



Innovative Practices in Election Process in India -Link Epic with Aadhar

Viqar R. Shaikh

Assistant Professor

H.J.Thim College, Jalgaon (IND)

Abstract: Everyone who lives in a country must have the ability to vote. The use of computerised voting machines has allowed for the elimination of drawbacks like manipulation and tampering in the computerised voting process. A voting system based on biometrics is suggested as a solution to this issue. Aadhaar is now required and is employed for authentication. Physical and behavioural traits are utilised in biometric data to recognise an individual. Voter information is saved on a server under the suggested technique. The thumbprint is recorded in order to get the metadata, including the voter's surname and name, age, voter ID, and polling location. The Aadhar number is then provided, allowing the EVM to vote against the individuals you choose. This technique lessens the possibility of manipulation by hackers. The suggested technique reduces the amount of time required to recognise the voter. The biometric-designed EVMs are customizable, lightweight, and accessible. It also uses very little energy.

Key Words: Vote, Voting Machines, Manipulation and Tampering, Aadhaar, Biometric Data, Server.

1. INTRODUCTION:

India is the biggest vote-based country on the planet. In a majority rule government, decisions are the most fundamental and significant components of legislative issues. The regret is that a majority rule system can work just when decisions to allocate force are directed in a free and fair way. The issue of discretionary changes is a vital point in Indian governmental issues. India is a model for the overwhelming majority arising from vote-based systems all over the planet. Free and fair races are a sign of a well-working majority rule government. We are reasonably grateful for our majority rule government. However, there are numerous regions that should be reinforced to understand the genuine capability of a well-working vote-based system. Throughout the long term, there has been worry in India about numerous parts of our constituent framework. The Political Race Commission has made changes in a few regions to answer a portion of the worries. There are also a few panels that have inspected significant issues connected with our electoral framework and made a few proposals.

Total Electors in India:

Table no.01 Total Electors in India

Number of Electors	90.20 Millions
Male Voters	468 Millions
Female Voters	432 Millions
Third Gender	38325
Youth (18-19)	15 Millions
Overseas (NRI) voters	71,735
Male Service Electors	986384
Female Male Service Electors	379241
Total Polling Stations	9,27,553
Total Assembly Constituencies	4,120

Source: Election Commission of India

According to the election commission of India, 900 million people were eligible to vote, with an increase of 84.3 million voters since the last election in 2014, making it the largest-ever election in the world. For 15 million voters aged 18–19 years, they became eligible to vote for the first time. 468 million eligible voters were males, 432 million were females, and 38,325 identified themselves as belonging to a third gender. A total of 71,735 overseas voters also enrolled. The final turnout stood at 67.11 per cent, the highest ever recorded in any of the general elections till date. The



percentage is 1.16 per cent higher than in the 2014 elections, whose turnout stood at 65.95 per cent. Over 600 million voters polled their votes in the 2019 Indian general elections.

2. OBJECTIVE OF THE STUDY:

The goal of this study is to give foundation data on issues in our constituent cycle and to frame some discretionary change choices that have been viewed by the Political Race Commission of India over a wide span of time.

3. COMMITTEES ON ELECTORAL REFORMS:

The topic of electoral reforms has been taken up by numerous government committees in the recent past, including but not limited to: The issue of electoral reform has been taken up by several government committees in recent times, including, but not limited to:

- “Goswami Committee on Electoral Reforms (1990)
- Vohra Committee Report (1993)
- Indrajit Gupta Committee on State Funding of Elections (1998)
- Law Commission Report on Reform of the Electoral Laws (1999)
- National Commission to Review the Working the Constitution (2001)
- Election Commission of India – Proposed Electoral Reforms (2004)
- The Second Administrative Reforms Commission (2008)

4. ELECTORAL REFORMS IN INDIA:

- The Political Race Commission has begun efforts to fortify the constituent framework. Yet, its own command can, in some cases, be a restricting element. In this specific situation, the issue should be analysed with regard to regulatory and different changes expected to make the constituent framework work better for every one of our residents.
- As of late, a few panels have inspected numerous parts of our constituent cycle and prescribed huge changes to the framework. A portion of these proposals have been executed.
- “Criminalization of Politics
- Financing of Elections
- Conduct and Better Management of Elections
- Regulating Political Parties
- Auditing of Finances of Political Parties
- Adjudication of Election Disputes
- Review of Anti-Defection Law
- Blind & Handicapped Person Vote
- Challenge Vote
- Tender Vote
- Electronic Voting Machine (EVMs)
- Voter-Verifiable Paper Audit Trail-(VVPAT)
- Information Technology in Election Management
- Computerization of Electoral Rolls
- Electoral Photo Identity Card-(EPICs)
- Negative/Neutral Voting (NOTA)
- Political Parties’ Reforms
- Misuse of Religion for Electoral Gain
- Amendment of law to make Paid News an Electoral Offence
- Ban on Transfer of Election Officers on the Eve of Election
- Election Law (Amendment) Bill 2021.

ELECTION LAW AMENDMENT ACT 2021:

A couple of days prior, the Lok Sabha passed the Political Race Regulations (Change) Bill, 2021, which tries to interface citizen roll information and political decision photograph personality cards (EPIC) with the Aadhaar environment.

BACKGROUND OF ELECTION LAW AMENDMENT ACT 2021:



The report of the Parliamentary Standing Board of Trustees on Regulation Service upheld connecting the special Aadhaar ID card number with the elector ID card, which would work with change in amazing differences in conventional homes by citizens. The peculiarity of numerous passages can likewise be dispensed with, which is fundamental in a participatory vote-based system.

CHANGES IN 1951 ACT:

- "The Act amends the Representation of the People Act, 1950 and the Representation of the People Act, 1951 to implement certain electoral reforms.
- The 1950 Act provides for the allocation of seats and delimitation of constituencies for elections; qualifications of voters; and preparation of electoral rolls.
- The 1951 Act provides for the conduct of elections, and offences and disputes related to elections.

HURDLES OF THE ACT:

- "The government has clarified associated concerns and queries regarding the Bill that pose questions on the "linking of Aadhaar" and raise the "fear of mass disenfranchisement."
- The government states that the proposed linkage between Aadhaar and the election database is purely voluntary.
- Moreover, no application for inclusion of a name in the electoral roll shall be denied and no entries in the electoral roll shall be deleted for the inability of an individual to furnish or intimate Aadhaar numbers.

KEY FEATURE OF THE ACT:

- "The Act provides for the amendment of section 23 of the Representation of People's Act, 1950, enabling the linking of electoral roll data with the Aadhaar ecosystem. The change is being suggested to address two issues:
- Curb the menace of multiple enrolment of the same person in different places.
- Stop bogus and fraudulent votes.
- The Act suggests an amendment to Section 14 of the RP Act that will allow four "qualifying" dates for eligible people to register as voters.
- The Act also seeks to designate April 1, July 1 and October 1 as qualifying dates, in addition to January 1, for the enrolment of 18-year-olds as voters. As of now, only those who turned 18 on or before January 1 of every year are allowed to register as voters.¹
- The Act aims to bring Gender Neutrality with the amendment of Section 20 of the RP Act, 1950 and Section 60 of the RP Act, 1951.
- This change will allow the elections to become gender-neutral for service voters. Service voters are those serving in the armed forces, armed police forces of a state serving outside it and government employees posted outside India.
- The amendment replaced the word "wife" with the word "spouse," making the statutes "gender-neutral."

IMPORTANCE OF ACT 2021:

- Various electoral reforms are included in the said Act and related legislation has been discussed.
- The linkage of Aadhaar with the electoral roll will eliminate the problem of over-enrollment of the same person in many places.
- Once the Aadhaar linkage is complete, when a person applies for a new registration, the data system will immediately inform them about the person's previous registration as per the information in the electoral roll.
- This will help to eliminate duplicates on the electoral roll and facilitate the registration of voters where they are resident.

CHANGES IN THE ACT:

- **Linking Aadhaar to the Voter ID-(EPIC):** The Election Laws (Amendment) Bill also seeks to allow the electoral registration officers to ask for Aadhaar numbers from "persons already included in the electoral roll for the purposes of authentication of entries in the electoral roll."
- And also to identify the registration of names of the same person in the electoral roll of more than one constituency or more than once in the same constituency. "
- **“Voluntarily link Aadhaar data to electoral rolls:** The amendment bill makes it clear that no application for inclusion of a name in the electoral roll shall be denied and no entries in the electoral roll shall be deleted for



inability of an individual to furnish or intimate an Aadhaar number due to such sufficient cause as may be prescribed.

- Such people will be allowed to furnish other documents as may be prescribed.
- **Representation of the People Act, 1950 and 1951:** Various sections of the Representation of the People Act, 1950 and 1951, will be amended.

Section 23 of the RP Act, 1950 will be amended to allow linking of electoral roll data with the Aadhaar ecosystem "to curb the menace of multiple enrolment of the same person in different places."

Section 14 of the RP Act, 1950 will allow having four "qualifying" dates for eligible people to register as voters." Various sections of the Representation of the People Act, 1950 and 1951 will be amended.

ELECTION LAW AMENDMENT ACT 2021 MILLSTONE OF INDIAN DEMOCRACY:

- **“Electoral database management:** Aadhaar linking with the electoral roll will solve one of the major problems in electoral database management, which is multiple enrolment of the same person at different places. This may be due to the frequent shifting of residences by electors and their getting enrolled in the new place without deleting the previous enrolment.
- **To stop bogus voting:** The government is attempting to stop bogus voting.
- **Clean up electoral rolls:** It will help clean up electoral rolls and facilitate elector registration in the location at which they are "ordinarily resident".
- **No duplication:** The possibility of electors having their names appear on more than one electoral roll, or even multiple times on the same electoral roll, is eliminated.

ARGUMENTS AGAINST THE ACT:

The Bill will curtail the personal liberty of the people: "Dismissing the apprehensions of the opposition on the bill as "baseless", the government said opposition members were "misinterpreting" the Supreme Court judgement on the personal liberty bill, which violates the Supreme Court judgement on Justice K. S. Puttaswamy's case."

- **Potential for data breach:** The linkage would expose the ecosystem to the possibility of a data breach by any agency or non-state actor.
- **“Infringe on the fundamental rights:** Opposition parties said it would infringe on the fundamental rights of citizens.
- **Standing committee:** Some of the leaders demanded that the bill be sent to the standing committee concerned for scrutiny.
- **No data protection law:** India doesn't have a data protection law; we can't force such a bill on people.²
- **Voting is a legal right:** "It is beyond the legislative competence of the Aadhaar Act to be linked with the electoral laws."
 - The Bill will suppress people's right to exercise their franchise freely.
 - It will curb the rights of the SCs and STs to exercise the franchise freely. "

“Against Aadhar: Aadhaar is meant for the residents of India, but not all residents are Indians. We are potentially giving non-citizens voting rights by linking Aadhaar with the electoral process."

5. CONCLUSION:

India's majority rule framework depends on the standard of general grown-up testimonial; any resident beyond 18 years old can cast a ballot in decisions (before 1989, as far as possible, it was 21). The option to cast a ballot is independent of rank, doctrine, religion, or sex. Those considered insane and those sentenced for specific criminal offences are not permitted to cast a ballot. There has been a general expansion in citizen turnout in the Indian races. In 1996, 57.4% of the electorate cast a ballot. This expanded to 66% in the 2014 general political race. Ladies cast ballots in great numbers and as much as men. Essentially, the Political Decision Commission permits an individual to cast a ballot where the person in question resides or dwells. It is an offence to make a choice from at least two better places. It is wrongdoing and the Political Decision Commission should be educated at whatever point the person changes the spot of home. All in all, we can say that this Constituent Regulations Correction Bill 2021 is extremely useful in fortifying the majority rule government of India.



REFERENCES:

1. M. Srinivasa Rao and A. Venkata Siva Rao, "InternationalA Case Study On Secured Embedded Voting System Using Biometric", Journal of Civil Engineering and Technology (IJCIET), vol. 8, no. 7, pp. 313-325, July 2017.
2. N.S Aranganathan, M Dhineshkumar, Kumar.D Praveen and A Santhosh, "Embedded System based Voting Machine System using Wireless Technology", International journal of innovative research in Electrical Electronics Instrumentation and Control Engineering, vol. 4, no. 2. 2016.
3. O. Santin, R. G. Costa and C. A. Maziero, "A three-ballot based secure electronic voting system", Security & Privacy IEEE, vol. 6, no. 3, pp. 14-21. 2008.
4. Susan Bandecchi and Nicoleta Dascalu, "Intrusion Detection Scheme in Secure Zone Based System", Journal of Computing and Natural Science, pp. 019-025, January. 2021.
5. D. KrishnaT, Hemalatha, G. Dhana Mani Shankar, K. Bala Krishna and V. BalaSubhramanya, "Aadhar Based Electronic Voting System And Providing Authentication", International Journal of Engineering Science & Advanced Technology], vol. 4, no. 2, pp. 237-240.
6. Alina Granwehr and Verena Hofer, "Analysis on Digital Image Processing for Plant Health Monitoring", Journal of Computing and Natural Science, pp. 005-008, January. 2021.
7. N. K. Sengupta, "The Imperial Palas" in Land of Two Rivers: A History of Bengal from the Mahabharata to Mujib, Penguin Books India, 1. 2011.
8. M. M. Sanjai, D. R. Umamaheswari and M. S. Muthuraj, "Advanced Technology in Secured Online Voting System", International Research Journal of Engineering and Technology, vol. 5, no. 4, pp. 115-120. 2018.