



**KARNATAKA LEGISLATIVE COUNCIL
ONE HUNDRED AND FIFTY EIGHTH SESSION
(Adjourned Meetings)**

**THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ (AMENDMENT)
BILL, 2026**

(LA Bill No. 03 of 2026)

(As passed by the Karnataka Legislative Assembly)

A Bill further to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993.

WHEREAS the Constitution of India, under Article 326 guarantees the right to vote through adult suffrage, ensuring that elections are conducted in a free, fair, and transparent manner, reflecting the democratic will of the people;

WHEREAS the principle of secrecy of the ballot is a cornerstone of free and fair elections, as recognized by the Judiciary which emphasized that the secrecy of the ballot protects voters from coercion, intimidation, and undue influence, thereby safeguarding the sanctity of the democratic process in several judgments of Supreme Court;

WHEREAS the Supreme Court in *Kuldip Nayar v. Union of India* (2006) clarified that while open ballots may be permissible in specific contexts, the secret ballot remains essential for elections to ensure voter autonomy and prevent external pressures, thereby upholding the constitutional mandate of free elections;

WHEREAS the Judiciary underscored the importance of voter confidence in the electoral process, introducing the Voter Verifiable Paper Audit Trail (VVPAT) to enhance transparency while preserving the secrecy of the ballot, and highlighted the need for continuous reforms to address vulnerabilities in electronic voting systems;

WHEREAS some concerns have been raised, regarding functioning of Electronic Voting Machines (EVMs) necessitating a return to the robust secret ballot paper system to restore public trust;

WHEREAS the decision of the Karnataka State Government to revert to paper ballots for local body elections, in response to concerns about EVM credibility and voter privacy, reflects a growing consensus on the need to strengthen electoral mechanisms that prioritize anonymity and transparency;

WHEREAS the secret ballot system, through the use of paper ballots or other anonymized mechanisms, ensures that voters can exercise their franchise without fear of retribution, promotes electoral integrity, and aligns with India's international commitments under Article 21 of the Universal Declaration of Human Rights, which guarantees the right to free elections with a secret vote;

WHEREAS it is expedient to enact legislation to mandate the use of a secret ballot system in all local body elections, with provisions for transparent auditing and safeguards against tampering, to uphold the democratic principles enshrined in the Constitution and reinforced by judicial pronouncements;

WHEREAS the State of Karnataka, in pursuance of ensuring free, fair, and transparent elections to local authorities, has resolved to amend the relevant statutes governing local bodies to mandate the adoption of a secret ballot system using paper ballots, thereby facilitating the State Election Commission in conducting elections with enhanced voter privacy and electoral integrity;

AND WHEREAS it is expedient to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to provide for the use of a secret ballot paper system in elections to rural local authorities, thereby strengthening public confidence in the democratic process;

Be it enacted by the Karnataka State Legislature in the seventy seventh year of the Republic of India as follows, namely:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Gram Swaraj and Panchayat Raj (Amendment) Act, 2026.

(2) It shall come into force at once.

2. Amendment of section 2.- In the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) (hereinafter referred to as the principal Act) in section 2, after clause (2), the following shall be inserted, namely:-

“(2-A) “Ballot or Ballot Box or Ballot paper” means Ballot or Ballot Box or Ballot paper wherever used shall be construed as secret Ballot Paper wherever applicable”;

3. Amendment of section 7.- In the Principal Act, in section 7, sub-section (3) and the Explanation shall be omitted.

4. Amendment of section 31A.- In the Principal Act, in section 31A, in clause (a) and clause (d) the words “or voting machines” shall be omitted.

5. Amendment of section 130.- In the Principal Act, in section 130, sub-section (2-A) and the Explanation shall be omitted.

6. Substitution of section 165.- In the Principal Act, for section 165, the following shall be substituted, namely:-

“165. Electoral roll.- (1) For every Constituency of Zilla Panchayat there shall be an electoral roll which shall be prepared by the Assistant Commissioner, subject to the superintendence, direction and control of the State Election Commission.

(2) The Electoral roll so prepared shall be revised, modified, updated and published in accordance with the provisions of this Act.

(3) A person whose name has been included in the electoral roll of Zilla Panchayat Constituency shall be entitled to vote in an election to that constituency:

Provided that, the electoral roll for such constituency of Zilla Panchayat shall not include any amendment, transposition, inclusion or deletion of entry made after the last date for making nomination for the election to such constituency and before completion of such election.”

7. Amendment of section 169.- In the Principal Act, in section 169, sub-section (2-A) and the Explanation shall be omitted.

8. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by order, published in the official Gazette, as the occasion may require, do anything which appears to it to be necessary to remove the difficulty.

(2) Every order made under this section shall, as soon as may be after it is so made, be laid before the both House of the State Legislature.

9. Interpretation of terms.- In the principal Act, and rules made there under, issued orders, circulars and notice in relation to governing elections to the concerned rural local authorities conducted by the State Election Commission, any reference to “Ballot” or Ballot Box” or “Ballot Paper” shall, unless the context otherwise requires, be construed to mean “Ballot” or “Ballot Box” or “Secret Ballot Paper” to ensure the secrecy of the vote, in accordance with the principles of free and fair elections.

STATEMENT OF OBJECTS AND REASONS
(As appended to at the time of Introduction)

It is considered necessary to amend the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) to,-

- (i) ensure that elections are conducted in a free, fair, and transparent manner, reflecting the democratic will of the people under Article 326 of the Constitution of India;
- (ii) ensure the secrecy of the ballot voters, and protect voters from coercion, intimidation, and undue influence, thereby safeguarding the sanctity of the democratic process;
- (iii) implement the Supreme Court judgment given in Kuldip Nayar v. Union of India (2006); and
- (iv) to strengthen electoral mechanisms that prioritize anonymity and transparency.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

PRIYANK KHARGE

Minister for Rural Development and
Panchayat Raj and Information Technology
and Bio Technology

K.R. MAHALAKSHMI

Secretary
Karnataka Legislative Council

ANNEXURE

**EXTRACT FROM THE KARNATAKA GRAM SWARAJ AND PANCHAYAT RAJ
ACT, 1993 (KARNATAKA ACT 14 OF 1993).**

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2. Definitions.-XX

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(2) "Backward Classes" means such class or classes of citizens as may be classified as category "A" and "B" and notified by the Government from time to time for the purposes of reservation of seats and offices of Chairperson in Zilla Panchayat, Taluk Panchayat and Grama Panchayat.

(3) "building" includes a house, out- house, shop, stable, warehouse, workshop, canopy, shed, hut, or other enclosure whether used as a human dwelling or otherwise and shall include a wall, compound wall, fencing, verandah, platform, plinth, doorstep and the like;

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7. Method of voting and procedure for election.- (1) Every voter shall have as many votes as there are members to be elected for the constituency. No voter shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, elections to the Grama Panchayat shall be held by ballot on non-party basis in accordance with such rules as may be prescribed.

(3) Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in the Grama Panchayat election by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State Election commission may have regard to the circumstances of each case specify.

Explanation : For the purpose of this section, "Voting Machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made there under shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.

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31A. Offence of booth capturing.- Whoever commits an offence of booth capturing shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine and where such offence is committed by a person in the service of the Government, he shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years and with fine.

Explanation.- For the purpose of this section, 'booth capturing' includes among other things, all or any of the following activities, namely:-

(a) seizure of a polling station or a place fixed for the poll by any person or persons, making polling authorities surrender the ballot papers or voting machines and doing of any other act which affects the orderly conduct of elections;

(b) taking possession of a polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and prevent others from voting;

(c) threatening any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;

(d) seizure of a place for counting of votes by any person or persons, making counting authorities surrender the ballot papers or voting machines and the doing of anything which affects the orderly counting of votes;

(e) doing by any person in the service of Government of all or any of the aforesaid activities or aiding or conniving at, any such activity in furtherance of the prospects of the election of a candidate.

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130. Method of voting and procedure for election.- (1) Every elector shall have as many votes as there are members to be elected. No elector shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, elections to the Taluk Panchayat shall be held by ballot in accordance with such rules as may be prescribed.

(2A) Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in taluk panchayath elections by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State election commission may having regard to the circumstances of each case specify. Explanation : For the purpose of this section, "Voting Machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.

(3) The provisions of sections 26, 27, 28, 29, 30, 31, 1[31A, 31B]1, 32, 33, 34, 35, 36, 37, 38, 39, and 40 shall apply in respect of elections to Taluk Panchayat as they apply to elections to Grama Panchayats.

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165. Electoral roll.- The electoral roll of the Zilla Panchayat 1[shall be prepared by the Assistant Commissioner subject to the superintendence, direction and control of the State Election Commission:

Provided that the electoral roll of the Karnataka Legislative Assembly for the time being in force for such part of the district as is included in any constituency of the Zilla Panchayat may be adopted for the purpose of preparation of electoral roll of the Zilla Panchayat for such constituency:

Provided further that the electoral roll for such constituency of the Zilla Panchayat shall not include any amendment, transposition, inclusion or deletion of any entry made after the last date for making nomination for the election of such constituency and before the completion of such election.

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169. Method of voting and procedure for election.- (1) Every elector shall have as many votes as there are members to be elected. No elector shall give more than one vote to any one candidate.

(2) Subject to the provisions of this Act, election to the Zilla Panchayat shall be held by ballot in accordance with such rules as may be prescribed.

(2A) Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in zilla panchayath elections by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State Election Commission may having regard to the circumstances of each case specify

Explanation: For the purpose of this section “Voting machine” means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made there under shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.

(3) The provisions of sections 26, 27, 28, 29, 30, 31, 31A, 31B, 32, 33, 34, 35, 36, 37, 38, 39, and 40 shall apply in respect of elections to Zilla Panchayat as they apply to elections to Grama Panchayats.

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