

MCQ Question · mcqquestion.com

The Representation of the People Acts and India’s Election System

Free · Share

The Representation of the People Acts and India's Election System

Every few years, hundreds of millions of Indians vote in the world's largest election. But the rules that make this possible are set long before polling day. This article explains the laws behind elections, how the system works, what goes wrong, and which reforms people argue about.

> **RPA 1950** Electoral rolls and seat allocation.
> **RPA 1951** Conduct of elections, qualifications and disqualifications.
> **FPTP** Most votes wins. No 50% needed.
> **2 seats** Maximum a candidate can contest since 1996.

RPA 1950: Covers rolls and seats.

RPA 1951: Covers the conduct of elections.

FPTP: First-Past-the-Post. The winner needs the most votes, not a majority.

Article 324: Makes the ECI a constitutional body.

1 Chapter 1: Which Law Covers What?

Must Know

Law	What it covers
RPA 1950	Electoral rolls and seat allocation to constituencies
RPA 1951	Conduct of elections, plus qualifications and disqualifications
Conduct of Election Rules, 1961	Step-by-step procedure, from nomination to counting

- **RPA 1950** decides who appears on the voters' list. It also decides how many seats each area gets.
- **RPA 1951** decides who can stand and how the vote itself is run.
- The **Conduct of Election Rules, 1961** spell out the detailed procedure, from filing a nomination through to the final counting of votes.
- Exams test which law covers what. Keep the distinction precise.

Remember: 1950 is about rolls and seats. 1951 is about the conduct of the election.

Who runs which election?

- The Election Commission of India (ECI) oversees elections to Parliament and state legislatures.
- Separate State Election Commissions handle local body elections, such as Panchayats and municipalities.
- Article 324 makes the ECI a constitutional body. It conducts, supervises and controls elections at the national and state level.
- Think of it as an independent umpire over the whole process.
- Exams test which body runs which election. The ECI handles Parliament and state assemblies. State Election Commissions handle every local body election.

Quick check 1. State Election Commissions conduct elections to the Lok Sabha and state assemblies. *(True or False?)* See answer ↓

2 Chapter 2: First-Past-the-Post

Must Know

- India uses First-Past-the-Post (FPTP).
- The candidate with the most votes wins a constituency, whether or not they win an outright majority of votes cast.
- The quirk: when several candidates split the vote, a winner can take a seat with far less than half.
- Say three candidates get 40%, 35% and 25%. The 40% candidate wins the seat outright.
- Yet 60% of voters chose someone else.
- Exams repeatedly test this exact rule. FPTP requires only the most votes, never a 50% threshold. A genuine minority winner is entirely possible.

Quick check 2. In India, a candidate must win at least 50% of the votes polled to be declared elected. *(True or False?)* See answer ↓

3 Chapter 3: Who Can Stand, and Who Is Disqualified

Good to Know

Qualification

- A candidate must be an Indian citizen and meet the minimum age.
- For the Lok Sabha, the candidate must be a registered elector somewhere in India. It need not be the constituency they contest.

Disqualification

- Several things can disqualify a candidate or sitting member.
- These include holding an office of profit, being declared insolvent, being of unsound mind, or falling under the anti-defection law.
- The Constitution never clearly defines “office of profit”.
- The Parliament (Prevention of Disqualification) Act, 1959 exempts certain specific posts. That keeps the boundary unsettled and regularly litigated.
- Exams test both halves: what qualifies a person to stand, and the named grounds that disqualify them once elected.

Recognised parties and symbols

- Specific rules decide whether a party is a national or state party.

- This depends on the vote share and seats it won in earlier elections. Being registered is not enough.
- Recognised parties get a reserved election symbol.
- Symbols carry real weight. A lotus or a hand on a ballot paper is instantly known to millions. Many never read the party's name, especially where literacy is lower.
- So disputes over who controls a symbol can become bitter legal battles.
- Read more: Political Parties in India: Recognition, Symbols and the Party System.

> **Quick check 3.** Holding an office of profit can disqualify a candidate or sitting member. *(True or False?)* See answer ↓

4 Chapter 4: Problems and Reforms

Great to Know

Three problems

- **Money:** real campaign spending often goes well past official limits. This tilts the field toward candidates with deep pockets or strong party finance.
- **Criminalisation:** some candidates with serious criminal charges still win. This can weaken public trust in the legislature.
- **Voter awareness:** many voters decide with little information about a candidate's record, background or promises. That limits how accountable elections can be.
- Essay and exam discussions of Indian elections keep returning to these three.

Three proposed reforms

- **State funding:** the government would pay some campaign costs, reducing dependence on private money. Critics worry about the cost and misuse.
- **Disclosure:** stronger disclosure of candidates' criminal records and assets, so voters can see who they are choosing.
- **Spending caps:** stricter limits on how much money can shape one race.
- Each targets a different weakness. They are usually discussed as a set, not as rival choices.

The two-constituency cap

- Since 1996, a candidate can contest from at most two constituencies. Before that, there was no cap.
- In 1991, Devi Lal contested three Lok Sabha seats at once. The current rule bans this.
- If a candidate wins more than one seat, they must vacate all but one.
- The resulting bye-election is paid for by the public exchequer, not by the candidate's party.
- Remember two facts: the two-seat cap, and that the public bears the cost of the bye-election.

Is voting a Fundamental Right?

- Article 326 guarantees universal adult suffrage.
- The right to vote and stand for election is a Constitutional Right. It is not a Fundamental Right in Part III.
- A separate line of Supreme Court judgments has at times treated voting as a purely statutory right. On that view, the RPA creates it, not the Constitution directly.

- The difference matters. A Fundamental Right can be enforced directly under Article 32. A Constitutional Right protects the vote through a different legal route.
- UPSC's own answer key treats the right to vote as a Constitutional Right tied to Article 326.

> **Quick check 4.** The right to vote is a Constitutional Right under Article 326, not a Fundamental Right. *(True or False?)* See answer ↓

5 In the News: The Supreme Court and the SIR, May 2026

Current Affairs

- On 27 May 2026, the Supreme Court decided *Association for Democratic Reforms v. Election Commission of India*.
- It unanimously upheld the ECI's Special Intensive Revision (SIR) of electoral rolls in Bihar, under Article 324 read with the RPA, 1950.
- The Bench held that a procedure different from routine revisions does not make the SIR unconstitutional.
- It applied a proportionality test: legitimate purpose, non-excessive means, least restrictive option. It found the measures not manifestly excessive or disproportionate.
- It ruled the ECI can examine citizenship for roll inclusion. But only a competent authority can decide a citizenship claim itself.
- This ties to the RPA 1950 card above. It confirms roll preparation rests on that statute, not on Article 324 standing alone.
- Source: Supreme Court Observer, ADR v. Election Commission of India, 2026.

6 Previous Year Questions

Exam angle: four real questions.

> **Think it through: can a winner really have most voters against them?**
>
> Yes. If 40% vote for the winner and the other 60% split among others, the winner leads but most voters chose someone else. FPTP only counts who is first.

Quick Q&A

- **RPA 1950 covers?** Rolls and seats.
- **RPA 1951 covers?** Conduct of elections.
- **FPTP needs?** Most votes, not 50%.
- **Seat cap?** Two, since 1996.
- **Right to vote?** Constitutional Right.

Practice MCQs

1. What does the Representation of the People Act, 1950 deal with?

A. Only the disqualification of sitting Members of Parliament

B. Only the appointment of the Chief Election Commissioner

C. The preparation of electoral rolls and the allocation of seats

D. Only the conduct of elections after nomination

See answer ↓

2. What does the Representation of the People Act, 1951 cover?

A. The actual conduct of elections, including candidate qualifications and disqualifications

B. Only the design of election symbols

C. Only the preparation of electoral rolls

D. Only the funding of political parties

See answer ↓

3. What is the difference between the Election Commission of India and State Election Commissions?

A. State Election Commissions oversee national elections, while the Election Commission of India handles only local elections

B. Both bodies handle exactly the same elections with no difference

C. The Election Commission of India oversees Parliament and state legislature elections, while State Election Commissions handle local body elections

D. Neither body has any role in overseeing Indian elections

See answer ↓

4. Why do election symbol disputes matter more than they might first appear?

A. Only unrecognized parties are ever given election symbols

B. Election symbols have no practical effect on voting behaviour at all

C. A recognized symbol carries real electoral value, since voters often associate a party strongly with its symbol

D. Symbols are assigned randomly and hold no political significance

See answer ↓

5. What does the Election Commission's growing role in overseeing coalition and alliance politics reflect?

A. How India's party system has evolved well beyond the largely single-party-dominant landscape the original 1950s election laws were designed around

B. That coalition politics has never actually occurred in India

C. That the Election Commission has no role in overseeing alliances at all

D. That India's party system has remained completely unchanged since the 1950s

See answer ↓

6. Under ECI's Special Intensive Revision (SIR), a Booth Level Officer can delete an elector's entry only for which of these reasons?

A. Belonging to an opposition party

B. The elector's death, confirmed after verification

C. Low voter turnout in a past election

D. A candidate's request

See answer ↓

7. In its 27 May 2026 ruling in Association for Democratic Reforms v. Election Commission of India, what did the Supreme Court hold about SIR?

A. That SIR is unconstitutional

B. That SIR falls within ECI's statutory mandate under the RP Act, 1950, and Article 324

C. That SIR must be conducted only once every 10 years

D. That States, not ECI, must conduct SIR

See answer ↓

Answer Key

1. **C.** The Representation of the People Act, 1950 has a specific focus. It deals with the preparation of electoral rolls. It also deals with the allocation of seats. ↑ Q1
2. **A.** The Representation of the People Act, 1951 has a specific focus. It covers the actual conduct of elections. This includes candidate qualifications and disqualifications. ↑ Q2
3. **C.** The Election Commission of India and State Election Commissions have different roles. The Election Commission of India oversees Parliament and state legislature elections. State Election Commissions handle elections to local bodies like Panchayats and municipalities. ↑ Q3
4. **C.** Symbol disputes matter more than they might first appear. A recognized symbol carries real electoral value. Voters often associate a party strongly with its symbol, especially in areas with lower literacy. ↑ Q4
5. **A.** The Election Commission's growing role in overseeing coalition and alliance politics reflects a real shift. India's party system has evolved well beyond the largely single-party-dominant landscape. The original 1950s election laws were designed around that older landscape. ↑ Q5
6. **B.** Deletions happen only after BLO verification, for 4 reasons: death, permanent relocation, duplicate entries, or being untraceable after repeated visits. ↑ Q6
7. **B.** The Court held SIR is within ECI's statutory mandate under the Representation of the People Act, 1950, and its constitutional duty under Article 324. ↑ Q7

Quick-check answers

1. **False.** ↑ 1
2. **False.** ↑ 2
3. **True.** ↑ 3
4. **True.** ↑ 4

Curated by Arsalan Zuberi · mcqquestion.com

Scan to read online

https://mcqquestion.com/articles/representation-of-people-acts-election-system/