There has been increased realization in the world that a democratic form of government, drawbacks notwithstanding, is the best form of government and elections are the means through which such form of government is obtained. Elections are particularly conspicuous and revealing aspects of most contemporary political systems. They highlight and dramatize a political system, bringing its nature into sharp relief, and providing insights into other aspects of the system and the basic nature and actual functioning of the system as a whole.

Elections are complex events involving individual and collective decisions which directly affect, and are affected by, the total socio-political and legal process. They open up channels between the polity and the society, between the elites and the masses, between the individual and his government.

Election obviously have different meanings and play different roles in different political systems. But in every political system, elections are the cornerstone of democracy. They lie at heart of democratic and provide opportunities for expressions of popular will. The credibility of the electoral process has an important bearing on the healthy functioning of a political system. Holding of free and fair election is, therefore, the sine qua non of democracy.

When India became independent in 1947, and opted for parliamentary democracy, it chose for its electoral system the one with which it had become familiar during the preceding decades – the Anglo-American majority system. The statute drawn up to govern Indian Elections derived not only its content but even its name from its British counterpart – Representation of the People.
Act. There has been some tinkering with the laws, some amendments here and there, some revision of rules, but the basic structure has been the same.

Since the Indian Republic began its march in its historic career in 1950, basic features of the electoral system have been held aloft. It goes to the credit of the Indian masses that they have, by and large, shown capacity for political judgement to give marching orders to the errant rulers from time to time. The vibrancy of the democratic system depends in the fairness of elections. If elections are vitiated by violence, intimidation, booth capturing and other unfair practices, the choice of people is not properly reflective and democracy becomes a farce. So, it is essential for the survival of democracy to ensure that elections are free and fair. Owing to their significance in a democratic political system, the elections are governed by a set of laws.

Since the Indian electoral experience has been so vast, it seems particularly important to bear in mind the larger aspects and significance of the electoral process in India. This perspective can be best achieved by stressing systemic and developmental analysis.

The present study therefore has been chosen by the researcher to throw some light on the present scenario of electoral system in India. The primary objective of this research work is to make an evaluation of the overall election laws in India, identifying areas of practice that seem to call for improvement from the perspective of laws relating to the Indian electoral system.

(Jayanta Kumar Saha)