

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 for 5th 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 \geq **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 \geq 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](#)

