

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

EIGHTH SEMESTER (LLB) JULY-2023

Paper Code: LLB-410(b)

Subject: Election Law

Time: 3 Hours

Maximum Marks :75

Note: Attempt five questions in all including Q. no.1 which is compulsory. Select one question from each unit.

Part - A

(5x5=25)

- Q1 Write short notes on –
- (a) Election to the Office of President and Vice-President of India
 - (b) Disqualification for Government Contracts
 - (c) The Symbols Order, 1968
 - (d) Parties to an election dispute
 - (e) Electoral Offences

Part - B

UNIT - I

- Q2 "The law is well-settled that ordinarily the bar to interference by courts in electoral matters as contained in Article 329 (b) shall apply once the mechanism of election begins but the jurisdiction of the High Court under Article 226 or of the Supreme Court under Article 136 is not ousted if without interrupting, obstructing or delaying the progress of the election proceedings, assistance of the Court is sought on certain specific reasons." Explain.

OR

- Q3 Discuss the composition, powers and functions of the Election Commission of India. (12.5)

UNIT - II

- Q4 Explain the Anti-Defection Law.

OR

- Q5 Over the last seven decades, various tests have been laid down by the Supreme Court to ascertain as to whether an 'office' is an 'office of profit' incurring constitutional disqualification in respect of a legislator. Identify them. (12.5)

UNIT - III

- Q6 State, in brief, the provisions regarding nomination of candidates, in particular, requirements of a valid nomination.

OR

- Q7 Explain the concept of 'Right to Information' under the Representation of People's Act, 1951. (12.5)

UNIT - IV

- Q8 'Appeal to vote or refrain from voting for any person on the ground of religion, etc., so also promotion of feelings of enmity or hatred between different classes or citizens on grounds of religion, etc., are deemed to be corrupt practices under the law entailing declaration of election to be void.' Explain.

OR

- Q9 Explain the role of Supreme Court to check criminalisation of politics in India. (12.5)

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END TERM EXAMINATION

EIGHTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-410 (b)

(Batch-2014 Onwards)

Subject: Election Law

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions.

- Q1 Write short notes on the following: (25)
- (a) Electoral offence and corrupt practice.
 - (b) Distinction between qualification and disqualification.
 - (c) Change in composition of Election Commission.
- Q2 Who can file an election petition? Who are the necessary parties to such petition and what are the consequences of non-joinder of such parties? (25)
- Q3 Explain the power and functions of Election Commission of India for conducting free and fair Elections. Substantiate your answer with help of case law. (25)
- Q4 Critically examine the statutory provisions relating to disqualification on the ground of defection under the tenth Schedule of the Constitution with help of case law. (25)
- Q5 Explain the term 'Office of Profit' under the government as used in Article 102(1)(a) and Article 191(1)(a) of the Constitution of India. (25)
- Discuss whether the following persons are disqualified for holding office of profit:
- (a) Vice-Chancellor of a Central University.
 - (b) Teachers in a primary school run by Municipal Corporation.
- Q6 What are the grounds of rejection of a nomination under the R.P. Act, 1951? What are the consequences of improper rejection and improper acceptance of a nomination? (25)
- Q7 Discuss the ambit of voters' right to know the antecedents of candidates at elections in India. What are the consequences for 'furnishing of wrong information' or 'suppression of some material information' by the candidate in his nomination paper? (25)
- Q8 Write short note on: (25)
- (a) Undue influence as a corrupt practice affecting election.
 - (b) Bribery as Corrupt Practice.

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END TERM EXAMINATION

EIGHTH SEMESTER [LLB(H)] APRIL-MAY 2019

Paper Code: LLB-410(b)

Subject: Election Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five question in all including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

- Q1 Write short notes: (5x5=25)
- (a) Describe the process of Election to the President of India.
 - (b) Govt. Contract as a disqualifying factor
 - (c) Model Code of Conduct
 - (d) Need for regulating Opinion poll and Exit Polls
 - (e) Difference between Recognized Political Parties and registered political parties.

PART-B UNIT-I

- Q2 "In order to ensure impartiality, neutrality and credibility over the election commission of India, appointment of Chief Election Commissioner and other Election commissioners ought to be done by collective body similar to that of CVC, CBI Director, Lokpal, etc.," Do you agree with the statement? Discuss the possibility by analyzing the exiting constitutional provisions on election commission. (12.5)
- Q3 Write a detailed note on the election dispute by explaining various stages involved in it with the help of relevant provisions under the RP Act, 1951. (12.5)

UNIT-II

- Q4 Write short notes: (12.5)
- (a) Discuss the constitutional provisions on the qualifications and disqualifications of candidates.
 - (b) Anti defection Law
- Q5 In the light of *Kailash Gahlot & others v. Election Commission of India* (23rd March, 2018 decided by the Hon'ble Delhi High Court), critically examine the concept of 'office of profit' by discussing relevant provisions.

UNIT-III

- Q6 Discuss it in detail with the help of relevant provisions of the RP Act, 1951, the procedure involved in filing of valid nomination papers and highlight the grounds on which the nominations so filed could be rejected. (12.5)
- Q7 Write Short Note:
- (a) Allocation of Symbols to Political Parties
 - (b) Voter's Right to Know the Antecedents of the candidates and the measures taken by the ECI in this-regard.

UNIT-IV

- Q8 Critically examine the role of mass media and social networking sites in the process free and fair election. (12.5)
- Q9
- (a) Highlight the Distinction between Corrupt practices and Electoral Offences.
 - (b) Critically analyze the model of funding to political parties through electoral bonds.



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END TERM EXAMINATION

EIGHTH SEMESTER [LLB (H)] MAY 2017

Paper Code: LLB 41

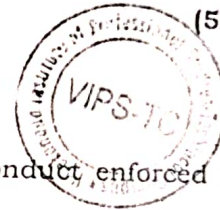
Time: 3 Hours

Subject: Election Law

Maximum Marks: 75

Note: Attempt any five questions including Q.no.1 which is compulsory.
Select one question from each unit.

- Q1 Write short notes on the following: (5x5=25)
- (a) Importance of the revision of the electoral roll.
 - (b) Explain in brief the procedure relating to nomination.
 - (c) Working of the Representation of People's Act, 1951.
 - (d) Importance and relevance of party system in India.
 - (e) Legal validity and sanctity of the Moral Code of Conduct enforced by the Election Commission at the time of elections.



Unit-I

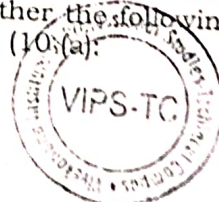
- Q2 Discuss the grounds and the forum for challenging the election of the Vice-President of India. Also refer to the relevant case laws. (12.5)
- Q3 Discuss the law relating to 'Election Disputes'. Refer to the decided case laws. (12.5)

Unit-II

- Q4 Discuss the powers and functions of the Election Commission under the Constitution and the representatives of People's Act, 1951. Is there any difference between the status of the Chief Election Commissioner vis-à-vis other Election Commissioners under the Constitution? (12.5)
- Q5 Discuss the power of the Courts regarding delimitation of Constituencies in India. (12.5)

Unit-III

- Q6 Discuss the salient features of the Anti-Defection Law in the India. Some Ministers of the present government write letters to the Governor of the State expressing their disillusionment with the corrupt Chief Minister of the state. They request the Governor to take necessary action on the Constitutional head of the State. Will the ministers incur disqualification under the Tenth Schedule of the Constitution of India? (12.5)
- Q7 Explain the term "Office of Profit" under the government as used under Article 102 (1) (a) of the Constitution of India. Discuss whether the following persons are disqualified under Article 102 (1) (a) or Article 191 (1) (a): (12.5)
- (a) Auditor in a government company
 - (b) The Comptroller and Auditor General in India.



Unit-IV

- Q8 Write notes on the following: (6)
- (a) Publication of a false statement in relation to the personal character in conduct of a candidate as a corrupt practice under the Representation of People's Act, 1951.
 - (b) "X was accompanied by the Jagatguru of the Vishwanath Temple, Varanasi and in his speeches the Jagatguru exhorted his followers to vote for X as he was a good Hindu and a devotee of Lord Shiva." Critically examine the statement. (6.5)
- Q9 Explain the law relating to corrupt practices and electoral offences under the Representatives of People's Act, 1951 and refers to the decided case laws. (12.5)
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END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE-2015

Paper Code: LLB4 / 41C

Subject: Election Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no. 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

- Q1 (a) Constitutional disqualification for being chosen as member of Parliament and State legislature? (5)
(b) Voter's right to know the antecedent of the candidate. (5)
(c) Explain the meaning of free conveyance according to Section 123(5) of 1951 Act. (5)
(d) Explain the term Corrupt Practices used under 1951 Act. (5)
(e) What are the major changes brought in the electoral process since Independence? (5)

PART-B

UNIT-I

- Q2 With reference to decided case, discuss the Constitutional Provisions relating to time limit within which election to the legislative assemblies must be held in case of Premature Dissolution? (12.5)

- Q3 What is the difference between the "material facts" and "material particulars" in an Election Petition? Elaborate your answer with the help of case law. (12.5)

UNIT-II

- Q4 What is the amplitude of power and width of functions to be exercised by Election Commission under Article 324, including power to cancel poll in the entire constituency? (12.5)

- Q5 What do you mean by 'Election Symbol'? If there is a dispute about the election symbol who will determine it and how? Discuss with reference to decided case law. (12.5)

UNIT-III

- Q6 Discuss the need of Anti-Defection laws with the help of relevant case laws. (12.5)

- Q7 What are the requirements of filling valid nomination paper by the candidates for election and state legislature? Elucidate your answer with the help of case law. (12.5)

UNIT-IV

- Q8 "hindutva is a way of life". Examine this view in the light of Manohar Joshi v. N.D. Patil. (12.5)

- Q9 Undue Influence is both a corrupt practice and an electoral offence. Discuss its ingredients with the help of case law. (12.5)

Write your Exam Roll No.)

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END TERM EXAMINATION

EIGHTH SEMESTER [LLB] MAY-JUNE 2014

Roller Code: LLB-4

Subject: Election Law

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q.no.1 which is compulsory.
Select one question from each unit.

PART - A

(5x5=25)

- Q.1 Write short notes on the followings:
- (a) Distinguish between qualification and disqualification under election law.
 - (b) Undue influence
 - (c) Voters right to know antecedents of the candidates
 - (d) Basic scheme of Anti defection law.
 - (e) Essential requirement for filing of nomination paper.



PART - B

UNIT - I

Q.2 Explain the nature and scope of the term 'Election' in Article 329(b) of the Constitution. Whether the non-obstante clause used in article 329(b) is intended to exclude the writ jurisdiction of the High Court under article 226 of the Constitution? (12.5)

Q.3 Explain the procedures for election to the office of the President with appropriate illustration. (12.5)

UNIT - II

Critically examine the power and functions of Election Commission in conduct of free and fair election. Substantiate your answer with the help of Case Law. (12.5)

Write short notes:

(12.5)

- (a) Necessity for Delimitation of constituencies
- (b) Revision of electoral roll.

UNIT - III

Q.4 Discuss the provisions relating to disqualification on account of 'office of profit' under the election law? Under what circumstances an office will be considered as "the office of profit". (12.5)

Q.5 "Improper acceptance and improper rejection of nomination paper have different meanings under the election law and both are visited with different consequence." Examine. (12.5)

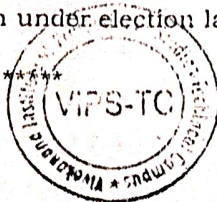
UNIT - IV

Q.6 'Appeal on the grounds of religion, race, caste, community are considered reprehensible and corrupt practice under Section 123(3) & Section 123(3A) of Representation of People Act. and it may lead to disqualification. Discuss. (12.5)

Q.9 Write short notes:

(12.5)

- (a) Distinction between corrupt practice and electoral offence.
- (b) Bribery to voters as disqualification under election law.



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MERCY CHANCE EXAMINATION

EIGHTH SEMESTER [LLB] JULY-2013

Paper Code: LLB410

Subject: Election Law
(Batch: 2001-2004)

Time: 3 Hours

Maximum Marks : 75

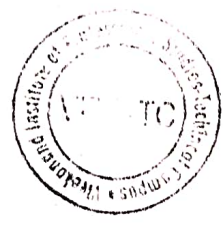
Note: Attempt any six questions including Q.no.1 of Part-A which is compulsory.

PART-A

(5x5=25)

Q1 Write short notes on the following:-

- (a) Constitutional Disqualification
- (b) Bribery as Electoral Offence
- (c) Election Symbol
- (d) Govt. Contract



PART-B

(10x5=50)

Q2 Explain the basic scheme of Anti-Defection law under the Constitution. What change has been introduced to make anti-defection law more effective?

Q3 Discuss the power and functions of Election Commission of India. How the Chief Election Commission position is different from other Election Commissioner?

Q4 Explain the essential conditions for filing of nomination paper by the candidates.

Q5 Improper acceptance and improper rejection of nomination paper have different consequence under Election law and both are visited by different consequence. Examine.

Q6 Voters have right to know the antecedents of the candidates' critically examine the light of judicial pronouncement.

Representation of the people Act, 1951 is intended to eliminate from the election process all elements who Solicitate Votes on the basis of religion race caste etc. Discuss.

Q8 "The Non-obstantiate clause under Article 329(b) is intended to ensure that entire election process is completed within stipulated time and it should not be subject to judicial interference at any cost". Critically examine.

What is meaning of "office of profit"? Why office of profit is considered disqualification to contest or to remain in office?



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