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Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

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Q11

Discuss the procedures to decide the disputes arising out of the election of a Member of the Parliament or State Legislature under The Representation of the People Act, 1951. What are the grounds on which the election of any returned candidate may be declared void? What remedy is available to the aggrieved party against the decision ? Refer to the case laws.

UPSC Civil Services Mains 2022 · GS II · 15 marks · Parliament and State Legislatures

Parliament and State legislatures - structure, functioning, conduct of business, powers and privileges and issues arising out of these.

Facts & figures for this PYQ only.

Numbers move. Confirm the latest Budget, Economic Survey or census round. This sheet is for revision, not a substitute for the model answer.

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Article 329(b)

Bars questioning an election to Parliament or a State legislature except by an election petition presented as provided by law.

Section 80A, Representation of the People Act, 1951

Confers jurisdiction to try election petitions on the High Court.

Section 100, Representation of the People Act, 1951

Grounds on which a High Court shall declare an election void, including disqualification, corrupt practice, and result-affecting non-compliance.

Section 123, Representation of the People Act, 1951

Defines corrupt practices such as bribery, undue influence and forbidden communal appeal.

Section 116A, Representation of the People Act, 1951

Appeal to the Supreme Court from High Court orders under **Sections 98** and **99**.

N.P. Ponnuswami (1952)

Held that the election process is not to be interrupted by writ; the remedy is the election petition after the result.

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