

Bill No. 52 of 2009

THE COMPULSORY VOTING BILL, 2009

By

SHRIMATI SUPRIYA SULE, M.P.

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BILL

to provide for compulsory voting by the electorate in the country and for matters connected therewith.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Compulsory Voting Act, 2009.

Short title,
extent and
commencement.

(2) it extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification
5 in the Official Gazette, appoint.

43 of 1951

2. Notwithstanding anything contained in the Representation of the People Act, 1951 or any other law for the time being in force, every citizen, who is eligible to vote at an election, shall exercise his right to vote compulsorily when called for by the Election Commission in an election to the House of the People or Legislative Assembly of a State, as the case may be:

Compulsory
voting by
every eligible
citizen.

10 Provided that a voter may be exempted from exercising his right to vote if he is physically incapacitated due to an illness of a serious nature and produces a certificate from a registered medical practitioner certifying such incapacity.

STATEMENT OF OBJECTS AND REASONS

It is a very sad feature of our democracy that in most of the elections the number of voters who cast their votes is far less than those who are eligible to vote. The average number of votes polled is around fifty per cent. It does not reflect well on the responsibility of the citizens that the fate of the country's democratic institutions is left to be decided by only fifty per cent of the electorate. Since the trend of voting during elections has not so far shown any appreciable increase in the number of voters who exercise their franchise, the time has come to bring forward a legislation making it compulsory for every voter to exercise his right to vote in order to ensure that all the citizens exercise their sovereign right to choose their representatives so that the elections reflect the will of the whole electorate and not merely a part of it.

With a view to increasing the voting percentage, the present Bill proposes to make it compulsory for every eligible voter to vote during elections and provides for exemption only in cases where the voter is physically incapacitated due to illness of serious nature and produce a certificate to this effect from a registered medical practitioner. The Bill also provides for arrangement of mobile booths for those who are unable to go to polling booths due to illness or certain other reasons.

Since casting of vote is being made compulsory, punishment is also sought to be given to those who do not vote at elections. However, cash reward and other incentives are also proposed to be given to those persons who vote at elections inspite of their illness or have been voting in successive elections without any break.

Hence the Bill.

NEW DELHI;
June 30, 2009

SUPRIYA SULE

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that the Election Commission shall make arrangements for mobile polling booths for the purpose of casting of votes by those persons who are not in a position to cast their votes at polling booths in each constituency. Clause 5 of the Bill provides for cash reward of rupees one thousand to those persons who inspite of their illness or physical incapacity exercise their right to vote at an election or to those who exercise their right at all elections held during a period of twenty years without any break.

This Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees one crore per annum.

A non-recurring expenditure of about rupees one lakh is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill, which will relate to matters of detail only. The delegation of legislative power is, therefore, of a normal character.

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(Shrimati Supriya Sule, M.P.)