



# Election Commission of India

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## EC rejects Sangma's plea

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**NEW DELHI:** In a big relief for UPA Presidential candidate Pranab Mukherjee, the Election Commission on Tuesday turned down his rival P.A. Sangma's request for re-scrutiny of his nomination over the "office of profit issue".

Not satisfied with the EC's order, sources in the Sangma camp said they were contemplating approaching the Supreme Court to challenge Mr. Mukherjee's nomination, as they still claim that he had not resigned from the post of chairman of the Indian Statistical Institute, Kolkata, before filing his nomination.

Passing a detailed order on the petition filed by the Sangma camp on July 9, Chief Election Commissioner V.S. Sampath and Election Commissioner H.S. Brahma quoted previous verdicts of the Supreme Court on the presidential election and said: "Article 71(1) of the Constitution makes an unambiguous stipulation that all doubts and disputes arising out of or in connection with an election to the Office of the Presi-

dent shall be inquired into and decided by the Hon'ble Supreme Court."

Clause (1) of Article 71 of the Constitution reads: "All doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be inquired into and decided by the Supreme Court whose decision shall be final."

The EC recalled that the Returning Officer for the July 19 presidential election had passed a detailed order while rejecting the objections against Mr. Mukherjee's nomination.

On Mr. Sangma's assertion that on certain occasions the EC had taken remedial steps under Article 324 during an election where the election authority had failed to exercise its powers, or where there had been non-compliance of the Constitutional and statutory provisions, the EC's order said: "As you know, the law is well settled that the EC may act under Article 324 in a vacuous area where either the law is silent or makes insufficient provision to deal with a situation arising out of or in connection with an election."