

INTRODUCTION

As mentioned in the preface above this present work deals with the subject of Election Laws in nine chapters dealing exclusively on respective topics. The **first chapter** discusses the distinctive features of the laws governing ELECTIONS in the REPUBLIC OF INDIA. The distinctiveness and originality of the legal procedure governing the elections can be gauged from the fact that there is no provision for challenging any action in the conduct of election at an intermediate stage. The jurisdiction of the High Courts under Art. 226 of the Constitution of INDIA does not extend to conduct of election, because this matter is dealt with in chapter XV of the constitution itself. It is pertinent to understand this notion so as to grasp the basic principles which are adopted by the Courts of this country while dealing an election-petition. After understanding the distinctiveness of the election laws that you receive is to give a brief description of the laws which are applicable to the procedure of elections. Though the principles of common Law and EQUITY, in their entirety, don't apply to the Election disputes there are certain rules which find place in all the dispute-adjudication processes. The second chapter discusses all the rules and Laws applicable to the adjudication of election disputes and also discusses the similarities of Election Jurisprudence with others. **Chapter 3** deals with the topic of CANDIDATURE. The chapter envelops the qualifications and disqualifications of a candidate. It also discusses certain instances where the Law Courts of this country have supplied some additional bars and modifications to qualifications and disqualifications, of course in consistency with the Constitution of

INDIA. The said chapter also has specimens of forms which are to be filled by the candidates and their agents. **Chapter 4** separately deals with one of the main disqualifications i.e. CORRUPT PRACTICES. Time and again the Law courts have shown very strict approach to such instances and the same are incorporated in chapter 4 so as to guide the readers about this all important subject. The next chapter deals with election expenses. Candidates as well as election-campaigners are reluctant to abide by the prescribed limits and the election commission of India is struggling to deal with such indiscipline. The said limit keeps changing as the time passes and takes into consideration all the relevant economic modules. The maximum limit, as prevalent in the State of Gujarat is mentioned for reference. **Chapter 6** deals with, perhaps, the most important aspect of this book. The said chapter discusses almost all the modes through which the elections of any nature can be challenged and on deserving grounds be annulled or declared cancelled by the High Court or the Supreme Court, as the case may be. Different requirements, in the light of case-laws, of a proper ELECTION PETITION are also mentioned so as to provide guidelines to all the persons who intend to challenge a questionable election result. **Chapter 7** provides all the relevant disciplinary codes in an easy-to-grasp manner. The theme is to deal the code of conduct subject-wise so any candidate might check them up as per his requirement. Readers are requested to refer the Election manual, as issued by the Election Commission also as the list, as mentioned in this book, is not exhaustive. **Chapter 8** is an extension and elaboration of chapter 7 as it provides a detailed list of things which are specifically prohibited from doing by the candidates. It also provides list of acts which might seem

similar to those which are prohibited but nevertheless are not and are permissible in the context of the subject. **Chapter 9** is reproduction of the 'Model Code of Conduct', as officially declared and published by the Election Commission of INDIA. Those readers who find the legal language easy to understand may find the said chapter useful. Lastly the book also contains a separate chapter (Chapter 10) for the VOTERS. It envisages the role of a Voter, the importance of his Vote and the necessity to vote. All these aspects are dealt with in chapter 10 in a question-answer format so as to simplify and narrow the scope of doubts most common in the minds of an Indian Voter.
