

NOTA ON THE EVMS

CASTING NOTA VOTE

The EVMs have the NOTA option at the end of the candidates' list.

Before NOTA, Section 49 (O) of the Conduct of Elections Rules, 1961, allowed voters to cast a negative vote.

However, in order to cast a negative ballot, a voter had to inform the presiding officer at the polling booth.

But, for casting a NOTA vote, involvement of the presiding officer is not required.

In 2018, SC scrapped the use of NOTA option in the Rajya Sabha elections, it held that the NOTA is meant only for universal adult suffrage and direct elections

It is not a negative vote and has no electoral value, as even if NOTA secures the most number of votes, the candidate with the most votes is declared the winner.

Negative voting would encourage people to turn up to express their opinion and reject all contestants.

Negative voting will lead to a systemic change in polls and political parties will be forced to project clean candidates.

If the right to vote is a constitutional right, then the right to reject a candidate is a fundamental right of speech and expression under the Constitution.

The system of negative voting existed in Colombia, Ukraine, Brazil, Bangladesh, Finland, Spain, Sweden, Chile, France etc.

Even in Parliament, the MPs have the option to abstain during a vote.

NOTA HAVE 'NO ELECTORAL VALUE'

It is essential that voters exercise high ethical values while choosing people's representatives for good governance.

In many elections, NOTA has won more votes than many of the political parties that contested, it is high time for granting Right to reject to voters.

Groups and individuals should conduct voter awareness campaigns about NOTA especially in rural areas to compel political parties to nominate a sound candidate

WAY AHEAD

NOTA has been described as the maturing of India's democracy, but its purpose has been defeated as the winner will be the candidate who receives the second highest number of votes, even if NOTA receives the highest..

Hence, "NOTA is a positive step", while "it does not go far enough" and is considered as "merely cosmetic" or "a symbolic instrument to express resentment".

CONCLUSION

CONTEXT

The Supreme Court asked the Centre to respond to a plea that fresh elections should be conducted in constituencies where the maximum votes polled are NONE OF THE ABOVE' (NOTA) .

The candidates 'rejected' by voters should not be fielded again in the fresh polls as it will affect legislative functioning.

NEED OF THIS MOVE

Political parties choose contesting candidates in a very undemocratic manner without consulting electors.

Many times people in constituency are totally discontented with candidates presented before them.

This problem can be solved by holding a fresh election if maximum votes are polled in favour of NOTA.

Right to reject and elect new candidate would give power to the people to express their discontent.

In long run it will push political parties to control the criminalisation of politics

RIGHT TO 'REJECT'

It was first proposed by the Law Commission in its 170th Report in 1999.

The Election Commission had twice endorsed 'right to reject'

'Background Paper on Electoral Reforms' prepared by the Ministry of Law proposed that if certain percentage of the vote was negative, then election result should be nullified.

WHAT IS NOTA?

This option on EVM enables voters to not vote for any of the candidates contesting the elections.

Option of NOTA on the EVMs and ballot papers were provided by Election Commission as a major electoral reform

It was introduced in India after Supreme Court directive in the People's Union for Civil Liberties v. Union of India judgment, 2013.

The Supreme Court upheld the right of voters to reject all candidates as it will help in cleansing the political system of the country.