Polity & Governance · GS - II

Is the right to vote a fundamental right ? Discuss the position of the Election Commission of India while undertaking the revision of electoral rolls. Can it also examine the question of citizenship of voters ?

EXAM YEAR	PAPER	SUBJECT
2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Article 326, Articles 325-326, statutory right, Representation of the People Act 1950, electoral roll revision, ECI, citizenship requirement, verification, limited inquiry, competent authority, judicial review

Model Answer

The right to vote in India is not a fundamental right; it is a constitutional and statutory entitlement governed principally by Articles 325 and 326 and the Representation of the People Acts. The Supreme Court has reiterated that although voting is fundamental to democracy, its exercise is regulated by the constitutional and statutory framework.

The Election Commission of India is constitutionally responsible for supervising elections and maintaining electoral rolls. During revision, it can verify eligibility, including age, ordinary residence and citizenship, and remove names where statutory conditions are not satisfied. The ECI itself states that only Indian citizens are eligible to be registered as electors.

However, there is an important distinction between verifying electoral eligibility and conclusively determining citizenship. The Supreme Court has held that the ECI may undertake a limited administrative inquiry for electoral purposes, but formal adjudication of citizenship lies with the competent authority under the Citizenship Act.

Therefore, electoral-roll revision must balance electoral integrity with due process, transparency and protection against wrongful exclusion.