

**Migration, Mobility, and Voting Rights:
Emerging Challenges in India**

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Abstract

People have been moving from one place to another historically for livelihood, seeking knowledge, skills, security, etc. Migration is the movement from a place of origin to a place of destination, and a migrant is a person who migrates. In this process, not only are places transformed, but they also influence migrants, their families, and the societies at both the origin and the destination. Although the Constitution of India under Article 19 (d) empowers people with the Right to move freely throughout the territory of India, and Article 19 (e) right to reside and settle in any part of the territory of India, people differ in terms of their capabilities and freedoms to migrate, and migrants suffer from subjugation, exploitation and exclusion, and even violence. Migration also raises the question of who gets what and where, which is intimately related to social, economic, and political rights. In India, the recent discourse concerns the exclusion of migrants from the electoral rolls, the portability of voting rights, and remote voting. This paper presents various aspects of migration and mobility, as well as the voting rights of internal migrants in the current electoral system.

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Ram. B. Bhagat¹

INTRODUCTION

People have historically moved from one place to another for livelihood, to seek knowledge and skills, and for security, transforming spaces and places. Space, society, and polity are interrelated, yet they are generally examined independently. The study of migration affirms that people cannot be separated from their places. People make places, and places shape people. Places can range from a tiny village to a megalopolis of several million people, formed by rural-to-urban migration and by intra-urban redistribution of population from small urban centres to big cities. Migration also raises the question of who gets what, and where. The question of 'where' relates to spatial location, which is also intimately tied to a person's social position when they move from one place to another. Thus, spatial mobility and social mobility are related. The place from which a person migrates is called a place of origin, and the place where one settles is called a place of destination. Migration is the movement between a place of origin and a place of destination, and a migrant is a person who migrates. In this process, not only do people change places, but places are also transformed, influencing migrants, their families, and entire societies at both the origin and the destination.

According to Dr B.R. Ambedkar, the chief architect of India's constitution, *'an ideal society should be mobile, should be full of channels for conveying a change taking place in one part to other parts'* (Ambedkar, 1935). Accordingly, Article 19(d) empowers people of India to move freely throughout the territory of India, and Article 19(e) guarantees the right to reside and settle in any part of the territory of India. Thus, there is no denial of rights; ideally, when Indian citizens migrate within India, this does not always happen. This has led scholars to distinguish between formal and substantive citizenship rights. While the formal citizenship rights are actually the political rights, such as the right to vote and elect a government, the substantive

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citizenship rights are actual lived conditions of the people, which depend upon the fulfilment of economic and social rights, such as the right to food, livelihood, health, and education, etc. (Holston and Appadurai, 1996). However, the fulfilment of the former category of rights does not guarantee the realisation of the latter, and vice versa, particularly for internal migrants. The Constitution of India recognises inter-state migration and inter-state quarantine in the Union List (Seventh Schedule, 81), vagrancy, and nomadic and migratory tribes in the Concurrent List (15), while within-state migration remains unrecognised.

Migration, which involves a change in the place of residence, further complicates the relationship between migrants and citizenship rights, as this relationship is not always linear. Migration may promote the fulfilment of rights in some contexts, while in others it can deprive, subjugate, and even create bondage. Thus, people may differ in their ability and freedom to exercise their rights during migration. Migration occurs in multiple forms: short-term, temporary, and circular migration; voluntary interstate and international migration; and forced migration, such as internally displaced persons and refugees. The forced migration could be in the form of trafficking and smuggling of persons as well. Thus, formal citizenship rights, including the right to vote, may differ in practice even within a national territory. Further, whether a migrant's political right to vote vests in the place of origin or in the place of destination is a matter of legal provision. How the residential status and a person's belonging are defined depends on the duration of stay at the place of destination or absence from the place of origin. Migration has also raised an issue of the portability of voting rights or remote voting- an emerging debate, of late, related to migration and citizenship rights of migrants (Kumar & Dhar, 2022; Philip, 2024; Bora, 2024). This paper presents various aspects of migration and mobility, and the political right of migrants to vote and elect a government.

MIGRATION, RESIDENCY, AND VOTING RIGHTS

Ontologically, the foundation of migration is spatial mobility. Mobility may involve residential change or may not. For example, daily walks, commutes, travel, or short sojourns for business or health are forms of spatial mobility that may not involve a change in residence. On the other hand, migration is a form of spatial mobility that involves a change of residence. There are various connotations associated with the change in residence, such as the normal, usual, or ordinary residence, which is sometimes defined, while in other cases it is left to the relevant authorities to define. The National Sample Survey Office (NSSO 2010) defines 'usual place of

residence' (UPR) of a person as a place (village/town) where the person had stayed continuously for a period of six months or more. On this basis, a migrant is defined as a person whose last usual place of residence (UPR) at any time in the past was different from the present place of enumeration. The Census of India uses the place of last residence to define a migrant. A migrant is a person whose place of last residence differs from the place of enumeration at the time of census enumeration. In addition, various statistical agencies, such as the census, use a question on place of birth to identify migrants. However, this definition may classify a return migrant to the place of origin as a non-migrant. As migration data fundamentally involves residential change across places, it fails to recognise and incorporate some short-term mobilities such as seasonal, temporary, and circulatory movements of people not involving change in the usual place of residence, but provide important linkages and interaction between the places of origin and places of destination (Bhagat, 2017). From the point of view of voting rights, this category of movement poses serious challenges to their inclusion on the electoral roll and to exercising their vote at the time of the election, as many will be at the place of destination. At the same time, they are supposed to vote at the place of origin.

Residential change and the status of residency also appear in various legal provisions and legislative acts. For example, under the Income Tax Act, the status of an ordinarily resident in India in a tax year is determined, inter alia, if a person is in India for a period of one hundred and eighty-two days or more in that tax year (Ministry of Law and Justice 2025). The income of such resident persons from whatever sources is subject to the provisions of income tax as applicable. Conversely, Non-Resident Indians (NRIs), whose income accrues outside India, are not subject to the income tax provisions applicable in India. It is also worth noting that not all NRIs are emigrants. The Emigration Act 1983 defines an emigrant as any citizen of India who intends to emigrate, or has emigrated, but does not include dependents of emigrants who accompany them. It also excludes those who resided outside India for at least three years after attaining the age of eighteen. The purpose of the emigration act is to protect the unskilled or low-skilled labour migration of recent years. Accordingly, under the executive order, a category of Passport with Emigration Check Required (ECR) has been created for those, inter alia, who have educational qualifications below matriculation and who also require authorisation to emigrate from the Protector of Emigrants. Kumar and Rajan call these emigrants *Aaam Pravasis*- reflecting inequalities and vulnerabilities in the emigration process from India (Kumar & Rajan, 2014).

Aaam Pravasis constitute an important category from the perspective of political and voting rights as well.

On the other hand, labour laws recognise inter-state migrant workers as migrants only under the Inter-State Migrant Workmen Act (Regulation of Employment and Conditions of Service), 1979, which is now aligned with the recently implemented New Labour Codes, which amalgamate various labour laws. Further, under the new labour law, the threshold for the number of interstate migrant workers in an establishment to apply the provisions of the new labour codes is raised to 10. It is thus important to underscore that labour laws do not recognise within-state migration, which accounts for the majority of migrants in India (Rajan & Bhagat, 2023).

The political right to vote is the cornerstone of democracy, a form of government exercised through elections. An election is a process of choosing representatives who govern on behalf of the people. The Constitution of India, under Article 326, provides the basis for adult suffrage and the right of Indian citizens to be registered as voters. Accordingly, elections in India are conducted using electoral rolls prepared for each constituency under the Representation of the People Act, 1950. As per this Act, a person shall be registered in the electoral roll of a constituency provided he/she is a citizen of India, having attained the age of 18 years, and is an ordinarily resident in the constituency. It is clarified in the Act that ‘a person shall not be deemed to be ordinarily resident in a constituency on the ground only that he owns, a dwelling house therein’. Further, ‘a person absenting himself temporarily from his place of ordinary residence shall not by reason thereof cease to be ordinarily resident therein’. However, the act does not specify the time limit for residency to qualify as an ordinarily resident. Notwithstanding the technical issue of defining “ordinarily resident,” people do change their ordinary place of residence from one electoral constituency to another for various reasons, such as employment, marriage, education, moving with family members, and other factors. This requires a change in voter registration from one constituency to another, i.e., from the place of origin to the place of destination, in the event of a change in ordinary residence, usually defined as migration. Migration raises a question: ‘Is eligibility alone to be a voter enough to be included in the electoral roll?’ Because voter registration requires documentary proof of age, residency, and citizenship, many may be denied registration at their place of origin due to a lack of documentation, and many may be unable to reregister at their place of destination upon migration if they lack proof of residence. It is also important to note that voter migration

intersects with age, sex, disability, educational level, employment status, and other factors, shaping their participation in elections and their right to vote, an essential aspect of democracy.

Once a name is included in the electoral roll, a voter must vote in person at a designated polling booth on the day of polling, unless otherwise eligible for postal voting in their constituency. This also adds the issue of mobility on the day of the election if a voter is temporarily absent from his/her constituency, including nomadic people. A possibility of remote voting for the mobile population has also emerged as an issue of future challenge for an inclusive election. Thus, it may be argued that the migrant population and mobile populations should be treated separately while political rights to vote are concerned for an inclusive election. The Representation of the People Act does not recognise the challenges of migration and mobility and their mitigation strategies; however, there is enough scope to address this issue in the future through amendments. The present paper elucidates issues related to various categories of migrant and mobile populations and their voting rights, keeping in view both origin and destination constituency perspectives.

MIGRANTS, MOBILITY, AND VOTING RIGHTS

The relationship between migration, mobility, and voting rights raises two important points. Firstly, the right to vote includes, *inter alia*, the right to be included on the electoral roll and the right to cast a vote on the day of the election. Secondly, it is worthwhile to distinguish between migration and mobility to understand the implications for the right to vote. As explained earlier, migration involves a change of residence, while mobility is spatial movement without a change of residence. Accordingly, the migrant and mobile population should be treated differently when exercising the right to vote. Migrant and mobile populations pose similar yet distinct challenges to the electoral process and the right to vote. Each constituency, whether parliamentary, assembly, or local body, has a list of electors known as the electoral roll, or voter list. In view of the population's migration and mobility characteristics and the possibility that an eligible voter may appear on the electoral roll of more than one constituency, categorising and defining the population as ordinarily residents, migrants, or mobile electors may present different challenges. Migrants are categorised as long-term/permanent or short-term/temporary migrants. Migrants may be further categorised as internal migrants, who migrated within a state; inter-state migrants, who migrated between states; or emigrants, who moved abroad, depending on where a person has migrated. On the other

hand, mobile populations consist of commuters, travellers, tourists, seasonal and temporary, and circular migrants of short-term nature who do not change their ordinary residence, and are normally considered residents at their place of origin for registration as electors, and enumeration for other purposes as well. On the other hand, migrants may register as electors at their place of destination or, if they are already registered at their place of origin, transfer their vote to their place of destination, provided they are Indian citizens and have reached the age of 18 years. In the political discourse on the right to vote, the distinction between migrants and mobile populations is rarely drawn when remedies are proposed, such as remote voting or the portability of voting rights (Jain 2022; Raju 2024). The section below describes different categories of migrant and mobile populations and the nature of challenges in meeting the voting rights.

A. Internal Migration and Migrants:

i) Internal Migrants: Long-term

Globally, the internal migration, that is, those who move within a country, compared to international migration, which is the movement of people across countries, is almost four times higher (UNDP 2009). It means that citizens are more affected by a change of residence than non-citizens who change their residence across international borders. International migrants constitute only about 3.5 per cent of the world's population. In India, about 450 million people were classified as migrants in the 2011 census, constituting 37 per cent of the population. Out of that, only 12 per cent moved outside the state, defined as inter-state migrants; the rest were within-state migrants (Bhagat and Hassan 2025). Thus, for example, those who migrate from Vidarbha or Marathwada to Mumbai face different challenges compared to those who migrate from Bihar to Maharashtra. In terms of vulnerabilities and protection of rights, these two categories of migrants should be treated differently. Inter-state migrants may face the barriers of language and ethnic discrimination unleashed by the sentiments and the politics of '*sons of soil*', even though they are citizens of India (Bhagat & Kumar, 2022). Migration generally takes place from rural to urban areas, from villages to towns and cities within or between states. Work or employment is not the only reason for migration; marriage, education, conflict, and other factors are also reasons for residential change from one place to another. In India, it is customary for women to move after marriage, from their parents' home to their husband's, which may be a nearby village or a place far away in another state. This amounts to a change in address and, sometimes, a change

in surname also – a cumbersome process for women less educated belonging to marginal communities to enter into the electoral process.

Any internal migrant who has shifted residence can transfer his/her voter registration to the place of destination. An application must be submitted to the Electoral Registration Officer at the destination, in the prescribed form (Form 8), and include documentary proof of the new address. For many migrants, proof of a change of residence depends on their ability to acquire ownership or rental housing, which is legally documented. It is well known that many migrants live in informal settlements, like squatters, unrecognised slums, sleep in work places, have shared accommodation, paying guests, etc. For these migrants, getting an address proof is difficult or sometimes impossible. This discourages them from transferring their votes to the destination if they are registered to vote in the place of origin. This raises the issue of the portability of voting rights for internal migrants who are citizens, and how best to ensure this is addressed to prevent the denial of voting rights during migration within the country. Interestingly, home voting is allowed to the elderly aged 85 plus and People with Disability (PwD 40%) in 2024 Lok Sabha election (see also Appendix I).

Migration is not simply a voluntary act of moving residence from one electoral constituency to another; people are also displaced involuntarily by conflict, disaster, or development activities such as the construction of dams, highways, and airports within the country. They are known as internally displaced persons (IDPs) in contrast to refugees who move across national borders. Some IDPs are also rehabilitated in other locations or may live in transit camps for a considerable period of time. As citizens, they need their voting rights restored. A scheme for Kashmiri migrants who are residing outside Kashmir was introduced during the 2024 parliamentary election. They were allowed to cast a vote in person at designated polling stations in Delhi, Jammu, and Udhampur, or by postal ballot using prescribed forms introduced by the Election Commission of India (PIB 2024). Similarly, IDPs of Manipur affected by ethnic conflict were allowed to exercise their franchise from their respective camps in the 2024 Lok Sabha Election. However, if IDPs were outside Manipur on the day of polling, they would need to come to the state to cast their vote. It is thus important to emphasise that the IDPs, in both Jammu and Kashmir and Manipur, are considered ordinary residents of the place from which they were displaced and are treated as electors of the original place (Hindu Bureau, 2024). As such, a shift in ordinary residence due to displacement does not apply, even if a displaced person has lived at the place of destination for a very long time. Thus,

it is important to highlight the legal provisions between a person who has shifted their ordinary residence, typically defined as a migrant, and a displaced person for whom a shift in residence is not applicable in practice. Thus, voluntary and forced migrations differ in the legal provisions that safeguard the voting rights of their respective categories of migrants.

ii) Short-term Migrants: Seasonal, Temporary, and Circular Migration

Migration is not simply a permanent shift of residence from one place to another, but a category of migrants who repeatedly move between areas of origin and areas of destination, known as circular migrants. Scholars characterise this type of migration as a form of circulation occurring in many parts of the developing countries, including India (Prothero & Chapman, 1985; Bhagat & Keshri, 2024). It is also known as seasonal or temporary, or short-term, migration. The rhythm of migration is determined by the need to return to the native place for agricultural work during the sowing and harvest seasons, and to attend festivals like Holi and Diwali to meet family and relatives. It can be seasonal or occur at any time of year, with a duration ranging from a few days to many months. An important distinction between seasonal and temporary migration is that all seasonal migrations are temporary, but not all temporary migrations are seasonal. However, both are circular because they involve repeated movement between the place of origin and the place of destination. The repeated movements between areas of origin and destination help migrants maintain close links with their place of origin and families left behind, including wives and children. It is generally a male-selective migration, and migrants do send remittances at regular intervals to their families back home for their maintenance. The seasonal, temporary, and circular migrants largely get employment in agricultural operations such as sowing and harvesting, construction activities, and brick kilns, as well as daily wage workers in manufacturing and various informal works in urban areas, such as rikshaw pullers, vendors and hawkers, transport, restaurant, sanitation, and domestic workers, etc. Their earnings are very low, their living and working conditions are poor, and their work is very precarious (Srivastava, 2022). They also largely belong to poor and marginal communities like scheduled castes and scheduled tribes. This type of migration is a livelihood strategy used by large numbers of rural poor people who move back and forth between rural and urban areas (Sharma, 2005). Ironically, very little information is available in our statistical system. In a significant innovation, the NSS 64th Round (2007-08) introduced a concept of a short-term migrant, tantamount to a seasonal,

temporary, and circular migrant, defined as ‘people who had stayed away from the village/town for a period of one month or more but less than six months during the last 365 days for employment or in search of employment’ (NSS, 2010). This definition provides an estimate of 13 million people circulating from their place of destination to their place of origin in a one-year cycle (Keshri & Bhagat, 2013), in contrast to an earlier estimate of 100 million (Deshingkar & Akter, 2009). Further, the inter-state circular migrants are more vulnerable and are estimated to be about 58.5 million (Srivastava, 2020). Thus, estimates depend on the definition and method of estimation, as well as on the cycle of circular migration, which may vary in duration depending on the nature of population mobility in a particular socio-economic context. This category of migrants also came into the limelight during the COVID-19 pandemic, when they began marching out of the big urban centres, desperate to reach their far-off homes. However, no regular, consistent data are available from the National Statistical Office (NSO) or the Census of India on short-term migration (Sharma, 2025). Further, we know little about the magnitude of disenfranchisement among short-term migrants of seasonal, temporary, and circulatory nature (Kumar & Dhar, 2022). These migrants need to be enrolled as voters and enabled to cast their votes on the day of polling. At the moment, they are required to reach their respective polling booth in their home constituency, if they are enrolled. It is very difficult for inter-state short-term migrants to return to their place of origin on the day of polling because it entails travel costs and a loss of earnings. It may also take several days to travel, for example, for a short-term migrant from Assam working in Tamil Nadu. Thus, these migrants need protection of their voting rights for an inclusive and just electoral system.

iii) Mobility and Mobile Populations

Besides migration, people resort to various forms of mobility, such as nomadism, transhumance, commutation, and travel, for business, health, pleasure, and pilgrimage. It may involve a few hours per day, or a few days or months, without changing the ordinary place of residence. A large number of nomadic communities were mainly located in semi-arid areas of western, central, and Deccan. Many of them are also called de-notified tribes (DNTs) after independence; they were earlier notified under the *Criminal Tribes Act, 1871*, during British rule (Bhukya & Surepally, 2021). On the other hand, transhumance is a seasonal movement of some communities with herds from lowland areas in winter to higher altitudes in summer in the western Himalayas. With increasing development and declining

pasture land, both nomadism and transhumance, largely associated with pastoral activities, have declined (Negi, 2007; Ahmed, Iqbal & Antahal, 2023). On the other hand, commutation and travel have been increasing with improvements in transport, communication, and urbanisation. Some studies based on National Sample Survey data highlight the magnitude of commuters as large as that of short-term migrants. However, available data on commuters are inadequate to know their circulation between their place of ordinary residence and their place of work, the distance travelled, and the pattern of commutation, such as daily, weekly, or fortnightly basis of commutation, etc. (Chandrasekhar, 2011; Bhatt et al., 2020).

Generally, commutation is common among urban dwellers in metropolitan cities, as lower socioeconomic classes and new migrants live in the peripheries and commute to their workplaces daily. Furthermore, commutation shows a gendered pattern, with men commuting more than women (Sharma, 2005; Prasad & Bhagat, 2025). It is generally observed that urban voter turnout is lower than in rural areas. A lower turnout among urban voters is not simply a matter of urban apathy; it is also influenced by the nature of mobility in urban life, which involves commuting and travelling for various purposes. Furthermore, large metropolitan cities like Delhi, Mumbai, Kolkata, and many others, which consist of several parliamentary and assembly constituencies, not only have a highly mobile population, but also people change their residences from one part of the city to another, creating hurdles in realising their voting rights. Both mobility and migration are embedded in metropolitan space, reinforcing each other, requiring simultaneously updating the electoral roll and enabling the voters to cast their vote on the day of polling. The argument of urban apathy does not stand as an alibi when we look at the urban voting behaviour through the lens of mobility and migration.

B. Emigration and Emigrants

Emigration from India began in earnest during colonial rule, with indentured labourers migrating to various parts of Africa and the Caribbean. After the Second World War, emigration started to the West and America, and witnessed a large-scale labour migration to the Middle East during the 1970s as a result of the oil boom. In 2024, according to the UN, the number of emigrants was 18.5 million from India (United Nations 2024). Those emigrants who still hold an Indian passport are known as Overseas Indians/Non-Resident Indians (NRIs). According to the Election Commission of India, an Overseas elector/NRI voter is a citizen of India,

absent from the country owing to employment, education, etc., has not acquired citizenship of any other country, and is otherwise eligible to be registered as a voter in the address mentioned in the passport. They are included as a separate category in the electoral roll of every constituency. As per the existing provisions, they will vote in person in the polling station of their respective constituency on the production of an EPIC or the original passport (<https://www.eci.gov.in/overseas-voters>, accessed on March 19, 2026). It seems impossible for the overseas electors/NRI voters to be present in their respective constituencies in India on the day of polling. The provision for postal, proxy, or remote voting is not yet available to them.

The estimated number of NRIs is about 7.4 million based on the information that NRIs constitute about 40 percent among overseas Indians (Bhagat et al., 2017a). Considering that 63.3 percent of India's population was age 18 and above as per the last census, the estimated eligible overseas electors/NRI voters would be about 4.6 million as of 2024. So far, their overseas distribution is concerned, it is most likely to follow the emigrant population. Among all Indian emigrants, 45 percent live in Western Asia, followed by 22 percent in North America, 11 percent in Europe, and the rest in other countries (United Nations, 2024). The magnitude of overseas electors seems large, and the information on their geographic distribution will help in the future strategy of their inclusion and improve the electoral participation of overseas electors living and working abroad. However, the registration of overseas electors is very low (120 thousand), and a minuscule number turned up to exercise their vote in the 2024 Lok Sabha election (The Hindu, 2024).

C. Immigration and Irregular Migrants

Immigrants are generally not voters unless they are naturalised as citizens. Not all of them also enter the country legally. Illegal migrants are euphemistically called undocumented or irregular migrants. Also, data on irregular migration are not officially available. However, compared to emigration, India has a small number of immigrants (4.7 million) (United Nations, 2024), yet the political narrative of immigration particularly irregular (illegal) migration, has hotly ignited, anti-immigrant sentiments leading to long years of the Assam movement followed by the signing of the Assam Accord in 1985, Citizenship Amendment Act (CAA) 2003 and 2019 and the effort to prepare National Register of Indian Citizens (NRC). The CAA 2003 stipulates that to be a citizen of India, both parents should be citizens of India, or one of the parents is a citizen of India and the other is not an illegal migrant, for those born after December 2, 2004. Prior

to this, those born between July 1, 1987, and December 2, 2004, either of the parents (father or mother) should be citizens of India, and for those who are born before July 1, 1987, the proof of birth within India is sufficient for citizenship. This changed the principle of citizenship from *jus soli* (birth-based), followed since independence, to *jus sanguinis* (citizenship by parentage), sparking fear of exclusion and denial of citizenship rights due to lack of documentary proof of birth certificate and related documents of the self as well as of the parents. As refugees were also considered illegal migrants, another CAA in 2019 was brought to exempt some of the refugees based on religion and country of origin, and allowed them to seek citizenship in India. Thus, a fundamental shift has taken place in the criteria of Indian citizenship, linking with NRC, and with a potential threat to certain individuals to be stateless, shaped by the narrative of illegal migration in the country. An NRC list was prepared in Assam in 2019, which identified 1.9 million as not eligible, rendering them stateless, which is unacceptable to many, and the issue remains sub judice (Bhagat, 2022). The latest round of SIR (Special Intensive Revision) is being undertaken in several states of India, which applies the *jus sanguinis* criteria of citizenship, asking for related documentary proofs in updating the electoral rolls. Deletion of existing voters has been huge and is being adjudicated through a judicial process (Utsav, 2026). However, the burden of proof of citizenship lies on the individual, and many may not be able to prove it, particularly those belonging to women who change their residence from their parents' household to their husband's place of residence, and also the marginal communities due to a lack of proper documentation of identity and residential change. In the SIR exercise completed across 12 states and Union territories, women were disproportionately removed from the electoral roll due to a lack of documentary proof of residence and identity, literacy gaps, and post-marriage mobility leading to greater masculinisation of the electoral roll (Editorial Board, Telegraph, Online, 2026).

Thus, it is important to emphasize that while emigration affects directly the inclusive electoral roll and the participation of emigrants in the election process, immigration, on the other hand coupled with illegal migration across the border and fuelled by the anti-migrant sentiments of 'sons of the soil', xenophobia, and communal polarisation, makes inclusion and participation of the internal migrants as citizens and voters in the electoral process difficult and encumbered with a threat of disenfranchisement.

CONCLUSION

Electoral justice is extremely important for the success of democracy. Exclusions and denials of voting rights on account of the mobility and migration of citizens of the country have emerged as a challenge in view of rising urbanisation, driven by large-scale internal rural-to-urban migration and mobility, and substantial emigration from India. Migration is about people changing their place of ordinary residence due to employment, business, education, marriage, and other voluntary reasons. Migration can also be forced due to conflict, riots, or disasters such as cyclones and floods, a process known as displacement when it occurs within a country's borders. Apart from migration and displacement, which involve a change in the place of ordinary residence, mobile population categories such as short-term migration, seasonal, temporary, and circulatory movements, commuters, and travellers straddle places without involving a change in the place of ordinary residence. The place of ordinary residence is not static in a citizen's life but changes with life stages, such as birth, education, marriage, employment, and retirement. This paper highlights that migrant and mobile populations should be treated separately, as they pose distinct challenges to protecting voting rights. While the former needs to be included and protected at the destination, the latter is a major concern for places of origin. A migrant may face barriers such as identity and address proofs, a hostile environment, and access to facilities in the process of enrolment as a new voter in the place of destination or in the transfer of registration of vote from the previous place of residence to the current place of residence in accordance with ordinary residence change. On the other hand, the portability of voting rights through remote voting methods such as postal ballots, proxy voting, and Remote Electronic Voting Machines (REVMs) may be options for mobile populations, including short-term migrants who are registered as voters at their place of origin. Thus, a distinction between the migrant and mobile population is important for an inclusive electoral system for eradicating place-based discrimination and the denial of voting rights.

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APPENDIX I

Types of Voters, Place, and Method of Voting, Lok Sabha Election, 2024

Types	Place of Voting	Method of Voting
General Voters	Polling station	EVM*
Service Voters (Armed forces, Paramilitary forces, Officials on foreign missions, etc)	Place of ordinary residence	Postal ballot
Emigrant/NRI Voters	Polling station (origin)	EVM
Elderly (85+)	Home voting	Paper ballot
PwD (40%)	Home voting	Paper ballot
Displaced Persons (Kashmiri Migrants/Manipuri)	Special polling station outside the constituency	EVM
Migrants (long-term)	Polling station (destination)	EVM
Migrant (short-term)/Mobile Voters	Polling station (origin)	EVM

*Electronic Voting Machine

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