



# IAS PARLIAMENT

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## Election Laws (Amendment) Bill passed in Lok Sabha amid din

### Why in news?

The Election Laws (Amendment) Bill 2021 aims to give effect to the long-pending electoral reforms.

### What provisions are amended?

- The bill proposes to amend the provisions of the Representation of Peoples (RP) Act, 1950 and the RP Act, 1951.
- **Section 23 of the RP Act, 1950** - The amendment enables linking of electoral roll data with the Aadhaar ecosystem.
- The objective is to curb the menace of multiple enrolment of the same person in different places.
- **Section 14(b) of the RP Act, 1950** - It specifies the 1st day of January, 1st day of April, 1st day of July and 1st day of October in a calendar year as qualifying dates in relation to the preparation or revision of electoral rolls.
- **Section 20 of the RP Act, 1950 and section 60 of the RP Act** - The amendment substitutes the word "wife" with the word "spouse" making the statutes gender neutral.
- Now any woman officer's husband can act as service voter.
- **Section 160 of the RP Act, 1951** - The amendment enables the requisition of premises that are needed for being used as polling stations, for counting, for storage of ballot boxes, voting machines and poll related material after a poll has been taken accommodation for security forces and polling personnel for such period as are notified under section 30 of the said Act.

### What are the advantages of linking Aadhaar data and electoral data?

- The new applicant may voluntarily provide Aadhaar number along with the application for the purpose of identity.
- However no application will be rejected on the grounds that Aadhaar number has not been provided.
- Aadhaar linking with electoral roll will solve one of the major problems in electoral database management which is multiple enrolments of the same person at different places.
- This may be due to the frequent shifting of residence by electors and getting enrolled in the new place without deleting the previous enrolment.
- Once Aadhaar linkage is achieved, the electoral roll data system will instantly alert the existence of previous registration whenever a person applies for new registration.
- This will help in cleaning the electoral roll to a great extent. It will also facilitate elector

registration in the location at which they are 'ordinarily resident'.

## What are the criticisms?

- Aadhaar Act does not allow for the linking of Aadhaar with the electoral roll.
- It is an act which is for the targeted delivery of financial and other subsidy benefits and services.
- The linking of voter ID with Aadhaar violates the fundamental right of privacy defined in Puttaswamy case.
- Aadhaar was only meant to be a proof of residence. It is not proof of citizenship. In our country, only citizens are allowed to vote.

## Reference

1. [https://prsindia.org/files/bills\\_acts/bills\\_parliament/2021/The%20Election%20Laws%20\(Amendment\)%20Bill,%2020202pdf](https://prsindia.org/files/bills_acts/bills_parliament/2021/The%20Election%20Laws%20(Amendment)%20Bill,%2020202pdf)
2. <https://timesofindia.indiatimes.com/india/election-laws-amendment-will-help-in-cleaning-electoral-roll-govt/articleshow/88404640.cms>
3. <https://www.ndtv.com/india-news/election-laws-amendment-bill-2021-why-the-government-says-it-is-needed-in-10-points-2662497>
4. <https://indianexpress.com/article/india/election-laws-amendment-bill-passed-lok-sabha-7681801/>



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