

# Voting Rights of Migrant Workers

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**Context** - It is very worrying that a third of the eligible voters, a whopping 30 crore people, do not vote. Among the many reasons, including urban apathy and geographical constraints, one prominent reason is the inability of internal migrants to vote for different reasons.

## Efforts by ECI to address the Problems

- **Committee of Officers on Domestic Migrants** - The Election Commission had earlier formed a “Committee of Officers on Domestic Migrants” to address this issue. The Committee’s report submitted in 2016 suggested a solution in the form of “remote voting”.
- **All Party Representative** - To further address this serious problem, the EC invited representatives from all recognised national and state political parties to discuss the legal, administrative, and statutory changes to resolve the issue.
- **All Party Consensus** - The discussion took place in the presence of a technical expert committee. It is important to recall that the last major decision about the voting system was the introduction of Voter Verifiable Paper Audit Trail (VVPAT), with the consensus of all political parties in 2010.

## Migrant Workers and their Voting Rights

- **Least Represented Group** - The Constitution guarantees freedom of movement to every citizen and freedom to reside in any part of the country. However, migrant workers, especially circular or short-term migrants, constituting tens of millions of citizens are some of the least represented groups in the ballot.
- **Lack of Access to Vote** - The issue of disenfranchisement faced by migrant workers is not one arising out of deliberate denial of the right to vote, but for lack of access to vote.
- **Fundamental Right** - The Supreme Court, in a series of cases, has conclusively interpreted the freedom to access the vote as within the ambit of Article 19(1)(a).
- **Large Scale Migration** - According to the 2011 Census, the number of internal migrants stands at 450 million, a 45 per cent surge from the 2001 census. Among these, 26 per cent of the migration (117 million) occurs inter-district within the same state, while 12 percent of the migration (54 million) occurs inter-state.
- **Alienation by Residency Criteria** - The root cause of the migrant voters’ issue is that the individual’s inalienable right to vote is conditioned by a rather strict residency qualification. As a consequence, it tends to disenfranchise the migrant population.
- **60% Migrants could not Vote** - In the survey report, ‘Political inclusion of Seasonal Migrant Workers in India: Perceptions, Realities and Challenges’ by Aajeevika Bureau, it was found that “close to 60 percent of respondents had missed voting in elections at least once because they were away from home seeking livelihood options”.

## Measures that can be Taken

- **Electronically Transmitted Postal Ballot System** - Section 60(c) of the Representation of People Act, 1951 empowers the Election Commission of India, in consultation with the government, to notify “classes” of voters who are unable to vote in person at their constituencies owing to their physical or social circumstances. Once notified, the voters are eligible for the ETPB system (Electronically Transmitted Postal Ballot System). In the 2019 general elections, the ETPB system was accessed by 18 lakh defence personnel across the country.
- **Postal ballots for migrants** - In 2019, in the backdrop of a [PIL](#) before the Supreme Court, a bill was floated to extend a similar remote voting possibility to over 10 million adult NRIs in order to “boost their participation in nation-building”. In the 2019 [Lok Sabha](#) elections, more than 28 lakh votes were received via postal ballots.
- **Migrants are also equal citizens** - In the existing system, remote voting within the constituency by voting via postal ballot is available to senior citizens, people with disabilities, and Covid-affected personnel. The postal ballot voting outside the constituency is available only to service voters, persons on election duty and persons on preventive detention. The Indian migrant worker too deserves the secured right to have access to vote through some mechanism.
- **Remote electronic voting machine** - The Election Commission has proposed the use of remote voting for migrant workers wherein a modified version of the existing model of M3 EVMs will be placed at remote polling stations. In fact, the Electronic Corporation of India Ltd. has already developed a prototype of a Multi-constituency Remote EVM (RVM) , a modified version of the existing EVM which can handle 72 constituencies in a single remote polling booth. Technical details will be available only after the crucial demonstration.

## Conclusion

Migrant workers are also the equal citizens of the country. Social-economic and structural barriers should not be the hurdle in their right to vote. The Election commission of India has taken a step in the right direction. However, consensus needs to be built over the voting rights of migrants.