



# 10-04-2024 NEWS

## What does the law say about communal campaigning?

- Section 123 of the Representation of the People Act, 1951 says a candidate or any other person with the consent of a candidate, campaigning to vote or not to vote based on language, religion, race, caste, community is an electoral malpractice.
- According to section 123 (3A) any attempt by a candidate to incite feelings of enmity or hatred among the citizens during the election is similarly considered an election malpractice.
- Under the provisions of the law, anyone found guilty of electoral malpractice can be barred from contesting elections for a maximum of six years.
- The Model Code of Conduct (MCC) for political parties and candidates is a set of rules developed by consensus of political parties.
- Political parties and candidates compete by agreeing to abide by these rules.
- These codes of conduct were strictly enforced in the 1990s.
- The regulations instruct that caste or communal sentiments should not be incited to win votes and that mosques, churches, temples or other places of worship should not be used as platforms for election campaigning.

### **Highlights:**

- Prior to 1961, it has been said continuous campaigning by a candidate based on religion, race, caste or community would be considered rigged.
- However, to prevent communal, divisive and separatist tendencies an amendment was made in 1961 to delete the word series/continuous from the Act.
- This means that even a single false appeal to win elections on the basis of one's religious or narrow communal views is punishable by law.
- *Abram Singh Vs Ct.* In the *Komachen (2017)* case, a majority (4:3) in a seven-judge bench ruled that candidates should not gather votes based not only on their religion but also on the basis of the electorate's religion.
- Thus, any campaign in the name of voter's religion is considered as electoral malpractice.

## Chardham Pilgrimage

- Uttarakhand has the holy places of Kedarnath, Badrinath, Gangotri and Yamunotri.
- Pilgrimage to these 4 temples is called the Chardham Pilgrimage.
- Every year, during the winter season with heavy snowfall, these temples are closed.
- Depending on the weather, these temples are opened in April or May and allowed for worship till October or November.

## Djokovic breaks Federer's record

### Achievement

- World No. 1 Novak Djokovic is currently the world's oldest No. 1 player.
- While that record was held by Swiss star Roger Federer, Djokovic, now 36, has broken it.
- Notably, he already holds the record of being the longest reigning World No. 1 player for a total of 420 weeks and the only player to win 24 Grand Slam titles in men's tennis.

## People's right to protection from climate change - European Court of Justice historic ruling

- The European Court of Human Rights issued a historic ruling that states have a duty to protect the public from the effects of climate change.
- Various parties have filed petitions at the European Court of Human Rights urging member states to curb global warming and the resulting climate change by limiting the amount of carbon dioxide in the air.
- The ruling on the petition filed by the Swiss women will have a major impact on future decisions on climate change by the 46 member states of the European Organization of Human Rights.

## The struggle to regain the monarchy in Nepal is getting stronger

- In our neighboring country Nepal, the monarchy was abolished in 2008. At present, the government is governed by democratic system.
- We love our king and country more than our lives. Monarchy should be brought back. The Republic should be abolished.
- In the current regime bribery and corruption are rampant and owing to this protests have erupted in Nepal.

## Candidates need not mention every movable property

- Independent candidate Kariko Giri was elected to the Arunachal Legislative Assembly in the last election of 2019 from Tesu constituency.
- Congress candidate Nuni Dayang filed a case against his victory in the Guwahati High Court.
- In his petition, he said, "Karikko Giri had stated that in the affidavit filed with his nomination paper, he did not mention the 3 vehicles belonging to his wife and son.
- Accepting this, the Guwahati High Court declared Kariko Giri's victory null and void.
- Kariko Giri filed a case against this in the Supreme Court. The judges quashed the Guwahati High Court judgment in this case.
- The judges, in their ruling, said that a voter does not have an absolute right to know every asset of a candidate and a candidate has a right to privacy about matters irrelevant to his candidacy.
- Candidates are said not to be required to disclose all movable property owned by themselves or their family unless it reflects substantial value or a lavish lifestyle.

