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CURRENT ISSUE

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LIVE

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General Studies

Polity Current Issue

Contest in Multiple Constituency

Current Issue:

- The Supreme Court has refused to set aside a provision in the election law that allows candidates to contest polls from two constituencies simultaneously in State and Centre.
- Supreme Court feels that it is a policy matter and an issue concerning political democracy so let the Parliament to take a call.



Background:

- The petition filed by advocate **Ashwini Upadhyay**, represented by senior advocate Gopal Sankaranarayanan, had sought the court to declare Section 33(7) of the Representation of People Act invalid and ultra vires.



- In **2018**, the government had objected to the petition in court.
- It had argued that law cannot curtail the right of a candidate to contest elections and curtail the polity's choice of candidates.
- The government had further told the Supreme Court that one-candidate-one-constituency restriction would require a legislative amendment. It had supported **Section 33 (7)**.
- Before the amendment, candidates could contest from any number of constituencies. The government had said the restriction to two constituencies was reasonable enough, and there was no need to change the law now.

- *The Election Commission had, in an affidavit in 2018, supported the petition. It had informed the Supreme Court that it had proposed an amendment to **Section 33(7) in July 2004.***
- There have been cases where a person contests election from two constituencies, and wins from both.
- In such a situation he vacates the seat in one of the two constituencies.
- The consequence is that a by-election would be required from one constituency involving avoidable expenditure on the conduct of that bye-election.



Legal Issue:

- Like one-person-one-vote, one-candidate-one-constituency is the dictum of democracy.
- Section 33(7) of the Act allows a person to contest a general election or a group of by-elections or biennial elections from two constituencies.
- But the court chose to leave the issue to the wisdom of the Parliament.



- **Which of the following is not a feature of Election system in India?**
- A. Universal Adult Franchise
- B. Secret Voting
- C. Reservation of seats in the legislature for the members of Scheduled Castes and Scheduled Tribes
- D. Communal Electorate

- **The number of seats reserved for scheduled caste in the Lok sabha is:**
- A. 59
- B. 79
- C. 84
- D. 99

- **Which is the smallest Lok Sabha Constituency in General Elections by area?**
- A. Delhi Sadar
- B. Mumbai South
- C. Kolkata North West
- D. Chandni Chowk, Delhi

- How many female members have held the position of Speaker of Lok Sabha?
 - a. Two
 - b. Three
 - c. Four
 - d. None

- Who was first Deputy Speaker of Rajya Sabha?
 - a. B.D Khobragade
 - b. Godey Murahari
 - c. S.V Krishnamurthi Rao
 - d. B.N Rao

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