

Universal Adult Suffrage in India

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Universal Adult Suffrage in India: Legal Framework and Electoral Inclusion

Context

Recently, the **Supreme Court's observation on the 'right to vote'** has brought attention to the origin, nature, and functioning of **Universal Adult Suffrage (UAS)** in India. This has prompted a broader discussion about electoral inclusion, legality, and necessary reforms.

Universal Adult Suffrage in India

- **Definition:** Refers to the right of all adult citizens to vote, irrespective of caste, class, religion, education, or income.
 - **Adopted:** From **January 26, 1950**, with the commencement of the Constitution.
 - **Constitutional Basis:** Article **326** mandates elections to Lok Sabha and State Assemblies based on **adult suffrage**.
 - **Voting Age:** Lowered from **21 to 18 years** by the **61st Constitutional Amendment Act, 1988**.
 - **Basic Structure:** **Free and fair elections** are part of the **basic structure** of the Constitution as per various SC rulings.
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Electoral Roll & Voter Eligibility

- **Electoral Roll:** Includes names of eligible citizens residing in a constituency, prepared by the Election Commission.

- **Legal Provision:** Section **21 of the Representation of the People Act, 1950** empowers the EC to revise electoral rolls.
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Legality of Right to Vote in India

- **Not a Fundamental Right:** Despite being essential for democracy, the right to vote is a statutory right.
 - **Legal Basis:** Section **62 of the Representation of the People Act, 1951**.
 - **Supreme Court View:** In **Kuldip Nayar v. Union of India (2006)** and **Anoop Baranwal v. Union of India (2023)**, SC clarified it is **not a fundamental or constitutional right**.
 - **Debate in Constituent Assembly:** Proposals to include it under **Fundamental Rights** were rejected.
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Challenges in Voter Inclusion

- **Inclusion Barriers:** Illiteracy, lack of awareness, administrative challenges.
 - **EC Initiatives:** Election symbols and voter education enabled **173 million illiterate citizens** to enroll.
 - **Inaccurate Rolls:** Presence of **duplicates, ineligible names, and omissions** threatens electoral integrity.
 - **Systemic Errors:** Includes **gerrymandering**, biased technology, voter suppression.
 - **Voter Suppression:** E.g., strict ID laws, limited polling booths, voter roll purging.
 - **Citizenship Verification Issues:** Controversial drives like **Special Intensive Revision in Bihar** risk wrongful disenfranchisement.
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Suggested Reforms

- **Real-time Roll Updating:** Continuous addition and deletion of voters.
 - **Electronic Integration:** Link **death registration data** to delete names of deceased voters quickly.
 - **Field Verification:** Use of **Booth Level Officers (BLOs)** for on-ground confirmation.
 - **ID Improvements:** Standardized **BLO ID cards** and redesigned **Voter Information Slips (VIS)** to assist senior citizens and first-time voters.
 - **Linking Aadhaar with EPIC:** For voter authentication (with **privacy safeguards**).
 - **Document Flexibility:** Expand list of accepted documents for registration, as suggested by SC.
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Way Forward

- **Political Will:** Parties must support inclusive and accurate voter lists.
- **Due Process:** Ensure fair procedures in deletion and verification drives.
- **Voter Education:** Empower citizens to verify and update electoral details, strengthening democracy.

