

**GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
LEGISLATIVE DEPARTMENT**

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 2519**

**ANSWERED ON THURSDAY, 10<sup>th</sup> AUGUST, 2023**

**Time Limit For Disposal Of Election Petition**

2519. **Shri A. D. Singh:**

Will the Minister of Law and Justice be pleased to state:

*(a) whether the Representation of the People Act, 1951 does not prescribe any time limit within which the election petition has to be disposed of by the High Court and appeal by the Supreme Court;*

*(b) whether the decision on election petition takes considerable time and at times pronounced when the term of the elected person is about to expire or expired;*

*(c) whether Government would like to prescribe a time limit of six months in the Act for disposal of election petition by High Court and appeal by the Supreme Court; and*

*(d) if not, the reasons therefor?*

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF  
THE MINISTRY OF LAW AND JUSTICE;  
MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;  
AND MINISTER OF STATE IN THE MINISTRY OF CULTURE  
(SHRI ARJUN RAM MEGHWAL)**

(a): The Election Commission of India (ECI) has informed that sub-section (7) of section 86 of the Representation of the People Act, 1951 (43 of 1951), provides that every election petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date on which the election petition is presented to the High Court for trial and no such time-limit has been provided for disposing of an appeal by the Supreme Court. Further, sub-section (2) of section 116A of the said Act, provides thirty days time-limit for filing an appeal to the Supreme Court.

(b): The Election Commission of India has informed that in some cases, the decision on election petition takes considerable time and at times it is pronounced when the term of the elected person is about to expire or has already expired.

(c) and (d): There is no such proposal under consideration of the Government. The adjudication and expeditious disposal of cases is within the exclusive domain of the judiciary and the Government has no role in the matter.

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