Roll No.												

PRESIDENCY UNIVERSITY

BENGALURU

End - Term Examinations – December 2025

Date: 12 – 12- 2025 **Time:** 09:30am – 12:30pm

School: SOL	**Program:** B.A./BBA/B.Com LL.B.(Hons.)	
Course Code : LAW2102	**Course Name:** Election Law	
Semester: IX	**Max Marks**: 100	**Weightage**: 50%

CO - Levels	CO1	CO2	CO3	CO4	CO5
Marks	16	25	18	19	22

Instructions:

(i) Read all questions carefully and answer accordingly.

(ii) Do not write anything on the question paper other than roll number.

Part A

Answer ALL the Questions. Each question carries 2marks. 10Q x2M=20M

1.	Briefly explain the constitutional foundation of the principle of Universal Adult Franchise in India.	**2 Marks**	**L1**	**CO1**
2.	State the scope of the Election Commission's authority under Article 324 of the Constitution.	**2 Marks**	**L1**	**CO1**
3.	Identify two key distinctions between an electoral offence and a corrupt practice under election law.	**2 Marks**	**L2**	**CO3**
4.	Mention two grounds for disqualification of a legislator under the Tenth Schedule.	**2 Marks**	**L1**	**CO3**
5.	What central purpose does a Manifesto Audit serve in promoting political accountability?	**2 Marks**	**L1**	**CO4**
6.	Explain the meaning of "Office of Profit" in relation to legislative disqualification.	**2 Marks**	**L2**	**CO3**
7.	Briefly describe how the Model Code of Conduct ensures fairness during the electoral process.	**2 Marks**	**L2**	**CO5**
8.	Identify the authority responsible for adjudicating disputes arising from elections to State Legislatures.	**2 Marks**	**L1**	**CO3**
9.	State why the Delimitation Commission's decisions are generally immune from judicial review.	**2 Marks**	**L2**	**CO1**

10.	Explain the statutory requirement regarding disclosure of criminal antecedents by candidates.	**2 Marks**	**L1**	**CO4**

Part B

Answer the Questions. **Total Marks 80M**

11.		Evaluate the democratic implications of inadequate internal democracy and dynastic structures within political parties. How do these trends influence candidate quality and policy development in India's multi-party system?	**5*2=10 Marks**	**L4**	**CO1**
		Or			
12.		Provide a critical appraisal of the proposal for simultaneous elections to the Lok Sabha and State Assemblies, addressing constitutional, administrative, and federal concerns.	**10 Marks**	**L3**	**CO1**

13.		Explain the constitutional and legal framework of delimitation in India, highlighting the rationale for limiting judicial intervention in this process.	**10 Marks**	**L3**	**CO2**
		Or			
14.		Distinguish between constitutional and statutory qualifications and disqualifications applicable to candidates for Parliament.	**10 Marks**	**L3**	**CO2**

15.		**Assess whether** public criticism of party leadership and defiance of a party whip constitute "voluntary relinquishment of membership" under the Tenth Schedule, with relevant case law.	**10 Marks**	**L4**	**CO3**
		Or			
16.		Critically evaluate the argument that the Anti-Defection Law restricts legitimate dissent and affects the representative character of Indian democracy.	**10 Marks**	**L4**	**CO3**

17.	**a.**	Differentiate between the legal concepts of 'Corrupt Practice' and 'Electoral Offence' under the election laws.	**7 Marks**	**L3**	**CO4**
	b.	Examine the challenges posed by the criminalisation of politics and propose key institutional reforms to address this concern.	**8 Marks**	**L5**	**CO4**
		Or			
18.	**a.**	Critically analyse the impact of the Supreme Court's ruling on the Electoral Bonds Scheme on transparency, voter's right to know, and electoral fairness.	**7.5 Marks**	**L4**	**CO4**
	b.	Assess whether the present NOTA framework sufficiently safeguards voter autonomy and evaluate the feasibility of granting binding effect to NOTA outcomes.	**7.5 Marks**	**L3**	**CO4**

19.		Analyze the constitutional basis for this directive, specifically explaining how the Court derived the 'Right to Negative Vote' from the Right to Freedom of Speech and Expression (Article 19(1)(a)) and the principle of free and fair elections.	**15 Marks**	**L4**	**CO2**
		Or			
20.		Scenario: The legislative assembly of **State 'A'** passes a controversial new law that drastically raises environmental compliance standards for local industries without providing sufficient transition time or financial subsidies. The opposition party criticizes the move, not just on policy grounds, but by arguing that the ruling party failed to hold meaningful public consultations, thereby violating the principles of democratic accountability.			
	a.	Define the core concept of 'Political Accountability' and distinguish between its two primary forms: *vertical accountability* and *horizontal accountability*.	**7.5 Marks**	**L3**	**CO2**
	b.	Using the scenario above, explain which form of accountability the opposition is primarily invoking when it criticizes the lack of public consultation, and which form is invoked if the citizens vote the ruling party out in the next election.	**7.5 Marks**	**L4**	**CO2**

21.	**a.**	A nomination paper filed by a candidate for a State Assembly election is improperly rejected by the Returning Officer on the ground that the candidate's oath/affirmation was not taken in the correct proforma. The candidate files an election petition alleging that the rejection was wrongful. Analyze whether this improper rejection is a sufficient ground to declare the election void, focusing on the requirement to prove that the result was 'materially affected'.	**10 Marks**	**L4**	**CO5**
	b.	Discuss the various forms of **'Corrupt Practice'** related to the **appeal on grounds of religion, race, caste, community, or language** as defined under Section 123 of the Representation of the People Act, 1951.	**10 Marks**	**L3**	**CO5**
		Or			
22.		The **Election Commission of India (ECI)** functions as a constitutional watchdog and a "fortress of democracy." Evaluate the **plenary and residuary powers of the ECI** under **Article 324**, particularly in situations not covered by existing legislation (the 'filling of vacuum' doctrine), using relevant case law.			
	a.	Discuss the legal and moral authority of the **Model Code of Conduct (MCC)** and provide suggestions for its statutory or constitutional strengthening to enhance accountability during elections.	**10 Marks**	**L3**	**CO5**
	b.	State the three main phases of the electoral process that the Election Commission is constitutionally bound to ensure are **'free and fair'**.	**10 Marks**	**L3**	**CO5**