
A MIRAGE IN THE POLITICAL DESERT:

THE RIGHT TO RECALL AND THE ILLUSIONS OF DEMOCRATIC ACCOUNTABILITY IN INDIA

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INTRODUCTION

Every few years, the Right to Recall (RTR) resurfaces in Indian political discourse by activists, opposition politicians, and pressure groups as the definitive remedy for the crisis of democratic accountability. The idea is superficially elegant: empower voters to remove non-performing representatives mid-term, and watch governance transform. It is the kind of proposal that sounds boldly democratic at a public rally and collapses almost immediately under analytical scrutiny.

At its core, the Right to Recall is a mechanism by which citizens may petition to mandate a vote on whether an incumbent elected representative should remain in office before the expiry of their term. Its emotional appeal is understandable, India has too many absentee MPs, too many legislators with criminal records, too many representatives who treat electoral mandate as a five-year licence for impunity. But the appropriate response to institutional failure is institutional repair, not procedural improvisation.

Proponents of the RTR frequently dress the idea in historical gravitas. Its roots are traced to the Vedic concept of Rajdharma, the obligation of just kingship, under which ineffective rulers could in principle be removed. In the modern era, M.N. Roy raised the demand formally in 1944 as part of a vision of radically participatory democracy. Jayaprakash Narayan championed it during the Total Revolution Movement of 1974, framing it as an instrument against corruption and political non-performance. Most significantly, the question was placed before the Constituent Assembly. An amendment was moved asserting that the Right to Recall must accompany the Right to Elect, voters must retain a remedy if their chosen representative fails them. The amendment was rejected. Dr. B.R. Ambedkar declined to accept it. Sardar Vallabhbhai Patel warned that recall would render constituencies permanent battlegrounds of political rivalry and factional warfare.

**THE LEGAL ARCHITECTURE:
WHAT THE LAW SAYS AND
DELIBERATELY DOES NOT**

**A NOBLE LINEAGE
A WEAK FOUNDATION**

Because of what it leaves out India's constitution and statutory framework governing elected representatives is instructive. The Constitution talks about disqualifying representatives for reasons like office of profit, criminal conviction, and anti-defection, but it says nothing about the electorate removing them in the middle of a term. This is not a mistake. It represents a thoughtful design decision based on the representative democracy theory, which holds that once elected, a legislator owes the country their judgment rather than just their constituency's favourable preferences. The main law governing elections is the Representation of the People Act, 1951. Vacation of seat upon conviction for certain offenses is the closest clause to removal under the Act. Removal on the grounds of unpopularity, poor performance, breaking electoral pledges, or just a general decline in public trust is not permitted. The law makes a clear and intentional distinction between political accountability, which it leaves to the electoral process itself, and criminal accountability, which it addresses.

THE PHILOSOPHICAL CHALLENGES OF RIGHT TO RECALL

The primary argument against the right to recall is philosophical rather than practical. It rests on a dangerously simplistic understanding of what democratic representation actually entails. The recall model implicitly treats the elected representative as a delegate an employee of their constituency obligated at all times to reflect local opinion or face dismissal. This is not representative democracy. It is a caricature of it, and a politically infantile one at that. Democratic theory has never been fully comfortable with the instruction mandate. Edmund Burke's famous address to the electors of Bristol in 1774 remains canonical



articulation of the opposing view: that a representative owes their constituents their judgment, not their obedience, and that parliament is a deliberative assembly of the nation, not a collection of ambassadors from hostile interests.

The Indian Constitution, in establishing a parliamentary system with fixed five-year terms, embedded precisely this understanding. The legislative wisdom in enshrining a fixed Lok Sabha or Vidhan Sabha term was premised on the need for time to draft and implement good policy and to ensure the political stability necessary for governance to function at all. The RTR threatens this premise directly. The Law Commission of India, in its landmark 255th Report on Electoral Reforms (2015) opposing political parties or opponents within the same party, are attempting to trigger recall on the tiniest of issues as soon as it is legally permitted. Legislators will turn their attention from developing policies to the urgent task of preserving their constituency seat at all costs in light of this ongoing uncertainty. This structure clearly has a negative democratic dividend.

A DIRECT COLLISION WITH ONE NATION ONE ELECTION

The Right to Recall does not exist in a policy vacuum. India is currently engaged in a

serious legislative debate about One Nation One Election (ONOE) the Constitution (129th Amendment) Bill, 2024, introduced in the Lok Sabha in December 2024, which seeks to synchronise Lok Sabha and State Legislative Assembly elections on a single electoral cycle. The High-Level Committee chaired by former President Ram Nath Kovind submitted its report in March 2024 recommending simultaneous elections on the ground that frequent, staggered elections paralyse governance, inflate election expenditure, and distort policy towards short-term electoral calculation. The solution proposed is to reduce the frequency of electoral events and thereby create longer, more stable windows for governance. The RTR moves in the diametrically opposite direction. It would introduce the permanent possibility of constituency-level elections at any point during any term unpredictably, in any part of the country, triggered by the political calculations of whoever can organise a recall petition. If ONOE is an attempt to impose discipline on India's chronically disrupted electoral calendar, RTR is a mechanism for dissolving whatever discipline remains. There is also the inescapable question of cost. Elections in India are not cheap administrative exercises they are among the most expensive democratic events in the world. The 2024 General Election was estimated to be the costliest election in human history, with total spending exceeding USD 14 billion or Rs 1.35 lakh crore across official and unofficial channels. Every triggered recall would require the full machinery of the Election Commission: polling personnel, security deployment, electronic voting machine logistics, Model Code of Conduct enforcement, and administrative oversight all mobilised for a single constituency at a time. The Kovind Committee, in its case for ONOE, cited election expenditure as a primary

motivation for synchronisation. RTR would not merely undo those savings it would create an open-ended election cost liability with no natural ceiling.

THE INSTRUMENT OF THE POWERFUL AGAINST THE WEAK

Democratic theory has never been fully comfortable with the instruction mandate. Edmund Burke's famous address to the electors of Bristol in 1774 remains the canonical articulation of the opposing view: that a representative owes their constituents their judgment, not their obedience, and that parliament is a deliberative assembly of the nation, not a collection of ambassadors from hostile interests.

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The case of Dewangarh, a hamlet in Patiala district in Punjab, is instructive and it is a case the NCRWC itself drew upon in its 2001 report. In 2008, the constituency was reserved as a Scheduled Caste seat. Jaswinder Singh, a brick kiln worker, was elected as Sarpanch. The majority of the village's residents members of the affluent Jat-Sikh community did not welcome this. In response, his four fellow panchs refused to attend a single panchayat meeting for the first half of his five-year term, thereby paralysing all local governance. When the requisite period had elapsed, they exercised the recall provision under Section 19 of the Punjab Panchayat Act, 1994 which permits panchs to remove a sarpanch by no-confidence motion after the completion of half the term to remove him from office. Jaswinder Singh had not been corrupt. He had not been absent. He had not misused public funds. He was removed because he was Dalit, and because the dominant caste community in his village refused to accept that a man of his background could hold elected office. The recall mechanism provided them with a legally sanctioned instrument to reverse a democratic outcome they disliked. This was not the RTR functioning as its proponents describe as a tool of popular accountability. It was the RTR functioning as a tool of caste oppression dressed in democratic clothing.

REJECT THE ILLUSION, PURSUE THE REFORM

The RTR's genuine demand is for accountability in between elections. Its suggested mechanism isn't. Recall mechanisms that undermine government give power to dominant groups, and encourage populism are not the proper response to this desire. It is a system of ongoing, institutionalized oversight that keeps representatives responsible for the duration of

their terms without endangering the stability necessary for efficient governance. There are a number of viable options that don't call either a constitutional modification or the chaos of midterm constituency elections. A systematic accountability record that voters and journalists could examine would be created if MPs and MLAs were required to submit quarterly performance reports to the appropriate legislature and make them publicly available. Strengthened Parliamentary Question Hour would reinstate an accountability system that has been methodically undermined by political theater and procedural manipulation. This would include mandatory attendance requirements and time-bound ministerial responses. Digitised, real-time tracking of MPLADS and constituency development fund expenditure would allow voters to monitor how their representative allocates public resources. They deliver the continuous accountability that recall advocates claim to want, without the constitutional disruption, social weaponisation, and governance paralysis that the RTR would produce.

PENALISING JUMLEBAAZI: LEGISLATING AGAINST FALSE PROMISES

One of the most persistent sources of voter disillusionment in India is not merely that representatives fail to perform it is that they were permitted, at the time of seeking votes, to make promises they knew with certainty they could not keep. The Hindi term *jumlebaazi*- the art of the meaningless grand gesture, the knowingly hollow commitment describes a practice that is endemic to Indian electoral politics and entirely unpunished by existing law. Rather than recall which punishes representatives for unpopularity, including the entirely legitimate unpopularity

that comes from making necessary but decisions India needs legislation that directly penalises fraudulent electoral promises. A credible framework could include an Electoral Promises Disclosure Act requiring all parties and candidates to submit a written, costed manifesto commitment to the Election Commission before polling, with a certification that the commitments are fiscally and legally achievable given existing constraints. Provisions within the Representation of the People Act, 1951 or a new standalone statute could treat material misrepresentation in electoral commitments as a corrupt practice, attracting the same disqualification consequences as other corrupt practices under Section 100 of the RPA. A Manifesto Accountability Tribunal, constituted within the Election Commission's institutional framework could assess whether declared commitments were made in good faith or constituted deliberate voter deception.

CONCLUSION

The Right to Recall is not a democratic advancement. It is a flawed proposal that stems from a naive misinterpretation of representative democracy;

it has been institutionally denounced by every serious body that has looked into it; it has been empirically refuted by panchayat-level evidence from India's own experience; and it is structurally incompatible with the electoral consolidation that One Nation One Election aims to accomplish. Genuine accountability is what India's voters need, not performative procedures that satiate their demand for action at the expense of worsening governance circumstances. Repairing the system itself is the better course of action than adding another election mechanism to an already flawed one. India needs to be intellectually mature enough to distinguish between reforms that empower citizens and those that only serve to appease them. The latter group definitely includes the right to recall. It's time to state it clearly and go forward with the more difficult and important task of creating democratic institutions that truly operate.

"The question is not whether the people should be sovereign, but whether sovereignty exercised impulsively, without institutional discipline, produces better governance than sovereignty exercised through structured, accountable representation. History including India's own suggests that it does not."

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