



Research Foundation for Governance: in India

With the passing of the Gujarat Local Authorities Laws (Amendment) Bill of 2009, the State Assembly has made voting compulsory. The Bill was passed without significant opposition or debate. Here are some of the basic details of this important legislation:

1. What are the main features of the compulsory voting Bill?

- All eligible voters in Gujarat must cast their ballot in Municipal, Nagarpallika and Panchayat elections or be subjected to punishment.
- Non-voters would have 30 days to explain their absence to avoid punishment.
- At this point we do not know whether there will be a light punishment, a harsh punishment, or any punishment at all for failing to vote.
- If voters don't like any of the candidates they have the option of a "none of the above" vote, although it is not yet clear what would happen if "none of the above" were the most popular ballot.
- Ultimately, the Bill makes voting a responsibility, rather than a right.

2. What are the benefits of this Bill?

- Such a step may encourage more voting.
- It might make it easier for political parties to campaign on issues, since they will no longer have to spend funds simply trying to encourage people to vote.
- Because the entire population - or at least, a vast majority - is voting, the resulting government would have a stronger mandate.

3. What are the criticisms of this Bill?

- It remains to be seen how this law would be implemented.
- Technical issues such problems with the electoral roles might hamper the implementation.
- The Bill criminalises non-voting.

4. Do other countries have compulsory voting?

- In Australia voting has been legally mandatory since 1924, where non-voters must either explain their absence or pay a fine.
- In Peru, where voting has been compulsory since 1933, citizens must carry proof of their having voted in order to obtain certain social services provided by the state.
- In many more countries, voting is legally required but rarely enforced. These include Paraguay, Thailand, Egypt and Costa Rica, among others.

To obtain a copy of the actual legislation, kindly log on to: www.rfgindia.org/blog or email: info@rfgindia.org