Right to Vote & Compulsory Voting in India

Prelims Focus: *Current events of national importance | Polity and Governance*

Why in News?

The Election Commission of India (ECI) has announced the poll schedule for5 Assembly elections to be held in April–May 2026.

- **Constitutional Provision - Article 326-** Elections to the Lok Sabha and State Assemblies shall be based on *adult suffrage.*
- Every citizen **≥ 18 year,** not otherwise disqualified, is entitled to be registered as a voter.
- **Statutory Framework -** *Representation of the People Act, 1950* - Section 19 - Sets the **eligibility** to be an elector - Requires age ≥ 18 and ordinary residence in a constituency.
- *Representation of the People Act, 1951* - Section 62: Grants right to vote to every person whose name is on the electoral roll.
- **Judicial View -** Supreme Court has held that the ***right to vote is a statutory right,*** not a fundamental right.
- **Compulsory voting –**Voting is ***neither a fundamental duty nor a legal duty in India*** as of now.
- **Committees & Reports related to compulsory voting - Dinesh Goswami Committee (1990)** - Did not favour compulsory voting; recommended awareness campaigns.
- **255th Law Commission Report, 2015 -** Compulsory voting increases turnout (7%).
- Effectiveness depends on strict enforcement of penalties.
- Not desirable or feasible in India.
- **Constitutional Concern** - Compulsory voting *may violate freedom of expression* (Article 19(1)), as abstention is also a form of expression.
- **Global Comparison**
  - **Australia, Argentina, Brazil** - Compulsory voting; fines for non-voters.

    - **Peru -** Denial of certain public goods/services to non-voters.
- **Solution -** The solution lies in fostering enthusiasm amongst voters to exercise their right to vote through innovative campaigns, especially using social media.
- For migrant workers, stricter implementation of the statutory holiday on the day of polling, coupled with an increase in transport.
- With the advent of newer technologies, robust and secure methods acceptable to all stakeholders for remote voting should be considered.

References

1. The Hindu | Compulsory Voting
2. PRS India | Compulsory Voting

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