Polity & Governance · GS - II

Examine how election petitions serve as an instrument of electoral accountability while safeguarding the legitimacy of elected legislatures in India.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 27/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Article 329(b), Representation of the People Act 1951, Section 80, Section 100, judicial review, electoral integrity, due process, democratic legitimacy

Model Answer

Free and fair elections are central to representative democracy. However, electoral accountability does not end with the declaration of results. Election petitions provide a judicial mechanism to examine whether an election was conducted in accordance with the law.

Legal framework

1. **Article 329(b):** Restricts challenges to parliamentary and state legislative elections to election petitions presented through the prescribed legal process.
2. **Representation of the People Act, 1951:** Section 80 provides the statutory basis for election petitions, while Section 100 identifies grounds on which an election may be declared void.
3. **Jurisdiction:** Election petitions concerning parliamentary and Assembly elections are ordinarily tried by the respective High Courts.
4. **Appellate remedy:** Decisions of High Courts in election petitions can be appealed to the Supreme Court under Section 116A of the Act.

Contribution to electoral accountability

1. **Transparency:** Allegations concerning corrupt practices, improper acceptance or rejection of nominations and other statutory violations can be judicially examined.
2. **Candidate accountability:** Candidates are required to comply with applicable disclosure and election-related legal obligations.
3. **Institutional legitimacy:** Judicial scrutiny provides a lawful mechanism to resolve electoral disputes rather than allowing them to undermine public confidence.

Need for procedural safeguards

Election petitions must meet statutory requirements and be decided through fair procedures. Equally, dismissal at a preliminary stage should not prevent genuine claims from receiving judicial consideration.

Conclusion

Election petitions strengthen democracy by combining electoral accountability with due process. Their effectiveness depends on timely adjudication, evidentiary scrutiny and respect for the finality of lawful electoral outcomes.

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