



Electronically Transmitted Postal Ballot System for NRIs

For Prelims: [Chief Election Commissioner](#), [Non-Resident Indians](#), [Electronically Transmitted Postal Ballots](#), [Representation of the People Act, 1951](#), [Conduct of Election Rules, 1961](#)

For Mains: Challenges Related to ETPB for NRIs.

Why in News?

Recently, the [Chief Election Commissioner](#) emphasised the need to facilitate postal voting for [Non-Resident Indians \(NRIs\)](#). It highlights the **Election Commission's proposal for Electronically Transmitted Postal Ballots (ETPBs) for NRIs**, which is **currently awaiting government approval**.

- The initiative aims to allow over **1.34 crore overseas Indians** to participate in elections using a technology-driven methodology.

What is an Electronically Transmitted Postal Ballot System?

- **About:**
 - The ETPBS is a system **designed to facilitate remote voting for individuals who are unable to cast their votes in person at a polling station**.
 - ETPBS combines the use of electronic transmission and postal services to enable voters to receive and return their ballots electronically.
- **For Service Voters:** Under this system, [postal ballots](#) are sent electronically to registered service voters.
 - The **service voter can then download the ETPB (along with a declaration form and covers)**, register their mandate on the ballot and send it to the returning officer of the constituency via ordinary mail.
 - The post will include an **attested declaration form (after being signed by the voter in the presence of an appointed senior officer who will attest it)**.
 - The [Conduct of Election Rules, 1961](#) was amended in 2016 to allow service voters to use the ETPBS.

What was the Proposal Put Forward by the EC Related to ETPB for NRIs?

- The **Election Commission (EC)** had proposed an amendment in **Section 60 of the [Representation of the People Act, 1951](#)**, to extend the facility of ETPB to overseas electors in 2015.
 - Later in 2020, the **EC wrote to the law ministry that it was technically and administratively ready to implement this proposal**.
- The EC has suggested that the **ETPBS can be used for NRIs with some modifications**, such as allowing them to **download their ballot papers online and return them by post** or courier within a specified time limit.

- The EC has also suggested that **NRIs can be allowed to appoint a proxy voter in India**, who can cast their vote on their behalf after verifying their identity and consent.
- The EC has also proposed that **NRIs can be given an option to vote at designated polling stations set up at Indian missions abroad**, where they can use electronic voting machines (EVMs) or paper ballots.
- However, the **proposal is still pending with the law ministry** and has faced opposition related to **concerns over the security and authenticity of the postal ballots**.

What are the Challenges Related to ETPB for NRIs?

- **Eligibility and Verification:** Determining the eligibility of NRIs to participate in remote voting can be complex.
 - Establishing accurate and reliable mechanisms to verify the **identity, residency status, and eligibility of NRIs** is crucial to maintain the integrity of the electoral process.
- **Time Constraint and Postal Delay:** The ETPBS requires the voter to send the postal ballot within a stipulated time frame after receiving it electronically.
 - However, there **may be postal delays or logistical issues in some countries that may prevent the ballot from reaching the returning officer on time**. This may result in disenfranchisement of some voters.
- **Security and Secrecy:** The ETPBS involves the transmission of sensitive electoral data through electronic means, which may pose a risk of **hacking, tampering or interception by malicious actors**.
 - Moreover, the postal ballot may not ensure the secrecy of the vote, as it may be subject to scrutiny or coercion by others.
- **Legal and Technical Challenges:** The ETPBS requires amendments to the **Representation of the People Act, 1950 and 1951, as well as the Conduct of Election Rules, 1961**, to enable overseas electors to vote through this system.
 - Moreover, the ETPBS requires robust technical infrastructure and coordination among various stakeholders, such as the **Election Commission, the Ministry of External Affairs, the postal department and the embassies**.

What is NRI?

- **About:**
 - **NRI** stands for **Non-Resident Indian**, which is a term used for an Indian citizen **who resides outside India for employment, education or any other purpose**.
 - According to the **Ministry of External Affairs**, there are about **1.34 crore NRIs across 208 countries** as of December 2020.
 - NRIs are also eligible to vote in Indian elections if they are **registered as overseas electors** in their respective constituencies in India.
- **Criteria for NRI:**
 - A person is considered NRI if:
 - **She/he is not in India for 182 days or more** during the financial year Or;
 - If **She/he is in India for less than 365 days during the 4 years** preceding that year and less than 60 days in that year.

UPSC Civil Services Examination, Previous Year Question (PYQ)

Q. 'Indian diaspora has a decisive role to play in the politics and economy of America and European Countries'. Comment with examples. **(2020)**

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