



Original Article

Awareness of Voting Rights and Electoral Offences: A Non-Doctrinal Study

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Abstract:

Indian democracy is based on the concept of the informed electorate. This non-dogmatic empirical study aims to assess citizen knowledge of their rights and electoral offenses, conducted using a questionnaire among 80 randomly chosen participants belonging to the urban, semi-urban, and rural population of Maharashtra. Based on a survey conducted during September–October 2025, an ironic contradiction becomes evident: although voter registration (91.25%) and participation in the election process (88.75%) are rather high, legal literacy is poor indeed. Just 1.25% of the interviewees knew what NOTA stands for; only 41.25% knew when the Model Code of Conduct starts operating; and 95% of people who witnessed an electoral offense did not report this fact to law enforcement agencies. Thus, the main hypothesis of this paper is confirmed, as there is undoubtedly a huge gap between the legal aspects of the electoral process in India and the level of public awareness.

Keywords: *Voting Rights; Electoral Offences; Article 326; Model Code of Conduct; NOTA; Representation of the People Act 1951; Electoral Literacy; Non-Doctrinal Research; India*

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Introduction:

With seven decades of democracy through voting, the elections in India have become one of the broadest forms of self-governance. The constitutional guarantee of suffrage under Article

326 of the constitution grants all eligible citizens the authority to influence the process of governance; but suffrage can only be fully understood within the context of the law governing it. Electoral malpractices constitute the primary internal threat to



this democracy. Vote purchasing according to Sections 171A to 171I of the Indian Penal Code, booth capturing, impersonation, multiple voting, and breach of the Model Code of Conduct (MCC) destroy the credibility of the electoral process by undermining the genuine voices of the masses. The RPA provides India with the necessary tools for combating these electoral malpractices. However, enforcement of these measures is consistently poor, a problem aggravated by a lack of awareness among Indians about what these malpractices are, what actions can be taken against them, and how to report them. In contrast to the doctrinal method, the paper analyzes electoral consciousness through the eyes of the citizen by using primary sources obtained from 80 participants to analyze the discrepancy between law and consciousness. The result is a picture of an enthusiastic participant, but poor law-literate government – a situation that needs addressing to ensure sustainable electoral integrity.

Scope and Limitation:

Scope: The research is based on the citizen knowledge with respect to:

(i) the basic right to vote and NOTA provision, registration of voters, and the conditional right to vote of prisoners and mentally unstable;
(ii) Model Code of Conduct and campaign funding rules; and (iii) electoral crimes, including vote purchase, booth capturing, double voting, illegal exit polls, and liquor ban on election days. The geographic spread is all over urban, semi-urban, and rural settings of Maharashtra state and nationwide coverage, based on data collected between September 30 to October 24, 2025.

Limitations: There are certain demographic biases in the sample used in the study, such as an excess of the 18-35 age group (93.75%), of students (83.75%), and people with graduate/postgraduate degrees (90%). The sample consists of 83.75% males;

hence, any gender comparison will not be possible. An online questionnaire automatically means that the less computer-literate sections of the population were not covered by the study. There are too few respondents to talk about statistically significant results. There is always a chance that the data was influenced by social desirability bias.

Objectives:

The present study was conducted with the following objectives in mind:

1. To examine the awareness among citizens about their basic voting rights as per the constitution of India.
2. To examine the knowledge among citizens regarding electoral offenses and penalties as per RPA, 1951.
3. To analyze the knowledge regarding voter registration process and documentation.
4. To analyze the knowledge regarding the Model Code of Conduct and its implementation.
5. To study the knowledge level regarding certain electoral offenses such as vote-buying, booth capturing, and dual-voting.
6. To study the awareness among citizens regarding NOTA.
7. To study the demographic trends in awareness of citizens based on education, geography, and occupation.
8. To study the knowledge among citizens regarding the reporting system and issues associated with it.

Hypothesis:

Primary Hypothesis: A significant gap exists between India's legal framework on voting rights and electoral offences and actual citizen awareness levels.

Sub-Hypotheses:



H1: Urban people exhibit greater awareness compared to rural and semi-urban people.

H2: Higher educational levels indicate a positive correlation with awareness regarding electoral laws.

H3: While voter registration rates are high, awareness on individual electoral offences lacks.

H4: Awareness of one's voting rights surpasses awareness concerning individual offences and their implications.

H5: There is poor awareness about how to report offences among all demographics.

H6: The young generation aged between 18-35 years shows low awareness even though literate.

H7: The Model Code of Conduct is poorly understood by many or mistaken for another set of electoral rules.

Methodology:

The study utilizes the method of descriptive research involving primary data collection from the administration of a structured questionnaire using Google Forms.

The questionnaire consisted of 29 items, distributed into four parts: demographic details (7 items), awareness regarding the right to vote (5 items), awareness regarding election offenses (12 items), and awareness regarding channels of reporting election offenses (5 items).

The sample size was 80 participants, selected randomly. Details of the sample are as follows: age between 18–35 years—93.75%; male respondents—83.75%; graduate degree—25%, postgraduate degree—56.25%; student status—83.75%; urban area—46.25%, semi-urban area—23.75%, rural area—30%. Data analysis used percentage distribution and cross-tabulation to determine awareness patterns among the demographic groups.

Literature Review:

I. Basu, D.D. — *The Constitution of India (LexisNexis, 23rd ed.)*

Basu's treatise provides the initial interpretation of Article 326 as a statute-based legal entitlement subject to the powers of the parliament, as opposed to the Fundamental Rights enshrined under Part III of the Constitution. This point is important in the context of the present study because 55% of the respondents were unable to properly distinguish between the two. Secondly, his treatise also makes it clear that the disqualification of certain categories of voters like people of unsound mind or convicts is a question of statutory interpretation, not a strict constitutional requirement. Only 45% of the respondents had understood this concept.

II. Austin, Granville — *Working a Democratic Constitution: A History of the Indian Experience* (Oxford University Press)

Austin examines the consistent problem of the gap between legislative intentions and the results of enforcement in relation to election laws in India and explains how evidentiary problems, lack of momentum within institutions, and the influence of local communities had traditionally worked against individuals filing complaints about election offenses. The historical analysis provided by Austin anticipates the conclusion of this study that 95 percent of people who witnessed any electoral offense did not file a complaint about them.

III. Election Commission of India — *SVEEP Programme Reports (2020–2025)*

However, as pointed out in the Systematic Voters' Education and Electoral Participation by the Election Commission of India (ECI), although there has been an improvement in registration and voter turnout rates because of SVEEP, legal literacy about specific provisions such as NOTA, MCC activation criteria, and procedures for reporting offences is still



an unmet need. The lack of awareness about NOTA shown in this study (only 1.25% correctly identified it, 10 years after its launch) reflects this design flaw in SVEEP's campaigning strategy.

IV. Yadav, Yogendra & Palshikar, Suhas — *Electoral Politics in Indian States* (Oxford University Press)

The arguments put forward by Yadav & Palshikar reveal the reality in India that voting is determined by social mobilisation and identity, not individual awareness of law. According to them, citizens normalise electoral irregularities in communities instead of reporting them, hence explaining the discrepancy between knowledge and actions in this case, where 88.75% were aware that vote-buying was against the law but their reporting actions were close to nil.

V. Association for Democratic Reforms (ADR) — *Electoral Transparency Reports*

The irony that comes out from the research on first-timers and youth voters by ADR is the following: although India's youth has access to the internet and education, they exhibit a significantly lower level of knowledge regarding the redressal options available within the formal electoral process, such as eVIGIL and the National Voter Helpline (1950). The above finding clearly foreshadows the findings of the current research regarding the 43.75% awareness level for the helpline, showing that information availability is not equal to its dissemination.

Data Analysis:

1. Voter Registration and Basic Knowledge:

The Registration rate was recorded to be 91.25%, and 96.25% people had knowledge about the minimum age of voters which is 18 years. On the other hand, only 41.25% were aware that various types of documents can be used for registration

purposes, while 51.25% believed that only Aadhaar would be accepted.

2. Fundamental Rights and NOTA:

Indeed, a staggering 55% opted for 'None of the Above' as their choice when asked about their knowledge on basic voting rights, demonstrating that there is significant uncertainty concerning the classification of the right to vote in the Constitution. There was a lack of proper understanding about NOTA, whereby only 1.25% defined NOTA correctly despite its being available since 2013.

3. Model Code of Conduct:

Whereas 56.25% answered correctly that the MCC is an election guideline for political parties, only 41.25% were aware of the fact that it comes into operation immediately after the declaration of the date of election. Awareness about the amount to which expenditures can go was almost non-existent since answers were scattered amongst ₹25 lakhs, ₹50 lakhs, ₹70 lakhs, and ₹1 crore.

4. Electoral Offences:

The act of vote buying is seen as a crime by 88.75%, while 73.75% noted the ban on appealing to voters in matters of religion. It should be noted that only 63.75% answered the question about fine and imprisonment as sanctions for vote buying, and only 35% know that dual voting is considered a crime (incorrectly, 37.5% answered that only their vote will be canceled).

5. Reporting Mechanisms — The Critical Deficit:

Knowledge of the existence of the National Voter Helpline (1950) was only at 43.75%. Even though one fourth (25%) of the sample witnessed an election crime, 95% of them did not make an attempt to file a report of their sighting. The reasons for such failure were: lack of evidence (36.84%), unawareness regarding how to go about filing the complaint (31.58%), disbelief in making any difference (26.32%), and fear (26.32%).



6. Cross-Demographic Patterns:

The urban respondents performed better than their rural peers by 2-11% on all measures of awareness; the post-graduates had an edge of 8-10% over the graduates when answering questions about

election law. Both disparities, albeit consistent with hypotheses 1 and 2, are too small to indicate that either education or urban living confers any significant protection from systemic awareness deficiencies.

Table 1: Hypothesis Validation Summary

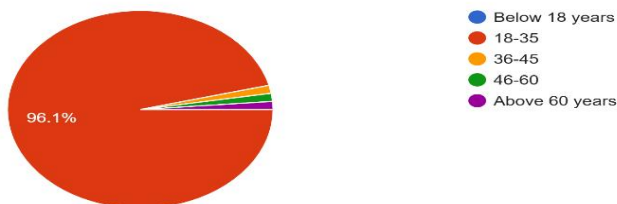
Hypothesis	Outcome
Primary — Significant awareness–law gap	Validated
H1 — Urban–rural awareness divide	Partially Validated
H2 — Education–awareness correlation	Validated
H3 — High registration vs. low knowledge gap	Strongly Validated
H4 — Rights awareness vs. offence awareness	Partially Validated
H5 — Limited reporting knowledge across all groups	Strongly Validated
H6 — Youth awareness gap vs. older cohorts	Inconclusive
H7 — MCC widely misunderstood	Validated

Table2: Demographic Profile of Respondents

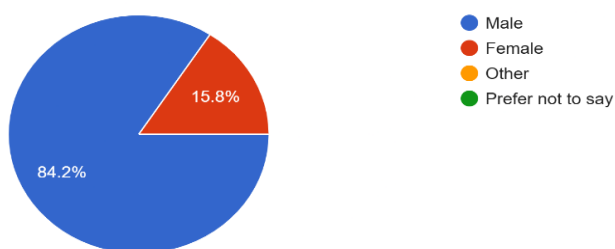
Demographic Variables	Category	Frequency (n)	Percentage (%)
Age Group	18-35 years	75	93.75%
	36-45 years	1	1.25%
	46-60 years	1	1.25
	Above 60 years	1	1.25
Gender	Male	67	83.75%
	Female	13	16.25%
Education	10 th -12 th Standard	6	7.5%
	Diploma	2	2.5%
	Graduate	20	25%
	Post Graduate	45	56.25%
	Professional Degree	7	8.75
Location	Urban	37	46.25%
	Semi-Urban	19	23.75%
	Rural	24	30%
Occupation	Student	67	83.75%
	Private Employee	7	8.75%
	Government Employee	2	2.5%
	Business/ Self-employed	2	2.5%
	Farmer	1	1.25%
	Retired	1	1.25%



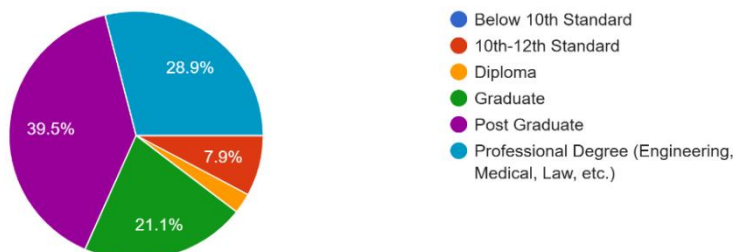
2. Age Group
76 responses



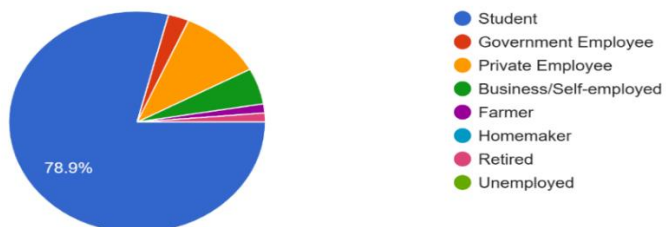
3. Gender
76 responses



4. Educational Qualification
76 responses



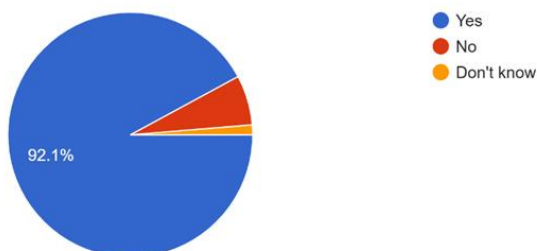
5. Occupation
76 responses



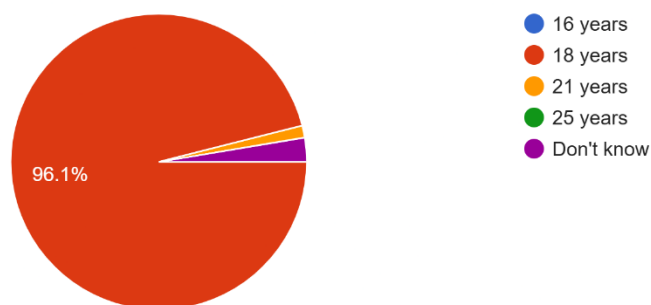


Question	Response	Frequency (n)	Percentage (%)
Registered Voters	Yes	73	91.25%
	No	5	6.25%
	Don't Know	2	2.5%
Minimum Voting Age	18 years	77	96.25%
	21 years	1	1.25%
	Don't Know	2	2.5%
Primary Document Required	Aadhar Card	41	51.25%
	Any of the Above	33	41.25%
	Pan Card	6	7.5%
Voting Frequency	Always	54	67.5%
	Usually	17	21.25%
	Sometimes	1	1.25%
	Rarely	2	2.5%
	Never	1	1.25%
	Not Applicable	5	6.25%

7. Are you a registered voter?
76 responses



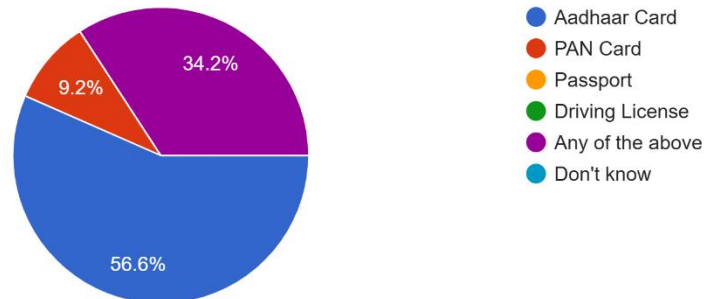
8. What is the minimum age for voting in India?
76 responses





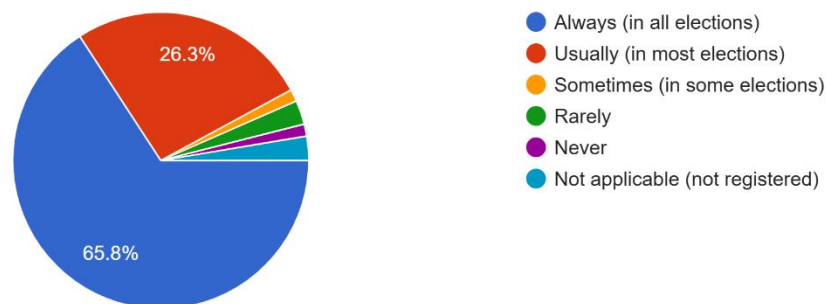
9. Which document is primarily required for voter registration?

76 responses



10. How often do you vote in elections?

76 responses



Conclusion:

Indeed, the current empirical analysis throws light on a paradox inherent in the system of Indian democracy; individuals who engage in the democratic exercise with civic passion but are unable to secure the very system from which they derive participation rights. High voter turnout rates (91.25%), high voting frequency (88.75%) alongside complete unawareness of NOTA, limited awareness regarding procedures, and mere 5% of people reporting election-related offences are some of the contradictions of the case.

The hypothesis that forms the crux of the research holds good on all counts save one. It is established here that education level and location (urban vs. rural) hold little significance; the gap

exists even among the post-graduates. Significantly, it is discovered that even after being aware that something is wrong, people fail to report because of procedural complexity and lack of trust among other factors.

Three key measures stand out as necessary. The first is a re-design of the existing voter education program by the Election Commission to cover substantive knowledge needs like NOTA, MCC timings and how to report offences, done on an ongoing basis, in multiple languages and formats. Secondly, formal educational institutions have to incorporate electoral knowledge into their curriculum across all levels, as a competency mandated by our Constitution and not merely as additional civics learning. Finally, the reporting



system has to become simple and accessible — via anonymous online forms, publicized witness-protection systems and publicly disseminated results — ensuring that awareness translates into action.

The laws governing election integrity are robust in India. What is missing is a citizenry which is able and empowered to enforce them. It is not enough to make this a subsidiary goal of education — it is the very foundation for our democracy to sustain itself.

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