B.A.LL.B., (Hons.) DEGREE NINTH SEMESTER EXAMINATIONS, NOVEMBER 2024

DEMOCRACY AND LAW OF ELECTION

Time: 3 Hours   Maximum Marks: 50

PART A

Answer any 4 questions

Each question carries 10 marks

I.   Write notes on:
   a. Universal Adult Suffrage
   b. Negative voting

II.   Explain the concept of delimitation and different methods followed for the same.

   Explain how the delimitation of constituencies is done in India.

III. Write notes on:
   a. List Proportional Representation
   b. Single Transferable Vote system

IV.   In your opinion, will reserving seats for women in elections contribute to the enhancement of democracy in India? Why or why not? Additionally, discuss the efforts made to implement women's reservation in legislative bodies in the country.

V.   Write notes on

   a. Booth capturing

   b. Model Code of conduct

VI.   Elucidate the legal provisions dealing with recognition of political parties and allotment of symbols. Analyses how the provisions help in regulating the functioning of political parties.

VII. Examine the powers and functions of the Election Commission of India, highlighting its constitutional and legislative mandate, and analyze its significance in upholding democratic principles in India.

PART B

Answer any 2 questions
Each question carries 5 marks

VIII.   Arjun, a candidate from Party Z, publishes a pamphlet accusing his opponent, Neeta from Party W, of corruption, though no charges have been filed against her. Neeta files a complaint under Section 123(4) of the Representation of People Act, claiming the statements are false and intended to harm her reputation and influence the election. Arjun argues that he believed the information to be true and was acting in the public interest. Analyze whether Arjun's actions amount to a corrupt practice under Section 123(4.

IX.   Sarita, a MLA of the XYZ Party, was expelled on February 10, 2024, for indiscipline and anti-party activities, following repeated criticisms of the party leadership and absence from crucial meetings. On February 20, 2024 a no-confidence motion was moved by the XYZ party against the ABC Party lead government, in which Sarita voted against the motion. On March 5, 2024, she joined the ABC Party and became a Minister, publicly criticizing her former party's leadership and policies. The XYZ Party petitions the Speaker to disqualify Sarita under the 10th Schedule. Discuss.

X.   During a state election, Ramesh, a candidate from Party A, secures the support of several government employees to help with his campaign, including distributing pamphlets and managing logistics at rallies. His opponent, Nisha from Party B, files a complaint under the Representation of People Act, 1951, accusing Ramesh of using government employees for electioneering, which constitutes a corrupt practice. These employees assist outside of their official working hours, and Ramesh claims that their involvement is purely voluntary, with no misuse of government resources or coercion. Discuss.

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