



Many People's Representatives do not Elect President of India?

Paper written

by

Dr. Rajesh Tandon
President

PRIA

42, Tughlakabad Institutional Area, New Delhi – 110062

Tel. : +91-11-29960931/32/33 Fax : +91-11-2996 55183

Website: www.pria.org; -mail: info@pria.org

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This is the season for election to the highest office in Indian democracy—the President of India. Much of the public attention has focused upon the candidates, their selection process and their supporting parties in various coalitions and formations. There is no discussion about how and by whom the President of India is elected, or not elected?

Article 54 of the Indian constitution prescribes the procedure where an electoral college elects the President. This electoral college comprises of all members of Parliament (both Lok Sabha & Rajya Sabha), as well as all legislators in state assemblies. Proportionate weightage is calculated for each voter in this electoral college. This is how media reports show votes in lakhs. But actual voters are less than 5000 elected parliamentarians and legislators of state assemblies.

It has been argued that this system of electing the Head of State in a democracy is rather unique in the world; its roots are in the debates of Constituent Assembly. It was argued in the Constituent Assembly that the President's post should be above petty party politics, and hence direct election of the President by the people will bring in partisan politics in full force to determine electoral outcome. The moot question to ask today is whether this 'indirect' system of election of the President of India has been able to 'stay above' party politics? The deliberations during the past 2-3 weeks do not support this contention; if anything, election of the President of India has become an intensely political activity amongst all political parties and their managers.

There was another argument made in the Constituent Assembly to keep the election of the President away from ordinary citizens of India; it was felt then that the Indian people were not able to exercise 'wise judgment' in the election of an appropriate candidate whose technical and professional competence was an important consideration for this highest office in independent India. Once again, the wisdom of ordinary folks is questioned, even in such matters as to elect their own President. Has the system of indirect election of the President of India through such an electoral college resulted in election of the most appropriately qualified and competent candidate all these years? A quick review of the bio-data and performance of many who have occupied this prestigious office lately would prove otherwise; the 'wise judgment' of members of this elite electoral college hasn't necessarily been wise!

Now comes the most curious question as to why elected members of panchayats and municipalities are not a part of this electoral college? After all, the 73rd and 74th constitutional amendments in 1992 have given these institutions of local governance the same status as state legislators and national parliament. More than 1.2 million elected panchayat and municipal representatives can further 'democratise' the electoral college itself currently controlled by merely 5000 members. This will substantially improve proportionate representation of all minorities in the country, including some of the smallest tribes and communities, since their elected panchayat representatives will also be casting votes in the election to the President. More importantly, the diversity of public opinions and the wide range of citizen aspirations would thus be articulated through this broad-based electoral college, thereby enhancing the legitimacy and respect for the elected President of India. The irony is that Chairpersons of Zila Parishad and Mayors of many large cities represent constituencies much larger than many of the MLAs and MPs taken together; why should

these representatives of the people be denied their right to elect the President of India then? Most importantly, nearly half of the total Electoral College would then comprise of women, if elected representatives of all panchayats and municipalities are included in the Electoral College. Please remember that affirmative action for women's representation in governance of India currently only exists in panchayats and municipalities, and has been consistently resisted by the political class at the provincial and national levels.

The current election to the President of India is taking place 20 years after the Indian constitution gave legitimacy to panchayats and municipalities as 'first' tier of governance. Why have the elected representatives of the three tiers of panchayats and municipalities not been included in this Electoral College in 20 years? Whose responsibility is this? The Election Commission of India? The Law Minister in national cabinet? The Prime Minister himself? Or the elected representatives of panchayats and municipalities themselves? Or the citizens of India?

RajeshTandon
President, PRIA
New Delhi

June 28, 2012