

Section 151A of the Representation of the People Act, 1951

10th October, 2018



Amidst murmurs in political circles that the Lok Sabha bypolls in Karnataka to three seats was “unnecessary”, the Election Commission has cited Section 151 A of the Representation of People Act, which mandated it.

What’s the issue now?

Experts have written to the President questioning the rationale behind holding byelections close to general elections. President Ram Nath Kovind has been requested to withdraw notification of the byelection. They have questioned EC’s move as the announcement of byelections to parliamentary constituencies were only in Karnataka while there are vacant constituencies in Andhra Pradesh too.

What is Section 151A of RPA all about?

It mandates the Election Commission to fill the casual vacancies in the Houses of Parliament and State Legislatures through bye elections within six months from the date of occurrence of the vacancy, provided that the remainder of the term of a member in relation to a vacancy is one year or more.

How EC defends its move?

Byelections are required to be held under Section 151A of RP Act within six months from the date of occurrence of the vacancy. Vacancies in Karnataka occurred more than a year before the expiry of the term of the house. In case of vacancies in Andhra Pradesh, there is no need to hold byelections as the remaining term of Lok Sabha is less than one year.

To be looked in UPSC Paper 2 Topic: Salient features of the Representation of People’s Act.