

Election Laws (Amendment) Bill passed in Lok Sabha amid din

Why in news?

The Election Laws (Amendment) Bill 2021 aims to give effect to the long-pending electoral reforms.

What provisions are amended?

- The bill proposes to amend the provisions of the Representation of Peoples (RP) Act, 1950 and the RP Act, 1951.
- **Section 23 of the RP Act, 1950** - The amendment enables linking of electoral roll data with the Aadhaar ecosystem.
- The objective is to curb the menace of multiple enrolment of the same person in different places.
- **Section 14(b) of the RP Act, 1950** - It specifies the 1st day of January, 1st day of April, 1st day of July and 1st day of October in a calendar year as qualifying dates in relation to the preparation or revision of electoral rolls.
- **Section 20 of the RP Act, 1950 and section 60 of the RP Act** - The amendment substitutes the word "wife" with the word "spouse" making the statutes gender neutral.
- Now any women officer's husband can act as service voter.
- **Section 160 of the RP Act, 1951** - The amendment enables the requisition of premises that are needed for being used as polling stations, for counting, for storage of ballot boxes, voting machines and poll related material after a poll has been taken accommodation for security forces and polling personnel for such period as are notified under section 30 of the said Act.

What are the advantages of linking Aadhaar data and electoral data?

- The new applicant may voluntarily provide Aadhaar number along with the application for the purpose of identity.
- However no application will be rejected on the grounds that Aadhaar number has not been provided.
- Aadhaar linking with electoral roll will solve one of the major problems in electoral database management which is multiple enrolments of the same person at different places.
- This may be due to the frequent shifting of residence by electors and getting enrolled in the new place without deleting the previous enrolment.
- Once Aadhaar linkage is achieved, the electoral roll data system will instantly alert the existence of previous registration whenever a person applies for new registration.
- This will help in cleaning the electoral roll to a great extent. It will also facilitate elector registration in the location at which they are 'ordinarily resident'.

What are the criticisms?

- Aadhaar Act does not allow for the linking of Aadhaar with the electoral roll.
- It is an act which is for the targeted delivery of financial and other subsidy benefits and services.
- The linking of voter ID with Aadhaar violates the fundamental right of privacy defined in Puttaswamy case.
- Aadhaar was only meant to be a proof of residence. It is not proof of citizenship. In our country, only citizens are allowed to vote.

Reference

1. [https://prsindia.org/files/bills_acts/bills_parliament/2021/The%20Election%20Laws%20\(Amendment\)%20Bill,%202022pdf](https://prsindia.org/files/bills_acts/bills_parliament/2021/The%20Election%20Laws%20(Amendment)%20Bill,%202022pdf)
2. <https://timesofindia.indiatimes.com/india/election-laws-amendment-will-help-in-cleaning-electoral-roll-govt/articleshow/88404640.cms>
3. <https://www.ndtv.com/india-news/election-laws-amendment-bill-2021-why-the-government-says-it-is-needed-in-10-points-2662497>
4. <https://indianexpress.com/article/india/election-laws-amendment-bill-passed-lok-sabha-7681801/>

