

Bill Summary

The Representation of the People (Amendment) Bill, 2017

- The Representation of the People (Amendment) Bill, 2017 was introduced in Lok Sabha by the Minister of Law and Justice, Mr. Ravi Shankar Prasad on December 18, 2017. The Bill seeks to amend the Representation of People Act, 1950 and the Representation of People Act, 1951 to allow for proxy voting and to make certain provisions of the Acts gender-neutral.
- The 1950 Act provides for 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.
- The 1950 Act permits the registration of persons in electoral rolls who are ordinarily resident in a constituency. These persons include: (i) persons holding a service qualification (such as member of armed forces, member of armed police force of a state, serving outside the state, or central government employees posted outside India); and (ii) persons holding certain offices in India declared by the President in consultation with Election Commission. Under the Act, the wives of such persons are also deemed to be ordinarily residing in India. The Bill replaces the term 'wife' with 'spouse'.
- The 1951 Act permits an overseas voter to vote only in person. An overseas voter is a citizen of India who is absent from his place of ordinary residence in India. The Bill seeks to amend the 1951 Act to permit an overseas voter to cast their vote in person or by proxy in the constituency where the poll is taken. The 1951 Act provides for the wife of a person holding a service qualification to vote. The Bill replaces the term 'wife' with 'spouse'.

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