

QUESTION 07

जनप्रतिनिधित्व अधिनियम, 1950 के अंतर्गत मतदाता पात्रता और निर्वाचक नामावली के प्रावधानों पर चर्चा कीजिए। स्वच्छ निर्वाचक नामावली के महत्व का भी आकलन कीजिए और आधार-लिंगिंग पहल के संदर्भ में, इसकी सटीकता और समावेशिता बनाए रखने में भारत निर्वाचन आयोग (ईसीआई) के समक्ष आने वाली चुनौतियों का परीक्षण कीजिए।

(15 अंक, 250 शब्द)

Discuss the provisions of voter eligibility and electoral roll under the Representation of the People Act 1950. Also assess the importance of a clean electoral roll and examine the challenges faced by the Election Commission of India (ECI) in maintaining its accuracy and inclusiveness, with reference to the Aadhaar-linking initiative.

(15 Marks, 250 Words)

Thought Process (Pre-Writing Work)

- Parts of the question with expected marks criteria
- Directive Word(s)
- Topic Word(s)
- Limiting Words
- Writing Presentation
- Writing Interpretation

This section will be discussed in the Answer Discussion Class.

Description of the Answer Content

Voter eligibility requires a person to be an Indian citizen, at least 18 years old on the qualifying date, and "ordinarily resident" in a constituency. The RPA, 1950, mandates the preparation, revision, and correction of electoral rolls under the Election Commission of India's (ECI) supervision. While a "clean" electoral roll is vital for democratic integrity, the Election Commission of India (ECI) faces significant challenges, including the ongoing Aadhaar-linking initiative.

Provisions of voter eligibility and electoral rolls:

Voter eligibility: Under the Act, a person can be registered in a constituency's electoral roll if they are an Indian citizen, at least 18 years old on the qualifying date, and "ordinarily resident" in that constituency.

Registration conditions: A person cannot be registered more than once or in multiple constituencies. Furthermore, certain individuals, such as those of unsound mind or disqualified due to corrupt practices, are ineligible.

Electoral rolls: The ECI is responsible for preparing and periodically revising electoral rolls to ensure accuracy and reflect voter changes, like deaths or relocations.

Importance of a clean electoral roll:

Prevents fraud: Accurate rolls prevent fraudulent activities like impersonation, multiple voting, and the inclusion of ghost voters.

Inclusiveness: A clean roll ensures that all eligible citizens are registered, thereby upholding the principle of universal adult suffrage.

Election management: It facilitates efficient election planning and resource allocation, reducing wait times and complications during polling.

Challenges in maintaining electoral roll accuracy:

Dynamic nature: Population migration, deaths, and new eligible voters constantly change the electoral data, necessitating continuous and resource-intensive revisions.

Lack of awareness: Low awareness among citizens and political parties during non-election periods leads to incomplete or delayed updates.

Data collection issues: Manual errors during data entry, illiteracy, and logistical challenges in remote areas affect data accuracy.

ECI with Aadhaar-linking initiative

Supreme Court's directive (September 2025): The Supreme Court directed the ECI to accept Aadhaar as a valid form of identity proof for voter registration, especially during the special intensive revision (SIR) in Bihar. This reversed the ECI's

prior exclusion of Aadhaar, which had led to the deletion of millions of names and widespread criticism.

Issues and challenges: The mandatory Aadhaar-linking faced criticism due to fears of mass disenfranchisement, particularly affecting marginalized groups and migrant workers who might lack the required documents. Critics also raised concerns that this could lead to the creation of a stealth National Register of Citizens and violate privacy rights.

Inclusiveness concerns: The SC's directive to accept Aadhaar was seen as a course correction to ensure that eligible voters are not excluded due to procedural rigidities. The decision clarified that Aadhaar could be used for verification, but not as conclusive proof of citizenship, addressing a primary concern raised by the ECI.

In this context, the ongoing SIR process in Bihar, while a step towards greater accuracy, has also highlighted the complex balance between cleansing voter lists and protecting citizens' rights. Sustained efforts and clear communication are needed to address these issues and strengthen the foundations of India's democracy.

If Aspirants have any doubts, kindly ask the Mentor in the Answer Discussion Class

The purpose of this explanation is to value addition only.

One Model Answer can be...

The Representation of the People Act, 1950 lays down the framework for the preparation and maintenance of electoral rolls and defines voter eligibility in India.

Provisions:

- **Section 19:** A person is eligible to be registered as a voter if: They are a citizen of India, has completed age of 18 years and should be ordinarily resident in a constituency.
- **Section 21-23:** Provide for the preparation, revision, and correction of electoral rolls.
- **Section 25:** Assigns responsibility to the Election Commission of India (ECI) for maintaining accurate and updated electoral rolls.

Importance of a Clean Electoral Roll:

A clean electoral roll is the bedrock of a free and fair democratic process, directly impacting the credibility, inclusiveness, and integrity of elections in India. Its importance lies in:

- **Ensuring Electoral Integrity:** Prevents issues like bogus voting, multiple entries, and impersonation.
- **Safeguarding Voter Rights:** Ensures that every eligible citizen has the opportunity to vote, upholding universal adult franchise.
- **Promoting Electoral Participation:** Builds public trust, encouraging higher voter turnout and civic engagement.
- **Operational Efficiency:** Helps the ECI in better planning of polling stations, staffing, and logistics.

Challenges Faced by the Election Commission of India:

Despite legal frameworks under the Representation of the People Act, 1950, the ECI faces multiple challenges in maintaining accurate and inclusive electoral rolls:

- **Migration and Urbanization:** High internal migration, specially in urban areas, leads to outdated or duplicate entries.
- **Inclusion and Exclusion Errors:** Vulnerable groups such as women, tribals, the elderly, and marginalized communities are not always promptly updated.
- **Manual and Legacy Errors:** Inaccuracies due to human error, outdated records, and lack of digitization in some regions.

Aadhaar-Linking Initiative: Promise and Pitfalls:

The ECI's initiative to link Aadhaar with Voter ID (EPIC) aims to improve roll quality, but it presents both opportunities and challenges.

- **Potential Benefits:**
 - De-duplication of entries using biometric verification.
 - Improved authenticity of voter identity.
 - Helps track inter-state migration of voters.

- **Key Concerns:**

- **Exclusion Risk:** Authentication failures may disenfranchise legitimate voters.
- **Voluntary Nature:** As per the Puttaswamy judgment (2018), Aadhaar linking must remain voluntary, yet implementation has often been coercive.
- **Privacy and Surveillance:** Lack of data protection legislation raises fears of misuse of personal information.
- **Technical Gaps:** Errors in Aadhaar database (e.g. gender, etc.) can result in voter deletion.

A clean electoral roll is vital for democratic legitimacy, but the pursuit of accuracy must not come at the cost of exclusion, coercion, or privacy violations. The ECI must balance technological efficiency with constitutional safeguards, specially in the wake of judicial scrutiny.

Aspirants can use the brainstorming method to answer such information. Such method helps in avoiding unnecessary rambling and ensures that all the main points are covered within the word count.

Space for Answer Discussion

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