Universal Adult Suffrage

***Mains**: GS2 - powers, functions and responsibilities of various Constitutional Bodies. Government policies and interventions for development in various sectors and issues arising out of their design and implementation.*

Why in the news?

Recently, the Supreme court's remark on 'right to vote' has cast a spotlight on the foundational processes of India's electoral machinery and the genesis of India's 'universal adult suffrage' (UAS).

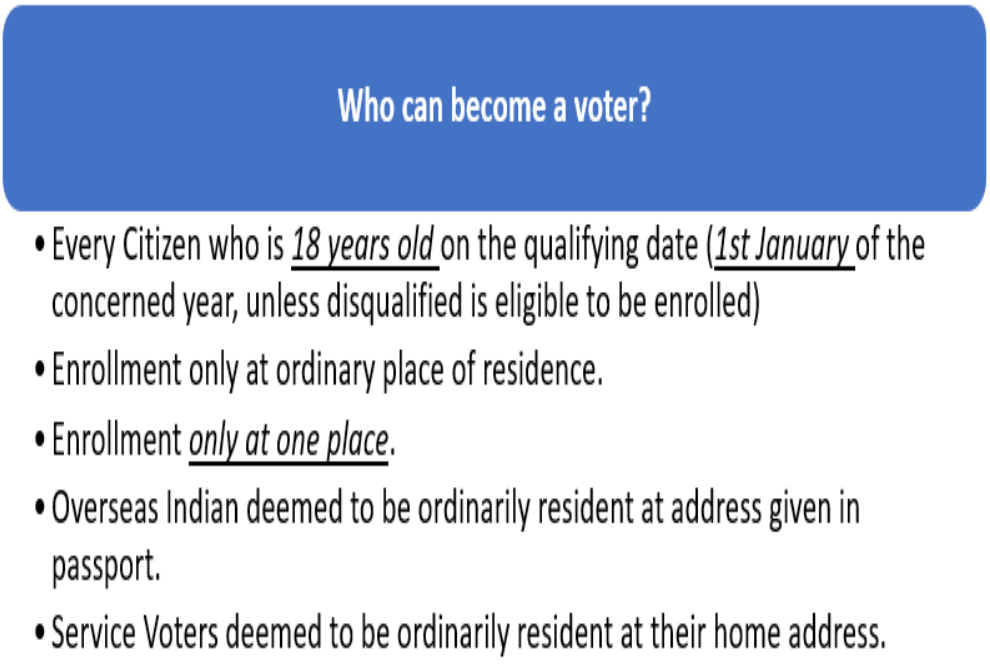
What is universal adult suffrage?

- **Universal adult suffrage** – It refers to the ***right of all adult citizens to vote***, regardless of their social status, wealth, education, or other factors.
- It is also called as *Universal Adult Franchise.*
- **Importance** – It is a cornerstone of democracy, ensuring that *all citizens have a voice in choosing their representatives*.
- **Adoption in India** – It is adopted at the time of adoption of the present-day constitution i.e. *January 26, 1950.*
- **Constitutional provision** - ***Article 326*** of the Constitution provides that the elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage.

***Free and fair elections** is part of the basic structure of our Constitution as declared by the Supreme Court in various cases and in this regard, the right to vote is granted to all citizens who are 18 years of age or older.*

*The **voting age for elections** to the Lok Sabha and State Legislative Assemblies was lowered from 21 to 18 years old by the 61st Amendment Act of 1988.*

- **Electoral roll** – The ***names of eligible electors*** ordinarily residing in an assembly constituency, are enlisted in the voters list by the registering authority.
- The Election Commission is empowered under Section 21 of the Representation of peoples Act 1950 to prepare and revise electoral rolls to ensure integrity.



What is legality of right to vote in India?

*During **Constitutional Debates**, B.R. Ambedkar and K.T. Shah proposed adding 'right to vote' in the fundamental rights part but the Constituent Assembly's Advisory Committee rejected the idea.*

- **Statutory right** – It is recognized as a statutory right under Section 62 of the *Representation of the People Act (RPA), 1951*.
- **Supreme Court's clarification** - *In Kuldip Nayar v. Union of India (2006),* it had clarified that voting is ***not a fundamental or constitutional right***.
- In the case of *Anoop Baranwal v. Union of India (2023)*, it reiterated the same as given in Kuldip Nayar case judgment.
- **Democratic imperative** - Despite its statutory nature, courts recognize voting as essential for democracy's survival and enables citizens shape governance.

What are the challenges in voter inclusion?

- **Inclusion barriers** - Illiteracy, lack of awareness, and administrative hurdles can exclude eligible voters.

The Election Commission used election symbols and other innovations to empower millions of illiterate voters. Nearly 173 million largely illiterate voters enrolled in electoral rolls because of EC's efforts.

- **Inaccurate electoral rolls –** It includes *omissions, duplicates*, ineligible names that threatens the "one person, one vote" principle.
- **Systemic errors** - It refer to *consistent, repeatable problems* that distort the outcome

or fairness of the electoral process.
    - **For example** - Election Administration Bias, Biased Voting Technology, Voter Suppression, Gerrymandering etc.

> ***Gerrymandering*** *means manipulating district boundaries to favor a particular political party or group, skewing representation.*

- **Voter suppression -** Practices that disproportionately prevent certain groups (e.g., minorities, the elderly, and students) from voting.
    - **For instance,** strict ID laws, purging voter rolls, or limited polling locations.
- **Citizenship verification** - Controversies over verifying citizenship risk wrongful disenfranchisement without due process.
    - **For instance**, *Special Intensive Revision (SIR) of electoral rolls* in Bihar.

What reforms can be taken?

- **Electoral roll updating -** Continuous updating and purification of electoral rolls to remove ineligible names and include eligible voters.
- **Electronic integration of death registration data** - It will enable Electoral Registration Officers (EROs) to immediately delete the names of deceased persons from the electoral roll.
    - At the same time, Booth Level Officers (BLOs) will be sent out for field verification to confirm the validity of the information.
- **Standardized photo identity cards for BLOs** - Official ID cards will assist in establishing the legitimacy and authority of BLOs while conducting their door-to-door interactions with people.
- **Redesigned Voter Information Slips (VIS)** – This new slip with clear numbers and fonts especially helpful to senior citizens, persons with disabilities, and first-time voters, and simplifies voting procedure.
- **Authenticating EPIC** - Linking citizens' Aadhaar number with EPIC (Electors Photo Identity Card) may be considered to accurately identify the voters with privacy measures.
- **Document expansion** - Accepting more identity documents for voter registration, as suggested by the Supreme Court.

What lies ahead?

- Political parties can actively help include eligible voters and remove ineligible ones.
- Due process and natural justice in citizenship verification and voter deletion cases can be ensured.
- Voter education can be promoted, so that citizens verify and update their entries, becoming custodians of electoral integrity.

References

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