



Impact of Candidate's Death in Elections

Why in News?

In a significant development, a 75-year-old candidate from the **Surankote constituency** in **Poonch district** passed away just six days ahead of the results of the [Jammu & Kashmir Assembly election](#).

Key Points

- **Results Awaited:** If a candidate dies after voting but before the results are declared, the election results will be awaited as usual.
- **If Another Candidate Wins:** The results will be valid, and no re-election is needed if another candidate wins after counting.
- **If the Deceased Candidate Wins:** If the deceased candidate wins, the election will be cancelled.
- **Re-Voting/By-Election:** A re-election or by-election will be held on this seat since the elected candidate cannot represent the constituency.
- **Relevant Law: Under Section 151A of the [Representation of the People Act, 1951](#),** elections must be held within **6 months in such a case**.
- **Death of a Candidate Before Voting:**
 - **Election Cancelled:** If a candidate dies before voting and after the nomination and withdrawal period has ended, the election on the concerned seat is cancelled.
 - **New Poll Date:** A new date is set for the election in that constituency to ensure voters can choose a replacement candidate.
 - **Relevant Provision:** The process is governed by the [Representation of the People Act, 1951](#), ensuring that voters have the chance to elect a new candidate fairly.

Representation of the People Act, 1951

- **Provisions:**
 - It regulates the **conduct of elections**.
 - It specifies the **qualifications and disqualifications** for membership of the houses,
 - It provides provisions to curb **corrupt practices and other offences**.
 - It lays down the procedure for **settling doubts and disputes** arising out of elections.