15-06-2022
One Candidate One Constituency

Why in Newspapers?

Recently, the Chief Election Commissioner has asked the Ministry of Law and Justice for a provision for a candidate to contest from the same seat.

Quick Issue?

- It also recommended a ban on exit polls and opinion polls and said that there should be some restrictions on the conduct and dissemination of opinion polls results from the day of the first notification of the election till the completion of the election in all its phases.

Historical Background?

- According to Section 33(7) of the Representation of the People Act (RPA), 1951, a candidate can contest elections from a maximum of two constituencies.
- More constituencies were allowed until 1996 when the RPA was amended to fix a ceiling on two constituencies.
- Since 1951, many political parties have used this factor to contest elections on more than one seat, sometimes to divide the opponent's vote, sometimes to stake claim to their party's power across the country. This was done to establish the influence of his party in the vicinity of the constituencies. The candidate's party and all parties have misused section 33(7).
- Since no candidate can represent two constituencies, the idea of this system appears illogical and ironic.
- The irony behind section 33(7) of the RPA is that it leads to a situation where it conflicts with another section of the same Act – specifically, section 70.
- Where 33(7) allows candidates to contest from two seats, Section 70 prohibits candidates from representing two constituencies in the Lok Sabha/State Legislative Assembly.
- After relinquishing a constituency, a by-election automatically starts immediately after the general election.
- For example, in the year 2014, after Prime Minister Narendra Modi won both Vadodara and Varanasi seats, he vacated his seat in Vadodara, forcing a by-election there.

Other Key Facts?

Argument of Election Commission:

- Both types of elections can be controversial if the agency conducting them is considered biased.
- Estimates for these surveys can be influenced by the choice of questions, wording, timing and the nature of the sample drawn.
- Political parties often allege that many opinions and exit polls are motivated and sponsored by their rivals, and can distort the choices made by voters in an election, preventing them from reflecting only public sentiment or views. .

- A by-election requires spending lakhs of taxpayers' money, which could have easily been avoided.
- Before 1994, when candidates could contest from even three seats, the financial burden was even heavier.
- The one candidate, two constituency system provides "a wide choice of politics as well as candidates".
- Abolishing this provision would violate the rights of the contesting candidates, as well as there could be a shortage of candidates in politics.
- The Election Commission recommended amendment of section 33(7) to allow a candidate to contest from only one seat.
- It did so in the year 2004, 2010, 2016 and the year 2018.
- A system should be developed in which if a candidate contests from two constituencies and wins both, he will have to bear the financial burden of holding subsequent by-elections in one of the constituencies.
- This amount will be Rs 5 lakh for assembly elections and Rs 10 lakh for Lok Sabha elections.

Likely Question Asked In Preliminary Exam

Que. Consider the following statements:
1. According to the Constitution of India, a person who is eligible to vote can be made a minister in a state for six months, even if he is not a member of the legislature of that state.
2. According to the Representation of the People Act, 1951, a person convicted of a criminal offense and sentenced to imprisonment for five years is declared permanently disqualified from contesting elections even after his release from prison.

Which of the above statements is/are correct?

    (a) 1 only   (b) 2 only

    (c) Both 1 and 2   (d) neither 1 nor 2

Answer: (d) neither 1 nor 2

Caste Based Census

Why in Newspapers?

Recently the Bihar government has announced that it will conduct the Socio-Economic Survey of All Castes and Communities (SECC).

Quick Issue?

- A caste census may not be conducive to the goal of a casteless society, but it can serve as a means to remove inequalities in the society.
- Caste data will not only enable independent research on the question of who needs affirmative action and who does not, but will also enhance the effectiveness of reservations.

Other Key Facts?

Objectivity Measures on Reservation:

- Caste-based census can go a long way in bringing in a measure of objectivity on reservation.
- According to the Rohini Commission set up to investigate the equitable redistribution of 27% quota for OBCs, there are about 2,633 castes covered under OBC reservation.
- Though the Centre's reservation policy since 1992 does not take into account that there exists a separate category of extremely backward castes within OBCs, who are still marginalised.

- Unbiased data and subsequent research can save genuine efforts for the upliftment of the most backward classes from caste and class politics and can be a source of correct information for people on both sides who are in favor or against reservation. Huh.
- Not the provision of reservation but the misuse of reservation creates division in our society.

Historical Background?

- Census in India started in the year 1881 during the colonial rule.
- Census is conducted by the government, policy makers, academicians and others to get data related to Indian population, access to resources, social change, data related to delimitation etc.
- In the early 1940s, for the 1941 census, the Census Commissioner of India 'W. W. M. Yeatts had said that the census is a large, very strong concept, but it is an unsuitable tool for special investigation.
- The Socio-Economic and Caste Census (SECC) was conducted for the first time in the year 2011 after the year 1931.
- SECC is intended to find out the following conditions of every Indian household in rural and urban areas:-
- Finding out economic conditions so as to allow central and state authorities to obtain and include a series of sequential and cumulative indicators of disadvantaged classes, which are used by each authority to define a poor or disadvantaged person. can be done.

- This meant asking each individual his/her specific caste name, to make it easier for the government to re-evaluate which caste groups were in the worst financially and which were better off.
- o SECC has the capability to provide information on 'mapping of inequalities' on a large scale.
- Census presents a holistic picture of the Indian population, whereas SECC is a measure/means of identifying eligible beneficiaries of state assistance.
- Census is covered under the Census Act of 1948, therefore all data is considered confidential, while according to the SECC website, "government departments using all personal information provided in SECC to benefit families and/or restrict are free to do.
- India's social equality program cannot be successful without data and caste census will help to correct this.
- Due to paucity of data no proper estimate is available for OBC population, group within OBC.
- The Mandal Commission estimated the OBC population to be 5%, while some others estimated the OBC population to be in the range of 36 to 65%.
- Policy relevant information about the economic status of OBCs (house type, property, occupation), demographic information (sex ratio, mortality rate, life expectancy) apart from information about OBC population size through caste-based census), educational data (male and female literacy, proportion of school-going population, no.) will be received.

Likely Question Asked In Preliminary Exam

Que. Consider the following statements:
1. Between the 1951 census and the 2001 census, the population density of India has increased by more than three times.
2. The annual growth rate (exponential) of India's population has tripled between the 1951 census and the 2001 census.

Which of the above statements is/are correct?

(a) 1 only
(b) 2 only
(c) Both 1 and 2
(d) Neither 1 nor 2

Answer: (d) Neither 1 nor 2