emergency from 1975 to 1977 marked a sharp deviation from democratic norms, with elections suspended and opposition leaders arrested. It was during this period that the public began to demand greater accountability and institutional integrity in electoral administration.

The post-Emergency phase saw the reassertion of the Election Commission, especially under T.N.Seshan's leadership in the 1990s. Seshan's tenure marked a pivotal transformation: strict enforcement of the Model Code of Conduct, restrictions on government publicity during elections, mandatory voter ID cards, and regulation of campaign expenditure brought the electoral process under greater scrutiny. While many of these reforms were met with resistance from political parties, they laid the groundwork for modern electoral governance in India.

Importance of Electoral Integrity

“In any State the authority of the government can only derive from the will of the people as expressed in genuine, free and fair elections held at regular intervals on the basis of universal, equal and secret suffrage.”

- Inter-Parliamentary Council (IPC) Declaration on Criteria for Free and Fair Elections.

An election is a decision-making process by which a population chooses an individual to hold a formal office. It is also the usual mechanism by which modern representative democracy fills offices in the legislature, executive and sometimes in the judiciary and for regional and local government. The due process of law must be adhered to in order to avoid irregularities and chaos. The systematic process of election will guard against unnecessary tensions and conflicts which could lead to undesirable consequences, hence, the concept of free and fair democratic elections. This concept has become important within the spheres of international law. Elections are generally governed by domestic laws because the United Nations Charter is based on the concept of sovereignty and the principle of non-interference into domestic affairs of an independent country. The international community developed and recognized certain standards that are serving as the yardstick of measuring the freeness and fairness of an election under the international law. Autheman (2004) argues that one of the challenges for emerging and established democracies is to master the election process. International law provides that elections should allow free expression of the will of the people as a standard of effectiveness. However, the ways and means by which progress towards that standard can be measured remain variable. Goodwill-Gill (2006) observes that, “terms like ‘free’, ‘fair’, have no easily verifiable content, often being used subjectively. In practice, it may be easier to identify what is not a credible, free, fair or genuine election. This can be done through focusing on evidence of external influence like ballot stuffing, gerrymandering, vote-buying or intimidation of the electorate.

There is an ongoing debate over a single, universal definition of electoral integrity, but it can generally be defined as, ‘ any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle’(Kofi Annan Foundation, 2012).

Without electoral integrity, leaders and officials lack accountability to the public, confidence in the election results are weak, and the government lacks necessary legitimacy. Electoral integrity allows for peaceful resolution of conflict, open dialogue, debate, and information sharing among leaders and the public. Integrity depends on public confidence in electoral and political processes. It is not enough to reform institutions; citizens need to be convinced that changes are real and deserve their confidence. To ensure that elections have integrity, other factors outside of the electoral institutions themselves need to be taken into account and strengthened. Election officials, judges and courts must have independence that is respected by politicians.

Principle of transparency

Transparency is a key word in any discussion of democratic elections, yet the basis for claims that election processes must be transparent is not often explored. It may be argued that transparency is only implied in other election related rights. Merloe (2010) argues that, it is not possible to imagine how citizens could take part in government and public affairs as provided, for example in Article 21 of the Universal Declaration and Article 25 of the ICCPR, unless the processes surrounding government and public affairs are open to public knowledge and scrutiny. More specifically, it is not possible to know whether the right to be elected and the right to vote are being ensured by governments unless electoral processes are “transparent”. The principle of transparency in democratic elections is not predicated solely on such deductions, though they lead to the proposition that the transparency principle is identifiable in the penumbra of electoral related rights found in treaty obligations and other state commitments concerning genuine elections. The basis for the requirement for transparency in electoral processes is the freedom to

seek, receive and impart information, which is integral to the right to freedom of expression in the context of elections. While a person or a political party could theoretically seek to be elected and not to seek to impart any information to the electors, and while a citizen could theoretically go to polls without ever seeking or receiving information about the electoral competitors, such propositions are ludicrous.

Evolution of Representative Equity in India

The evolution of representative equity in India represents a profound, century-long transition from colonial-era "separate electorates"—which segregated the voting pool along identity lines—into a robust, integrationist constitutional model designed to enforce social justice and remedial representation. Initiated by the historic compromise of the Poona Pact of 1932, post-independence India permanently rejected divisive communal voting systems in favour of a joint electorate, formalising this shift through Constitutional Articles 330 and 332, which mandated that seats in the Lok Sabha and State Legislative Assemblies be strictly reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) in direct proportion to their population. This macro-level framework was radically decentralized in 1992 through the 73rd and 74th Amendments, which brought marginalized groups and women directly into grassroots governance by enforcing a mandatory 33% gender quota in local bodies—a threshold that over twenty Indian states subsequently elevated to 50%. This extensive experiment in localized gender equity culminated at the national level with the passage of the 106th Constitutional Amendment Act (*Nari Shakti Vandan Adhiniyam*), which permanently extends this 33% horizontal political reservation for women to the Lok Sabha and all State Assemblies. Today, the frontier of representative equity in India has evolved from broad category protections into a highly precise debate over sub-categorisation; driven by landmark Supreme Court interventions, the current legal and political landscape focuses on creating "quotas within quotas" to ensure that the most historically deprived and localized sub-castes are not crowded out of power by

relatively dominant groups within existing reservation blocks, thereby transforming the Indian electoral process into an active tool for deep, micro-level democratic inclusion.

Philosophical Insights

Aristotle, like many other political commentators of the ancient world, believed that no system was perfect. So, in what he describes as aristocracy (the rule of the best—the aristoi) he has blended two systems: democracy and oligarchy. The democratic ideal of removing property-qualifications meant that you did not need to have a certain amount of wealth to qualify for office. He combines this with oligarchic preferences for elections, which would prioritise the best and most influential speakers. So aristocracy is the rule of a small group of people, theoretically from any socio-economic level, who have been elected into power. If you are thinking this sounds rather familiar to modern ‘democracy’, you would be wrong! Aristotle would be impressed with our political preference to elect our politicians but without a demand for a minimum financial level to qualify. He would also no doubt be impressed by the fact that the majority of our politicians were still of a higher social status than the general population. What may confuse him is our choice to call this democracy. He would call this an aristocracy.

Alexis de Tocqueville’s *Democracy in America*, written nearly two centuries ago, reads like a diagnosis of the United States in 2025. Tocqueville warned about the tyranny of the majority, the corrosive effects of individualism, and the fragility of civic trust—all conditions now visible in gerrymandered districts, book bans, collapsing volunteerism, and widespread distrust of institutions. He foresaw that racial injustice would remain democracy’s deepest fault line, a prediction borne out in persistent wealth gaps, discriminatory laws, and racialized policing. Tocqueville cautioned against the tyranny of the majority, a system where dominance silences dissent. He predicted that democracy would erode not through coups or sudden collapse, but through a slow abandonment of shared purpose, obligation, and trust. What he feared is precisely what we are witnessing: disengagement that makes institutions brittle, divisions that weaken community life, and a steady erosion of faith in the system itself.

Mill thinks that there are two ways in which democracy is, under the right circumstances, best suited to promote the common good. First, he thinks that democracy plays an important epistemic role in identifying the common good. Proper deliberation about issues affecting the common good requires identifying the consequences of different policies for the interests of affected parties and so requires the proper representation and articulation of the interests of citizens. But failure of imagination and the operation of personal bias present obstacles to the effective representation of the interests of others. Universal suffrage and political participation provide the best assurance that the interests of the governed will be properly appreciated by political decision-makers. Second, Mill thinks that democracy is also the best form of government because of the constitutive effects of political participation on the improvement of the moral capacities of citizens. To the extent that the governed can and do participate in public debate and elections they exercise those very deliberative capacities that it is the aim of the government to develop. They learn to gather information about their options, deliberate about their merits, and choose a representative who will give expression to their ideals and preferences. They deliberate and choose with others about a public agenda, and in so doing they cultivate abilities to form a conception of a common good, to take principled stands, to exchange reasons with others, and to learn from others.

Assessing Electoral Democracy in India

The 2024 Indian general election was expected to unfold in predictable fashion. Pre-election surveys suggested that the ruling Bharatiya Janata Party (BJP) was on track to secure a third consecutive majority in the Lok Sabha (lower house of parliament). The BJP's own rhetoric—Ab Ki Baar Char Sau Paar (“this time, 400 seats”) was an early campaign slogan—reinforced

these lofty expectations. Although exit polls published on the final day of voting echoed this consensus, the BJP underperformed expectations, winning 240 seats and falling short of a single-party majority.

Although the BJP formed the government with the help of its National Democratic Alliance (NDA) partners, the result was perceived as a setback to the Narendra Modi-led BJP and a fillip for the opposition Indian National Developmental Inclusive Alliance (INDIA), a grand coalition consisted of more than two dozen opposition parties. Beyond the electoral surprise itself, India's 18th general election has also been seen as a tonic for Indian democracy more generally. After a decade of BJP single-party rule, scholars and critics had lamented the weakening of India's liberal commitments, evidenced by a growing concentration of power in the hands of the executive, rising in-tolerance of dissent, and creeping Hindu majoritarianism.

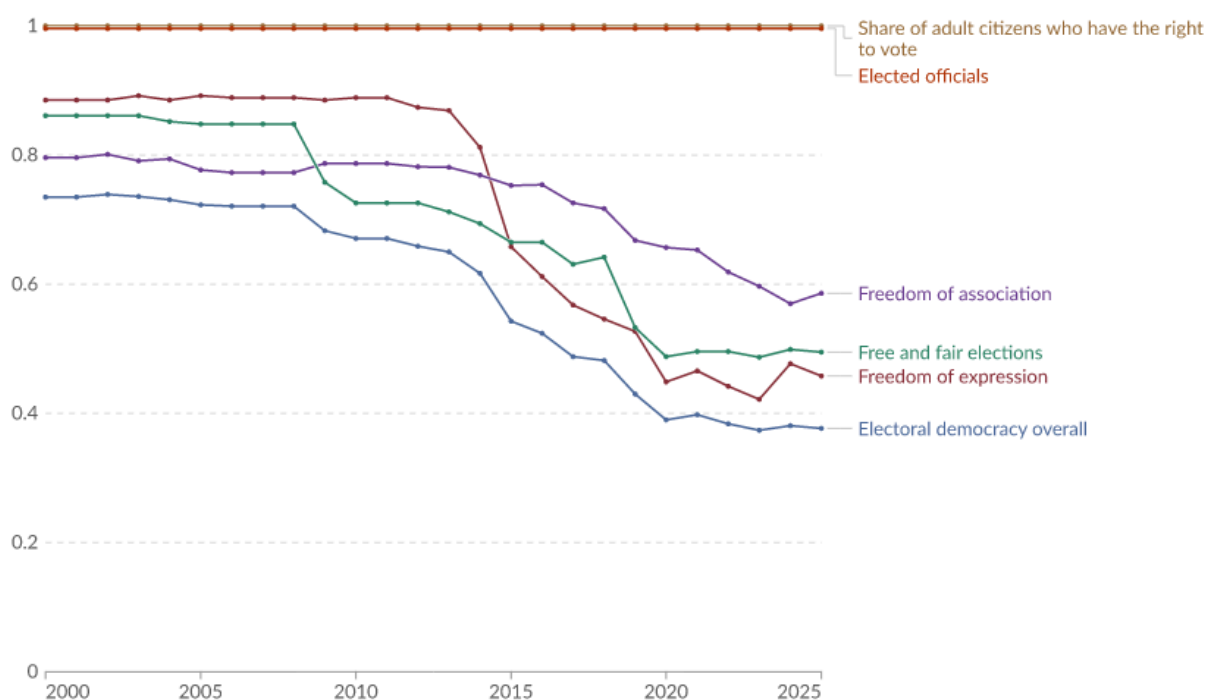
In some ways, the surprising election outcome seemed to confirm scholarly assessments that the core infirmities of Indian democracy relate to the period between elections, rather than the electoral processes and procedures themselves. According to this view, it is when the electoral spotlight is off that Indian democracy's blemishes appear. India's commitment to electoral democracy, virtually unbroken since Independence (with the notable exception of the twenty-one-month period of Emergency Rule imposed by former prime minister Indira Gandhi between 1975–77), has distinguished it from many of its postcolonial peers. Compared to its neighbors, the quality of India's electoral democracy has been far superior to that of either Bangladesh or Pakistan over the past 75 years.

Furthermore, India's commitment to electoral democracy has consistently outperformed the quality of its liberal democracy, according to the V-Dem Institute's liberal democracy index, which captures perceptions regarding the rule of law, checks and balances, and other institutional guardrails (Coppedge et al. 2024).

Key features of electoral democracy, India

Our World
in Data

The indices are by V-Dem, based on expert estimates, and range from 0 to 1 (most democratic).



Data source: V-Dem (2026)

OurWorldinData.org/democracy | CC BY

FIGURE 3: Highlights India's Data on the V-DEM Index. (2026)

Contemporary challenges to Electoral Integrity in India

Indian Elections continue to be objects of both admiration and concern as largescale participation coexists with serious malpractices. Responding to such challenges the electoral rules and laws in India has undergone changes to enhance the quality of elections. Electoral reforms in India have been driven by three distinct bodies, namely, the Election Commission of India, the Legislature and the Judiciary. Despite significant institutional development, the Indian electoral

The process remains fraught with enduring and emerging challenges. Among the most significant is

the criminalization of politics. According to the Association for Democratic Reforms, in the 2019 Lok Sabha elections, 43% of elected MPs had declared criminal cases, with nearly 29% involving serious offences. The selection of such candidates by political parties reflects a dangerous nexus between electoral viability and criminal networks.

Financial opacity is another major issue. Although India has imposed legal limits on election spending by individual candidates, political parties remain largely unregulated in terms of fundraising and expenditure. The introduction of electoral bonds in 2017 was framed as a transparency-enhancing reform, but in practice, it has enabled anonymous and disproportionate donations to ruling parties, creating asymmetry in political competition and weakening public trust. The rise of digital technologies has introduced new dimensions of electoral manipulation. Social media platforms are used for micro-targeted political advertisements, spread of fake news, and organized disinformation campaigns. Deepfakes, AI-generated propaganda, and WhatsApp forwards have become new tools of political warfare, often amplifying communal narratives and polarizing electorates. Regulatory mechanisms have not kept pace with these developments, leaving voters vulnerable to Manipulation.

Voter suppression, especially among vulnerable groups like internal migrants, transgender individuals, and the homeless, remain a persistent issue. Complex bureaucratic procedures for registration, lack of awareness, and logistical barriers lead to disenfranchisement. The idea of “one person, one vote” is thus undermined by systemic exclusion. While the Election Commission has piloted options like remote voting for migrants, these are yet to be institutionalized on a national scale. Furthermore, identity-based electoral politics continues to erode democratic discourse. Elections in many states are fought along lines of caste, religion, and ethnicity. Political actors frequently use hate speech and majoritarian rhetoric to galvanize support. Although the Supreme Court has condemned such practices under Section 123 of the Representation of the People Act, implementation remains selective and weak.

ECI's Lack of Transparency

The ECI has been accused of shifting and changing Data Release Parameters of release of data even of voter count and voting figures. In the Lok Sabha elections 2024, the ECI was guilty of the release of voting data only by percentages (not actual figures). This has continued in the (Maharashtra) state (2024 polls) as a whole. In the Haryana state elections, percentages of votes casts were released at the most district-wise not constituency-wise in the initial declarations. There is no explanation for this when in actuality Voting Figures come in in actual numbers, votes are numerically recorded in actual numbers (be it in the EVM or in the Encore APP). Hence the logic of releasing these actual figures aggregated into percentages is not just inexplicable (even suspicious) but also means that during the exercise exact vote counts are not being conveyed/ computed.

- Since the results are computed in actual numbers so release of data needs to be in according to this. These actions of shifting parameters and releasing percentages – that too not on individual constituencies but districts –leaves scope for manipulation. The illogical method also completely defies the mandate clearly defined for the ECI.
- The shifting and altering parameters of release of data in each election and in each phase of a phased election are, violative of the principle of uniformity of data and makes the analysis is extremely difficult if not impossible.
- More than anything else, these sudden unilateral actions signal an era of opaqueness and non-transparency that bodes ill for the constitutional mandate to which the ECI is beholden. Furthermore, the ECI's handling of voter rolls, with accusations of both mass deletions and bogus voter additions, has drawn suspicion, especially around key states where the ruling party benefited from such changes.
- The ECI has failed to explain any logic or scientific principle as to why the ECI in Haryana Assembly elections, declared district wise percentage in its initial two press releases while around 12 hours before counting the percentages were given assembly constituency wise? We all know that in assembly the elections are not held district wise.

Constituency wise votes polled that were used to extrapolate the percentage have not been made public till date.

High Cost of EVMs Checking & Verification

In *Association for Democratic Reforms vs Election Commission of India and Anr.* (MA40/2025 in W.P.(C) Anr. (MA40/2025 in W.P.(C) No. 434/2023) brought to the forefront critical concerns regarding the high cost and transparency of Electronic Voting Machines (EVM) verification. In a hearing on February 11, 2025, the Supreme Court questioned the ECI's verification process, prompting urgent calls for reform and clarification. Key issues raised during the proceedings include:

- **Verification Concerns:** ADR's petition questioned the ECI's Standard Operating Procedure (SOP), arguing that it did not align with the April 2024 judgment regarding EVM verification. ADR requested that the verification process be conducted without erasing or reloading data on EVMs, ensuring data integrity.
- **Chief Justice's Remarks:** Chief Justice Sanjiv Khanna clarified that the 2024 judgment intended for EVM manufacturers' engineers to verify EVMs for tampering without altering any data. This ensured that the data remained intact and reliable throughout the verification process.
- **Cost Dispute:** The Supreme Court noted the excessive Rs 40,000 cost associated with the verification process and urged the ECI to reconsider the fee. This concern was echoed during the Maharashtra State Assembly Election 2024, where NCP candidate Fahad Zirar Ahmad highlighted the exorbitant ₹47,200 cost per booth for verification, which restricts the ability of candidates to ensure transparency across multiple booths.
- **Impact of High Fees:** The high cost of verification is seen as a significant barrier to transparency, limiting candidates' ability to audit EVMs in multiple booths. This financial

obstacle raises questions about the accessibility of the audit process, undermining accountability in the electoral system. As a result, it is crucial to reduce these costs to make verification efforts more equitable and comprehensive.

Voter Manipulation (Additions & Deletions)

- Sabyasachi Das's research into the 2019 General Elections revealed patterns of voter registration manipulation, where names of likely opposition voters were deleted, and turnout manipulation, where polling officers discriminated against opposition- supporting voters.
- "In the latter part of 2023, scholar Sabyasachi Das...studied the 2019 General Election to Parliament, and the study available in the public domain says that electoral manipulation can take place at the stage of voter registration (registration manipulation) or at the time of voting or counting (turnout manipulation)."
- This pattern was also evident in the 2024 elections, where allegations of mass deletions of voters and the addition of dubious voters emerged, with no coherent responses from the ECI.
- By filling form No. 7 any person registered as a voter in the constituency can seek removal of any other name from the voter list. Given the slip shod in which the ECI has been –in Delhi 2025 and other elections allowing deletions, even mass deletions with the mandatory period of 7 days clear notice being bypassed, the elector finds the name missing only at the polling booth! Though there is a legal provision to provide the address of the complainant and the proof for a person raising any objection on another voter's right, the conduct of the officials of the ECI – especially in the early 2025 recent assembly polls notified for NCT Delhi –reveal that bulk/multiple applications from the address of (opposing) political parties are alleged to have been filed to simply ensure mass deletions of sections of voters they believe will not owe allegiance to them. In December 2024, prior to the Delhi Assembly Elections 2025, Aam Aadmi Party convenor and Delhi Chief Minister Arvind Kejriwal alleged that the BJP had sought to delete over 11,000 legitimate voters from the Shahdara electoral roll, claiming that 75% of those targeted were still bona fide residents.
- The person against whom the objection has been made, is not qualified for inclusion in the

electoral roll viz. due to death, under age, absent/permanently shifted, already enrolled in the electoral roll at the same place or some other place, not an Indian citizen etc. The onus of proof to substantiate the reason given for objection or removal of the name lies with the applicant.

Political Finance

Political finance in India has always been opaque, to put it mildly. Although the Representation of the People Act, 1951 outlines strict limits on the expenditure a candidate can undertake in an election, there are no limits on party expenditure. In fact, party expenditure must only be recorded in a candidate's accounts if party funds are spent directly in service of that candidate. Money that is used to propagate the party program—a broad and vague category—does not count against the candidate expenditure ceiling. Of course, even these well-defined limits are farcical; the average major party candidate routinely spends multiples of the actual legal limit..

The Modi government has implemented sweeping changes to the political funding landscape in India during its tenure. Most consequentially, the government introduced a new political funding modality known as “electoral bonds” in 2018. Electoral bonds were time-limited bearer bonds that associations, companies, and individuals could purchase from the State Bank of India (SBI) during specified windows and then transfer to the registered bank account of a political party as a “donation.” The upshot of this scheme was that neither the donor nor recipient needed to disclose the specific transaction. The only information available in the public domain was the aggregate amount of electoral bonds parties received. However, SBI possessed transaction-level data, which meant the government (as the regulator and majority owner of SBI) also had access to this information. Therefore, electoral bonds created a unique situation of asymmetric transparency.

Allegations on Electoral Integrity

The Leader of Opposition in the Lok Sabha, Rahul Gandhi, has made serious accusations regarding the 2024 Haryana Assembly election, turning the spotlight, yet again, on election integrity in the world's largest democracy. At the very least, his analysis has proved that India's electoral rolls are in a mess, which the Election Commission of India (ECI) says can be fixed only by an ongoing Special Intensive Revision (SIR). Mr. Gandhi, who evidently had a professional team of analysts working on it, made a claim that 25 lakh votes in Haryana were “fake” — i.e., either non-existent or duplicate — or one in every eight voters in Haryana, where The Congress had lost the 2024 election. As per Mr. Gandhi's calculations, there were 5.21 lakh duplicate voters and 93,174 invalid voters in the State, and he claimed there were 1,24,177 voters

with blurred or fake photographs on the electoral rolls. To prove this point, among other facts, he cited the example of a woman — a Brazilian model whose picture was available online — whose photograph appeared 22 times across different booths in Haryana. Earlier allegations of election manipulation included bulk deletion and addition of voters, which the Congress leader has said boosted the prospects of the Bharatiya Janata Party (BJP) and undermined the Opposition. In The ECI is accused of colluding with the BJP.

The Election Commission of India (ECI) has responded to Congress MP Rahul Gandhi's allegations of large-scale voter fraud in the Haryana Assembly elections, raising questions about the credibility of his claims. As per ANI, sources within the EC noted that no appeals were filed against the electoral rolls, and only 22 election petitions remain pending in the High Court for Haryana's 90 assembly seats. The Commission questioned why Congress polling agents did not raise objections at polling stations if they suspected duplicate voters. They also asked whether Gandhi supports or opposes the SIR (Systematic Information Revision) process, which removes duplicates, deceased, or shifted voters while verifying citizenship. Additionally, the EC asked why no claims or appeals were filed by Congress BLAs (Booth Level Agents) during roll revisions, which could have prevented multiple names from appearing. The EC further pointed out that Gandhi's assertion that duplicates voted for the BJP contradicts official records, which

show that many of these votes went to the Congress itself. They also clarified that “House Number Zero” applies to areas where municipalities or panchayats have not assigned house numbers, and questioned why no appeals were filed during Bihar’s SIR process from 1 August to 15 October.

In its defence, the ECI has marshalled some technical arguments, but they do not clear the air, regardless of the merit of the Congress charges. The argument that complaints regarding electoral rolls should have been raised within stipulated timelines and that other complaints should have been litigated through election petitions may sound procedurally sound. But such a position does not mitigate the severe trust deficit that the ECI is facing. The Congress’s charges are by themselves no conclusive proof of fraud, though they certainly demonstrate systemic failure. The ECI’s defensive response and its overall tendency to raise veils of opaqueness in the electoral process adds credence to the Congress’s charges in public perception. The best way to prove that the people who seemingly appear multiple times on the list did not actually vote

multiple times is to air the recording which is made at each booth. On the disingenuous ground of voter privacy and secrecy, the ECI has restricted access to the video footage, electoral rolls and other details of the electoral process in the recent past. The only thing secret about voting should be the vote itself. Who the voters are, and who actually voted, must be open public records. The best way to allay fears regarding the electoral process is to make all information publicly available, retaining secrecy only with regard to the choice of the voters.

The process of Revision of Electoral Rolls

The creation, maintenance and purification of ER- a core constitutional responsibility of the ECI – has a well-defined and meticulously followed legacy over decades. The credibility of the process is organically linked to data/facts over several revisions and continuous updation of

previous data sets. The process is ensconced in a watertight statutory scheme which is rule based. The Commission firmly believes that an inclusive, healthy, pure & transparently prepared electoral roll is the foundation of free, fair and credible elections. Therefore, the Commission makes all out efforts to make the electoral roll pure, healthy and inclusive within the given framework of Article 324 of the Constitution of India, provisions of the Representation of the People Act, 1950, Registration of the Electors Rules, 1960 and the extant instructions issued by the Commission from time to time. All political parties are fully aware of the SoPs for Special Summary Revision (SSR) and the special measures taken during SSR. Additions and deletions take place after due enquiry, in full public view and with participation of political parties at every stage of the process. Being an annual revision exercise, only changes during the period of revision get updated after sharing relevant details with political parties and the public at large.

The electoral roll is prepared in accordance with the well-defined protocol and procedure and following the principle of natural justice by providing reasonable opportunity to the electors and all stakeholders, political parties in particular. The electoral roll is in the state of continuous updation throughout the year except during election in a constituency for a period from the last date of filing nomination to completion of election process. The Commission ensures utmost transparency at each stage of revision of roll so that people can beforehand check entries in electoral roll and can file any claim or objection, to avoid any post facto objection or grievances.

In case of deletion, notice is issued and an opportunity given to electors for filing an objection and hearing is given.

All general elections to legislative assemblies are specifically preceded by Special Summary Revision (SSR) precisely to allow all stakeholders to be on notice about the upcoming general election. This is an additional measure over and above annual revision of electoral rolls which in any case takes place. All the Political Parties have been familiar with SSR guidelines, formats and processes. ECI has also provided for appointment of Booth Level Agents (BLA) by recognized political parties as an equal opportunity & extra facilitation to them ensuring utmost transparency in the process. Every entry in ER database, either by way of addition/ deletion/

transportation, is credible, as it is based on voluntariness of the citizen to enroll and an open disclosure and public hearing to objections, if any and, thereafter the entries are available for perpetual scrutiny and legal challenge. For the sake of clarity, the cycle of the electoral roll

The revision process for a calendar year is illustrated in figure 4 below.



Figure 4: Life cycle of an Electoral Roll.

Technology & Elections

Use EVMs and VVPATs

Once upon a time, long before the buzzwords of EVMs and VVPATs, India relied on the humble ballot box for elections. Citizens cast their votes on pieces of paper, sealed them in the box, and waited for painstaking manual counting. It consumed massive amounts of paper, was time-consuming, and was prone to errors. Despite its drawbacks, the ballot box system served India

well for decades. However, as the electorate expanded and election-related challenges grew, the need for a more efficient and secure voting method became evident. In the late 1990s, India embraced electronic voting machines or EVMs. These devices revolutionized the voting process, eliminating paper ballots and streamlining counting. With the press of a button, voters cast their choices electronically, ensuring accuracy and efficiency.

Electronic Voting Machines or EVMs have revolutionized the Indian Electoral Process. Their benefits are multi-pronged. They save tons of paper, preserve trees, reduce costs, and accelerate the counting process. And the most important part, they curb electoral discrepancies by securely storing votes and ensuring one vote per person. EVMs can safely store votes in their memory until the data is deleted. This feature significantly reduces the risk of tampering and ensures the integrity of the electoral outcome. EVMs are battery-operated, making them suitable for use in areas with unreliable electricity supply. Their compact size and durability enable easy transportation and storage, even in remote or inaccessible regions. Voters cast their votes by pressing buttons corresponding to their chosen candidates, and the machines record the votes electronically. Yes, EVMs have made the exercise that simple. However, India's endeavour to ensure fair elections didn't stop with these super reliable EVMs. Voter Verifiable Paper Audit Trail or VVPAT was introduced over a decade ago to add an extra layer of transparency. A VVPAT helps voters to physically confirm the choice they have made. It consists of a printer that gives a record of vote selection. When the voter casts the vote on the EVM, printer-like VVPAT apparatus linked to the EVM generates a slip showing the serial number, name, and

symbol of the candidate to whom the vote was made. With this slip, the voter can verify his casted vote. Since their introduction, they have been gradually implemented in selected constituencies during various elections, bolstering the credibility of the electoral process. In a democracy, there is perhaps nothing more important than the credibility of the electoral process. Therefore, elections should not only be fair but should be seen to be fair. EVMs were enhanced with Voter Verifiable Paper Audit Trail (VVPAT) to strengthen the voter trust. VVPAT facts;

- VVPAT slips cannot be touched by the voter. However they are visible to voters for seven seconds behind a transparent screen, at the end of which they fall into the sealed compartment in the VVPAT.
- The print on the thermal paper used lasts for more than five years.
- VVPAT has no camera and it can't take any photograph of the voter.
- ECI is committed to 100% deployment of VVPATs with EVMs at all polling stations in all future elections to the Parliament and state Legislative Assemblies. VVPATs shall be available as per the requirement.
- There have been some instances of VVPATs stopping during polls. However, adequate reserves are provided for replacing such VVPATs.

Social Media Campaigning & Digital Advertising

The role of social media in the 2024 general elections in India is poised to be a transformative force, significantly impacting political communication, voter engagement, and campaign strategies. With nearly one-third of the electorate having consistent access to social media, this election marks a critical juncture in Indian democracy, reflecting the rapid evolution of digital platforms as vital tools for political outreach and discourse. This shift follows a historical trajectory where social media began influencing electoral processes during the 2014 Lok Sabha

elections, leading to what has been termed India's first "social media election." As parties increasingly harness these platforms, they face both opportunities and challenges, including the prevalence of misinformation, ethical considerations in digital marketing, and the need for responsible engagement to uphold democratic integrity. Political parties, including the Bharatiya Janata Party (BJP) and the Indian National Congress (INC), have adopted diverse strategies to engage with a wide array of voters, utilizing platforms such as Facebook, Twitter, Instagram, and Whatsapp. The use of targeted advertising, grassroots digital campaigns, and real-time voter interactions has enabled parties to connect with underrepresented demographics, notably youth and rural voters. However, the rapid spread of misinformation, particularly through messaging applications like WhatsApp, poses significant risks, complicating the electoral landscape and influencing public opinion on key issues. As the elections approach, the discourse surrounding the ethical implications of social media usage has intensified. Concerns about data privacy, the authenticity of influencer-driven marketing, and the effectiveness of self-regulatory measures highlight the need for transparent practices in political campaigning. Furthermore, the digital public sphere has raised questions about the fragmentation of political discourse, where echo chambers may lead to polarization and the erosion of rational critical discussion among citizens,

as envisioned in Jürgen Habermas's concept of the public sphere. The 2024 general elections in India signify a pivotal moment for the integration of social media into political processes, underscoring both its potential to enhance democratic engagement and the imperative to navigate the associated risks responsibly. As political parties refine their strategies in this evolving landscape, the implications for voter turnout, public trust, and the integrity of the electoral processes remain crucial considerations in shaping the future of Indian democracy.

The Election Commission of India has a constitutional duty to conduct free and fair elections and to ensure a level playing field among the stakeholders. Accordingly, taking cognizance of the directions of the Hon'ble Delhi High Court in Writ Petition (C) (PIL) No. 6186 of 2024 and possibility of disturbing the level playing field by the Political Parties, their representatives and star campaigners by using "deep fakes", AI generated distorted content which spread fake information/misinformation/disinformation and distortions of facts, the ECI brings to the specific

notice of political parties under the provisions of Paragraph (I)(2) of the Model Code of Conduct, section 66C and 66D the Information Technology Act, 2000 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021, section 171G, 465, 469 and 505 of the Indian Penal Code and framework of the twin acts namely the Representation of People Act, 1950 and 1951 [Section 123(4)] that govern the regulatory framework and underline the emphasis for the same. The Commission directs political parties to take notice of the following regulatory framework governing the subject matter and strictly observing guidelines.

Other Concerns

The regulation of electoral data poses regulatory challenges that emerge, on the one hand, from transparency needs inherent to the work of election management bodies to build and preserve public trust, and on the other hand, from privacy needs, such as to ensure data minimization in the collection and processing of personal information. For the most part, these two rights complement each other in holding governments accountable to individuals. But there are potential conflicts between these rights when there is a demand for access to personal information held by government bodies, or transparency requirements of institutions (both public and private) are seen as infringing on the privacy rights of specific individuals. These two ostensibly competing public interest values can often be resolved by meaningfully considering

their broader objectives. However, this seeming conflict plays to the advantage of public actors that seek to avoid scrutiny by disingenuously and selectively positioning these values in opposition to each other, which leads to a dilution of both.

Earlier this year, the ECI announced that it would webcast activities at all polling stations in the Bihar state elections in November, up from its usual coverage of 50%. Rahu Gandhi, the leader of the opposition party, had asked for the webcasts to be shared, but this request has been denied by the agency, citing privacy concerns. In December 2024, the Modi government amended Rule 93 of the Conduct of Election Rules, 1961, to limit public access to certain electronic documents.

This includes CCTV and webcasting footage from polling booths. In June, a further change was made, reducing the duration for storage of the CCTV data from one year to 45 days. The ECI justifies this by claiming the footage could fuel ‘misleading narratives’ of voter fraud.

This policy

marks a significant departure from the ECI’s prior stance, where it allowed full scrutiny of information, using its institutional credibility to dismiss unproven claims. These new rules need to be seen in their recent historical context. In 2023, the Modi government enacted the Chief Election Commissioner and Other Election Commissioners Act, which grants the primary control over the appointment of Election Commissioners to the executive. This new law established a selection committee composed of the Prime Minister, a Union Cabinet Member, and the Leader of the Opposition (LoP). This composition gives the government a 2:1 majority, effectively enabling it to make appointments unilaterally. This legislative move directly contradicted a 2023 Supreme Court ruling, which had proposed an independent appointment process involving the Prime Minister, the LoP, and the Chief Justice of India.

Another reason to doubt that the ECI’s motivations are rooted in the need to protect the privacy of citizens is the overall state of electoral data in India. The Election Commission maintains electoral rolls for each district and, more importantly, for each polling booth. These are public databases which include details about voter names, age, gender, the father or husband of the voter’s name, address information, the voter’s photo identity card number, and, in some cases,

also their photograph. This can easily lead to inferring information about caste and religion, and profiling of a number of voters residing at a particular address and their demographic makeup. It is worth noting that this is all legally available public data, which can be mined by anyone. The ECI has made barely any efforts to revisit the operation of these analog-era rules, despite the new

privacy and political profiling risks emerging from the availability of digitized, searchable, and standardized databases to political operatives who intend to micro-target voters. No action has been taken to ensure that data protection rules that do not compromise transparency can be implemented. Meanwhile, the Reporters Collective recently reported that past investigations have shown that the ECI has shared voter data, including photographs, with the Telangana state

government and private companies contracted by it. Reform is necessary, but this government may not be motivated to pursue it.

Significant Acts

Representation of the People Act, 1950

An Act to provide the allocation of seats in, and the delimitation of constituencies for the purpose of election to, the House of the People and the Legislatures of States, the qualifications of voters at such elections, the preparation of electoral rolls, the manner of filling seats in the Council of States and matters connected therewith.

Representation of the People Act, 1951

An Act to provide for the conduct of elections to the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the corrupt practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such elections.

Representation of the People (Amendment) Act, 1966

An Act further to amend the Representation of the People Act, 1950, and the Representation of The People Act, 1951. The act focused on re-allocating Lok Sabha seats, delimitation of constituencies, brought the electoral rolls reform, created the post of the district election officer, expanded the disqualification rules, added disqualification for voting, shifted election petitions to High courts, introduced the polling and ballot security rules and strengthened the powers of the

Election Commission.

Representation of the People (Amendment) Act, 1988

An Act further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951. This act gave the Election commission full control over the election officers, defined a political party, created the political party registration system, completed rewriting of the criminal disqualification law, introduced a higher proposer requirement for special constituencies, made booth capturing a corrupt practice, criminalised booth capturing, introduced voting machines, gave the EC power to cancel elections due to booth capturing, stated voting machine failure as a ground for re-poll and established stricter punishment for election-eve campaigning.

Delimitation Act, 2002

An Act to provide for the readjustment of the allocation of seats in the House of the People to the States, the total number of seats in the Legislative Assembly of each State, the division of each State and each Union territory having a Legislative Assembly into territorial constituencies for elections to the House of the People and Legislative Assemblies of the States and Union territories and for matters connected therewith.

Representation of the People (Amendment) Act, 2003

An Act further to amend the Representation of the People Act, 1951. The Act amended sections 3, 59, 94, and 128 of the RPA 1951.

Representation of the People (Amendment) Act, 2010

An Act further to amend the Representation of the People Act, 1950. This act inserted clauses 20A into the RPA 1950. This created special provisions for citizens of India residing outside India to vote in elections.

Finance Act, 2017

An Act to give effect to the financial proposals of the Central Government for the financial year

2017-2018. Regarding electoral issues, this act changed the rules on disclosure of political donations, created the legal foundation for electoral bonds, removed donation caps and disclosure requirements, and introduced tax exemptions for political parties.

The Election Laws (Amendment) Act, 2021

An Act further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951. It introduced multiple qualifying dates for voter registration, gender neutral voter provision, voluntary Aadhaar-voter ID linking and expanded grounds for requisitioning premises during elections.

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