Relevance of NOTA in Uncontested Elections

***Prelims**: Indian Polity and Governance | Political System*

Why in News?

Recently, the Vidhi Centre for Legal Policy filed a Public Interest Litigation (PIL) for including NOTA as an option compulsorily in every election, even if there is only one single candidate.

***None of the Above (NOTA)** was introduced in 2013 on the PIL filed by the People's Union for Civil Liberties which sought a mechanism to "recognise the right of a voter not to vote, but still the secrecy of his having not voted is not maintained in its implementation..."*

- **Issues in uncontested elections** – *Not holding an election* in a constituency because there is only 1 candidate is a challenge.
- It would mean *denying voters the chance of expressing their opinion* (through NOTA) against that single candidate who will anyhow get elected unopposed.
- **Argument against mandating NOTA** – The *Election Commission (EC) is completely opposed* to the idea of making NOTA a compulsory option in all constituencies.
- EC has stated that, NOTA has not brought in the desired results as *not many voters have opted for NOTA in past elections*.
    - Only little more than 1% of voters, voted for NOTA in the 3 Lok Sabha elections (2014, 2019 & 2024) held since 2013.

***NOTA's weightage** was slightly higher in the very 1st election held in the State after NOTA was introduced but declined in subsequent elections, although the trend is not linear.*

- The relevance of uncontested elections is lesser in India
    - In all the Lok Sabha elections held since 1971, there have been *only 6 uncontested elections*.
    - Since 1952, there have been *only 9 cases of candidates getting elected unopposed.*
- Treating NOTA as mandate in all direct uncontested elections does *not find a place in the statues* and same would require legislative amendments in the provisions of
    - Representation of the People Act 1951 and in the
    - Conduct of Election Rules 1961
- **Arguments in favour of mandating NOTA** - It is a way through which our electoral system can become more responsive to people.
- There are many State assembly elections where little more than 1% opted for NOTA over the last decade.

    - For instance, the *highest being in Bihar with 2.48%* during the 2015 Assembly election, followed by Gujarat with 1.8% during the 2017 Assembly elections.
- **Way forward** - *Minimum % of votes to be polled* by the candidate can be fixed as a benchmark for getting elected depending upon the size of the constituency.
- *Legitimacy to NOTA votes and voters* can be given, by making a provision for re-election if certain % of voters opt for NOTA in an election.

Reference

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