

The Future of Indian Elections: Between Constitutional Promises and Practical Realities; Reassessing Financial Fairness, Digital Safeguards, and Social Justice

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Abstract:

India, the world's largest democracy which has for decades celebrated its democratic electoral processes as the foundation of a democratic government. Periodic elections have therefore operated and have been served as constitutional rituals that uphold the principle of citizen sovereignty and citizen control since independence. The base of India's democracy is the constitutional assurance of free and fair elections, but problems like structural inequalities, technological disinformation, and hidden finance have weakened modern processes, even though the legal structure for elections is elaborated by articles like 324-329 and the Representation of the people acts, the visibility and equality embedded in the structured framework of the constitution are currently in jeopardy because of the increase in financial control, technological misuse and socio-economic bias. This abstract interprets the case. In order to achieve the constitutional expectations of participatory governance it is through an examination of three aspects of the election which are technological constitution, financing and the collaboration between elections, social and economic justice- the research states how inequality, money, and technology affect representational fairness. To reduce expenses, manage campaigns, and implement digital safeguards, it also reviews the One Nation, one election concept. As a constitutional amendment. The research gets to a decision that constitutional changes that provides a balance between efficiency, accountability and diversity is crucial for structural modification in 21st century democratic republics. It is important to bring about financial and security changes and integration of one nation and one election into the constitutional framework to balance efficiency with fundamental democratic principles outlined in part three of the Indian Constitution to achieve justice, equality, and participation rather than being just mere formalities. A more equitable and inclusive electoral system is demanded with the views of the socially excluded class and can be successfully achieved by the conjunction of one nation, one election plan. It would usually transform institutional frameworks, government funding, and digital protection.

Keywords: Constitutional Assurance, Articles 324-329, Legal Structure For Elections, One Nation, One Election, Equitable And Inclusive Electoral System

INTRODUCTION

India, the world's largest democracy which has for decades celebrated its democratic electoral processes as the foundation of a democratic government. Periodic elections have therefore operated and have been served as constitutional rituals that uphold the principle of citizen sovereignty and citizen control since independence (Palshikar,2022). These are not merely policy mechanisms, but these are done to portray transparent working of the representative of democracy. **Article 324- 329**, constitutional frameworks that primarily serve as a tool for enacting, free and fair elections, which align them with the universal concept of basic structure doctrine (Choudhry,2019). Elections are therefore both conception and political rights and exercise of citizenship that are guaranteed by the Constitution. However, in the present time, unprecedented difficulties regarding the fairness procedure of the elections taking place in India, have come under scrutiny because of the opaque finance mechanisms, rising significance of financial power and development of technological fraud.

Moreover, the promise of political fairness and equality in politics has diminished at a very unprecedented rate and the equal representation of different class, gender, religion regions have been distorted by fundamental differences and social gaps in the society. To preserve the principle of transparency, the judiciary stepped to protect the procedural fairness and electoral integrity, it outlined the voters right to know in **PUCL Versus Union of India, 2003**. There is a significant disconnect between the goals of the Constitution and the ground reality. This paper, therefore argues that elections should be treated, understood, and viewed as both legal as well democratic rights concern and as a regulating tool of administration (Bhatia,2020).

Therefore, this paper researches three dimensions:

1. Election Financing: Constitutional Implications

2. Digital Constitutionalism: Challenges and Regulating Campaign and Misinformation Online
3. Economic Justice and Elections at Crossroads.

These dimensions, therefore shed light onto how digital platforms and finance capital have become a major part of traditional political institutions and has shaped Indian electoral democracy. By researching through these lenses that are neglected, the paper researches to transform electoral democracy for the 21st century. Gross effects of money, inequality, media, and other prospects are made equally to draw conclusions for constitutional imperative and to embrace transparency, accountability, and inclusion.

• RESEARCH METHODOLOGY

In order to evaluate election validity, this research combines analytical and doctrinal methods to evaluate court judgments, legal frameworks and constitutional regulations. Legislative changes like the electoral bond scheme and one nation one election concepts are thoroughly analyzed with case laws like *Keshvananda Bharati*, *Indira Gandhi vs Raj Narayan* and *PUCCL vs UOI*. Analysing international types of state funded elections and digital safeguards also implies a comparative approach. A systematic analysis of problems like hidden money, misinformation and social exclusion is backed by secondary sources like reports of the Indian election commission and academic opinions

• Research Questions

1. How do Articles 324–329 and the Representation of People Acts safeguard the constitutional mandate of free and fair elections?
2. To what extent do opaque financing mechanisms, such as electoral bonds, undermine voter sovereignty and transparency?
3. What role can digital constitutionalism play in addressing online misinformation, algorithmic bias, and technological fraud in elections?
4. How do structural inequalities in representation affect the inclusiveness and democratic legitimacy of elections in India?
5. Can One Nation, One Election serve as a constitutional reform that balances efficiency, transparency, and federalism while strengthening electoral integrity?

• LITERATURE REVIEW

Free and fair elections are recognized by constitutional provisions in India's electoral procedures, which is based on the grounds of article 324-329 and court judgements. But, to maintain transparency and diversity, concerns with opaque financing digital false information and representational inequalities needed changes like one nation, one election along with more strengthened digital safeguards

1. CONSTITUTIONAL FRAMEWORK OF ELECTIONS IN INDIA.

The framer's objective about the constitutional architecture in the Indian electoral system is to basically ensure equitable governance. This can be done through **Article 324- 329 of part 15 of the Indian Constitution**. These articles set the framework and basic guidelines for holding elections to the state legislature and the parliament. The supreme superintendent, direction, and control of elections by **Article 324** is given to the election commission of India supplementing the constitutional responsibility (Austin,2021), **The Representation of People Act 1950** and 1951, provide details on eligibility requirements, disqualifications, electro registers, and other processes enshrined for free and fair elections (Kashyap,2019). By guaranteeing that electoral democracy performs within the bounce and not ultra vires, these tools are ways through which goals outlined in the Constitution are translated, implemented, and carried out.

The Election Commission of India is a powerful constitutional body that ensures neutrality in electoral processes. Its limits and its powers are still up for debate, though the commissions, integrity, independence, and credibility have been continuously maintained by the Supreme Court of India and concerns regarding its appointments and financial dependency (Saxena,2020) still prevail. The court in **Indira Gandhi versus Raj Narayan** has greatly broadened the scope of the idea of free and fair elections as it is an essential component of doctrine of the basic structure. Embedding, electoral fairness with constitutionalism was upheld as the constitutional supremacy in **Keshav Nanda Bharati versus State of Kerala**. (Singh,2020)

The **Representation of People's Act 1951** has been pivotal in order to control and prevent electoral irregularities, misconduct, violations, and malpractices. It offers means and procedures for disqualifying candidates based on abuse of public resources, communal appeals, fraudulent behaviour. The Supreme Court in **PCL versus Union of India** successfully, let down the **NOTA Option, (which is None of the Above)** (Raman,2018). Therefore, highlights the electrolytes, power to voice, disagreement, disapproval, or dissatisfaction of candidates. Technological advancements play a significant role in changing the landscape of electoral legislation as after the introduction of water, verified paper, auditor devices, and electronic voting machines, paper, ballot, or court monitored audits procedures have emerged. This therefore clarifies the ongoing doubt about the accuracy, reliability of EVM, underscoring the gap between public confidence and the technology used by election campaigns (Banerjee,2020),(Mehta,2019).

Additionally, since digital campaigns are on the rise, disinformation, targeting, and algorithm biases are new problems that have emerged due to lack of clear, constitutional, and legal provisions governing these areas. Future proposal, one nation, one election concepts which aims to unified, state and national elections, presence, lodges, logistical, and constitutional challenges yet would be transformative to tackle the problem of unfair and discriminated elections. According to accommodations and scholars, I think that such reforms would need to be carefully investigated and modified, amended, and adjusted to preserve the federal equilibrium and guarantee operational & administrative viability. There is an urgent need to confront money, power and technological influence is further highlighted in discussion surrounding digital standards and government support to fund elections. Reforms are needed to promote openness, accountability, and inclusivity to maintain the electoral trust on the constitutional framework of free and fair elections in this 21st century.

2. A CONSTITUTIONAL IMPERATIVE: FREE AND FAIR ELECTIONS

The foundation principle of India's Constitutional democracy is basically free and fair election. The Supreme Court has always tried to consistently upheld the basic structure concept which states that free and fair elections are a space and a dimension which are immune to constitutional revision. Electoral fairness is not just a political goal, but a constitutional need. Free and fair elections are more than just following the rules, but these are frameworks that call for fair chance for all candidates, financial transparency, voter, sovereignty, and absence of question on people. In **PUCL versus Union of India**, the court has expressly connected electoral rights and information to article 19(1)(a) by fortifying the voters right to know (Austin,2016).

Later in the **Union of India versus Association for Democratic Reforms** the judiciary reaffirmed the notion that public participation and engagement is necessary for democratic processes. Despite these transformative judicial advances, the processes involved in voting are still being undermined as the power of money, equality of opportunity by generating differences between candidates from high class societies and those who represent underrepresented groups or minorities. Through media influence and fabricated information, biases are made worse as hate speech, communal appeals, abuse of government apparatus are some primary influences in undermining the secular understanding. In the present times due to informational issues and procedural failures, this dimension has sparked worries and debates (Basu,2018).

Issues like widespread disenfranchisement particularly among the vulnerable population, who lack necessary paperwork, in the hasty special intensive revision of Bihar's voter list. Around 80 million waters were to re-verify their registration. Opposition parties have claimed that these exercises undermine the neutrality of the election commission and impact vulnerable areas. Moreover, West Bengal issues over transparency and voter inclusion are issues that have been seen from time immemorial and in the upcoming 2026 election, there is a substantial increase in enrolment rejections, approximately 24%, seen specially in border areas. To add, the political leaders in Karnataka have argued that EVM are unreliable and voters do not have trust in the confidentiality of EVM, so they are advocating for restoration of paper ballots.

To prevent fabricated information and maintain voter trust in the election commission, it has released guideline requiring AI generated propaganda content such as pictures, video and audios should be properly identified and then shared. Both international and national bodies have acknowledged the increasing risk of misinformation and fabricated information and have collectively taken a decision to establish a team to collaborate and combat the issues online on various social media platforms. Strong protection against voter disenfranchisement, artificial intelligence, abuse, and cyber threats in elections is some of the threats that these teams work to negate. These therefore highlight the necessity of instant protection against the actions that can jeopardise the integrity and freedom of free and fair elections. Judicial principles are not individually sufficient to protect electoral democracy, but require strong legal frameworks that provide accountability and transparency to people. Integrating equality,

autonomy, media regulation, and transparent campaign funding builds the trust of people residing in the country and necessitates institutional reforms to maintain constitutional authenticity and legitimacy (Vaishnav,2017).

3. ELECTORAL FINANCING: A MAJOR CONSTITUTIONAL RIGHT ISSUE

One of the most challenging aspects of Indian democracy is election financing, this is because election funding or campaign funding is not specifically regulated by the Constitution. It though has a very little connection to fundamental right of free expression and right to information is highlighted in the past judicial and statutory interpretations. The conflict between the financial secrecy and the right to voters to know about what they are getting into is highlighted by the launch of **Electoral Bond Scheme in 2017**. There has been prioritising that exist in these election processes as elites are given more democratic accountability. Then the marginalised or minority groups (Kumar,2024). Opaque corporate donations are some of the reasons these inequalities in the system exist that undermine the democratic accountability. The Supreme Court has continuously reiterated that electoral fairness depends solely on financial transparency that goes in campaigns Right to know has been included in Article 19(1)(A) after the co-ruling in **Union of India versus Association for Democratic Reforms and PUCL versus Union of India**. Therefore, political financing has become very crucial in making decisions and by concealing donor identities it clearly violates the principle of transparent practices. (Shukla et al.,2024). Relying on the current discussion surrounding one nation and one election, which aims to use the model code of conduct, which would therefore decrease the campaign expenditure (Durani,2025). is proposed. This would therefore enable political parties to encourage expenditure that are more rationalised and take note of and are more issue based rather than irrational spending. One Nation One Election promotes stability and efficiency by taking in account Article 324-329 effectively to regulate the idea of free and fair elections successfully (Durani,2025).

It is proposed that One Nation One Election would bring synchronisation to the state issues rather than undermining regional issues, policy reports have addressed that by offering a unified and unambiguous mandate. One Nation One Election is a transformative constitutional reform that can improve governance and can be an impressive model in being a cost cutting measure. The One Nation One Election structure is adaptive that it could be incorporated with amendments to Article 83, 85, 172 and 174 which could offer a better approach to tackle opaque financing during elections.

Cleaner, electoral finance can be introduced if One Nation One Election is combined with digital accountability with rules that are strict and significant state support. Therefore, Onoe has the potential to become a major pillar of electoral democracy to safeguard vote trust, fair representation, financial transparency and guarantee effective governance. In this 21st century.

4. INDIAN ELECTIONS AND DIGITAL CONSTITUTIONALISM

The emergence of digital platforms has drastically altered the electoral environment as it poses constitutional challenges to the concept of free and fair elections. According to the basic structure, doctrine, social media applications like Facebook, WhatsApp, Instagram, and Twitter have become extreme vehicles for political campaigning and engagement, but they also carry the risk of jeopardising free and fair elections by disinformation and the risk of hate speeches. Falls or fabricated news, also erodes the water trust and the right to make an informed choice under Article 19(1)(a) (Rodrigues,2024). Therefore, persuade the water to favour the party with greater digital resources. Online campaign expenses frequently go on reported or undetected, giving the wealthy political parties disproportionate influence, or perform unfair practices to gain more followers through the campaigning. Off-line spendings are therefore restricted by representation of people who act so well, the parties are more over switching to online mediums of effective campaigning (Mir & Rao,2023).

To add about the one nation, one election plan, it could significantly lessen, re-occurring cycles of spreading of fabricated or false information and lower administrative expenses by coordinating state and national elections along with improving accountability, transparency, and fairness. Putting one nation and one election to action requires robust, digital safeguards, and frameworks that filter out financial asymmetries. Through a digital model code of conduct, it is very crucial to incorporate digital constitutionalism to reduce bias and a regulated disclosure of online advertisements and information about financial sources. When embedded with a system that is critically monitored and is followed, One Nation One Election has the potential to change the whole dimension of digital advertising (Sahoo,2024) during elections from a tool that creates differences and misleading to a tool that promotes equitable elections along with inclusive political participation of all marginalized groups and communities (Albers,2025).

An approach which includes unified voter records, EVM, is backed by blockchains which means that it is tamper-proof as data is stored in blocks. Moreover, transparent electoral finance platforms, which disclose timely donations, ensure the citizen right to know under Article 19 (1)(a), water data cannot be misused making data protection act very important along with protections under Article 21 (Singh,2024).

Inclusiveness is equally vital to preserve the principle of Article 14, 21 and 19 even in rural areas. The digital literacy, campaigns and election apps are also important in these areas were indigenous communities along with marginalised groups with impairments. It is also crucial to include them in policy decisions and inclusion in elections, which is such a major aspect of the Constitution. A digital election commission must be led out to protect rights transforming One Nation One Election from a technological background to a democratic background. This would be real digital constitutionalism, which includes technological aspects as well and evolves around constitutional aspects as well. This regulates independence of the system and efficiency of the system as everything is so regulated that it is impossible to break through the system through malpractice (Fauzi & Habibi,2025).

In conclusion, in this digital age, it is important to stand against unfair acts, false information, and other malpractices that pose a significant risk to the integrity and legislative aspect of the Constitution. For one nation, one election plan to be successful, it should be implemented with constitutional Digital protection that supports equal representation, fundamental idea of free and fair elections and most importantly, transparency.

5. ELECTION LAW: A VIEW ABOUT ECONOMIC JUSTICE AND SOCIAL JUSTICE

Without taking economic fairness in account, electoral democracy is not complete. As already stated, that the high-class society candidates are disproportionately, preferred and supported by campaign, funding, and system, irregularities, and inequalities. These candidates end up representing underprivileged people as they make up the majority of voting campaigns. Farmers, women, members of organised sectors, minorities, et cetera have a very low representation in legislative bodies though their huge populations and influence in their area. The weekend, structural imbalance of the constitutional guarantee, is due to a major inequality in political participation. This is because it distorts representation and the disparities are made even exacerbated by huge political spending and donations from corporations (IDEA, International Institute for Democracy and Electoral Assistance). Policy capturing refers to the control of elite interest in legislative agendas at the expense of communities and constituencies that are disadvantaged or marginalised. Due to this electoral democracy runs the risk of evolving into something that is plutocratic which means corrupt in which political power and economic privilege translate into mere dominance (OECD,2017).

Economic and social fairness make the very basis of electoral democracy; this is the major space electoral democracy is lagging in. This is because farmers, workers that are Adivasi and women in different sectors continue to be under-represented in so many aspects due to unorganised sectors and inequalities. An example of the **Odisha assembly elections of 2024**, only 14% of the candidates were women, but the average woman voter turnout increased to 65.78%, (Deb,2024) which was more than men's. This is now changing as women focus assistance programmes are being used as electoral tactics (Nigam,2024). It was just a policy to earn more votes and not reduce the disparities that existed in the system. But in present time, **the Mayya Samman Yojana in Jharkhand and Ladli Behna Yojana** provide monthly cash to women to increase their political turnout. Moreover, **The Women Reservation Bill 2023** was approved by Parliament to reserve 1/3 seats for women but we are still awaiting implementation. Comparatives include Latin America, Brazil, and Mexico, which have state funded elections and lessened reliance on politicians about private funding. This is one of the most closely related components that illustrates how economic democracy is a mandate while evaluating free and fair elections (Deb,2024; Kori,2024)

The Indian jurisprudence has therefore recognised representational fairness as the highest order. It is essential to create legislative changes that re-allocate political opportunities without eliminating competition completely (Schaefer,2024; Halim,2015). This gap between these two spaces can be closed with spending limitations, appropriate actions for underrepresented groups, and partial or full state sponsorship of elections. To reform the electoral space, it is important to bring a reform to the economic and social justice perspective, and it should be viewed as a tool for inclusive representation (OECD,2017). When internal party rule, democracy is combined with reservations for women and underrepresented group representation can become more inclusive (Pande,2003; Vaishnav,2024). Diverse views should be given a platform in government. If all candidates had equal access to receiving grass, no political level training and access to media and underrepresented groups only

by putting such efforts and reforms into place. Indian democracy could be shaped into something that is more participatory and is democratic, then just being democratic in the eyes of other nations (Nigam,2024). To achieve true participation justice, it is important for equality to be met to be in line with the Constitution. Democracy, therefore, runs on the risk of becoming a mere privilege rather than a universal right if the marginalised groups remain marginalised and are not given enough room in legislatures.

6. CHALLENGES & EMERGING TRENDS IN INDIA'S ELECTORAL DEMOCRACY

Persistent problems exist in Indian elections, including criminalisation of politics, dark money in campaign finances, coercion on voters, digital misinformation, and other diagnostic dominance are some difficulties that exist in the system. These all together undermine public confidence in democratic institution and the originality and validity of election results. The fundamentals of free and fair elections are vulnerable due to ongoing issues faced in India's electoral democracy. This electoral integrity has been negatively challenged, and impaired due to issues, including for buying criminalisation, administrative prejudice, and dynastic succession along with exclusion of underrepresented groups. These were some of the major findings in the 2024 general elections that exposed administrative and regulative flaws.

The allegations of vote scams in different parts of the country, including Delhi, West Bengal, and Karnataka are spreading like wildfire and highlight the need and the necessity for more rigid controls. Campaign digitisation has brought it with challenges as well as opportunities. It brings wider accessibility to different social media applications, but also the risk to spread fabricated and false information which degrades the reputation of the governing body. The ECI Digital guidelines and the information technology rules are not sufficient to expose voters who are being manipulated and favour the parties that were more financially backed.

This paper calls for a thorough review and extensive revision of electoral law, and to bring it into compliance along with technological advancements of the new age. There is the need for diversity, I need that can bring democratic legitimacy and do justice to the Constitution of India.

RECOMMENDATIONS

- A. Treat the voters right to know as a fundamental and a constitutional right to know about the sources of money, to ensure openness in digital campaign, spending, and also opaque instruments like electoral bonds. To provide real-time public disclosure of funds. This can be therefore complimented by one nation one election by cutting campaign expenses, and transparent oversight.
- B. A digital code of conduct to regulate free expression and safeguards against disinformation, algorithmic, bias, and foreign interference. ONOE will allow election synchronisation by promoting digital campaigns to take place in a single period, which increases the effectiveness of disclosure and accountability.
- C. Reducing number of campaign cycles so that everybody can participate and giving underrepresented groups or marginalised groups, major field rather than giving major parties that invest more a larger field so that representation of these groups is also increased and the society changes from being socially exclusive to being socially inclusive
- D. Establish a financial autonomy body, which is regulated by the ECI and is funded by the state in order to maintain the control in the body. Establish a collision system for the nomination of election commissioners. To increase independence, ensure the ECI has social autonomy, and economic autonomy.
- E. Strengthen citizen monitoring, improve civil society, involvement, and broader voter awareness initiatives. Protecting voter against coercion and establish grievance platform for them to register their complaints which is strictly monitored by central authorities, and broaden voter awareness initiatives.

CONCLUSION

Vote rigging on booth capturing for some practices that were very prevalent in India, but now it is not just reduced to these two factors, but other factors that affect unfair elections that are structural inequalities, digital influence, and the power of dark money. India will have to improve transparency, accountability and equity while streamlining electoral season and cycle by integrating election finance that is regulated by the state and digital campaigning with one nation, one election plans. This is the way through which it would be given the recognition of constitutional right concerns.

The Constitution itself provides the foundation for the idea of free and fair elections. Article 324 gives the election commission to regulate elections and Article 326 embodies political equality by guarantee universal adult suffrage. By preventing discrimination and guaranteed justice under Article 21 and 14, which is to protect the

equality and dignity of persons fundamental right during an election process is the supreme goal of the Constitution. Article 19(1)(C) save right to association which includes the creation of political parties and Article 19 (1)(A) preserve the right to free expression which serves as the political foundation for transparency. It is important to bring about financial and security changes and integration of one nation and one election into the constitutional framework to balance efficiency with fundamental democratic principles outlined in part three of the Indian Constitution to achieve justice, equality, and participation rather than being just mere formalities. A more equitable and inclusive electoral system is demanded with the views of the socially excluded class and can be successfully achieved by the conjunction of one nation, one election plan. It would usually transform institutional frameworks, government funding, and digital protection. By integrating, equity, openness, and inclusion, a revised election system is essential to build the future of Indian democracy. It is important to guarantee economic and social equity in both representation and participation in a democratic country. It runs on the risk of the elite, political parties, taking control, and forming a system where there is no mechanism to amplify the voices of the marginalized groups.

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