

Test Series Question Paper-10-02-2024

Q1. The Constitution of India provides for the reservation of seats for the Scheduled Castes and Scheduled Tribes in which of the following bodies?

1. Panchayats
2. Lok Sabha
3. Rajya Sabha
4. Legislative Assemblies
5. Legislative councils

Select the correct answer using the code given below:

- (a) Only 1, 2 and 3
- (b) Only 1, 2 and 4
- (c) Only 2, 3 and 4
- (d) 1, 2, 3, 4 and 5

Ans- (b)

Explanation:

- Articles 330 and 332 provide for specific representation through the reservation of seats for SCs and STs in the Parliament and in the State Legislative Assemblies respectively.
- Article 243D provides reservation of seats for SCs and STs in every Panchayat.
- There is no concept of reservation for SC/ST in the upper house or Rajya Sabha.
- Similarly, there is no provision for the reservation of seats for SC/STs in legislative councils. So, option (b) is correct.

Q2. With reference to the Money bill passed in the State Legislature, consider the following statements:

1. It can only be introduced by a minister and not by a private member.
2. It can be introduced only on the recommendation of the Governor.
3. It can be introduced only in the Legislative Assembly and not in the Legislative Council.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans- (c)

Explanation:

- Statement 1 is correct: Money bill in the state legislature can only be introduced by a minister and not by a private member.
- Statement 2 is correct: Money bill can be introduced only on the recommendation of the governor.
- Statement 3 is correct: Money bill can be introduced only in the legislative assembly and not in the legislative council.
- Other features of the money bill are:
 - The legislative council cannot reject or amend it. It should be returned to the legislative assembly within 14 days, whether amended or not.
 - The legislative assembly can approve or reject all or some of the legislative council's recommendations.
 - The Constitution makes no provision for resolving any deadlock between the two Houses.

Q3. The Constitution of India provides for a mechanism of joint sitting of the two Houses of the Parliament to resolve a deadlock between them. In which of the following cases is this feature available?

1. Ordinary Bill
2. Constitutional Amendment Bill
3. Money Bill
4. Finance Bill

Select the correct answer using the code given below:

- (a) Only 1 and 4
- (b) Only 1, 2 and 4
- (c) Only 2 and 4
- (d) 1, 2, 3 and 4

Ans- (a)

Explanation:

- As per Article 108, the joint sitting of the Parliament is called by the President of India and is presided over by the Speaker of the Lok Sabha.
- The joint sitting feature to resolve deadlock is not available in the case of constitutional amendment bills and money bills. It is available only in ordinary bills.
- A finance bill involves joint sitting.
 - a "Finance Bill" is defined as a Bill that is typically introduced each year to give effect to the Government of India's financial proposals for the upcoming fiscal year. The finance bill is covered under Articles 117 (1) and (3) of the constitution of India. So, option (a) is correct.

Q4. Consider the following statements:

1. The discretionary powers of the President are wider than that of the Governor.
2. The Governor cannot remit, commute or suspend a death sentence.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans. (d)

Explanation:

- ❖ President v/s Governor is one of the favoured areas UPSC tries to trap candidates in due to the similarities and differences in their powers which may be confusing. Candidates are advised to very carefully study these areas.
- **Statement 1 is incorrect.** The pardoning powers of the President are wider than that of the Governor, but the discretionary powers of the Governor are wider than the president.
- **Statement 2 is incorrect.** The Governor can remit, commute or suspend a death sentence. The Supreme Court on August 04, 2021 held that the Governor of a State can pardon prisoners, including death row ones, even before they have served a minimum 14 years of prison sentence.
- Supplementary notes:
 - Powers of President and Governor
 - The scope of the pardoning power of the President under Article 72 is wider than the pardoning power of the Governor under Article 161. The power differs in the following two ways:
 - The power of the President to grant pardon extends in cases where the punishment or sentence is by a Court Martial but Article 161 does not provide any such power to the Governor.

- The President can grant pardon in all cases where the sentence given is the sentence of death but pardoning power of the Governor does not extend to death sentence cases.
- The President has no Constitutional discretion, while the Governor has in cases,
 - When they have to reserve the bill for the consideration of the President of India
 - When he has to recommend for the President's rule in the state
 - When he is given an additional charge as the administrator of the Union Territory
 - When he calls upon the Chief Minister to seek information regarding administrative and legislative affairs
- Comparison of powers of Situational discretion
- The President has a say in:
 - PM's appointment when no party has clear majority/ PM dies in office and without a successor.
 - Dismissal of CoMs after failing to prove confidence in the House.
 - Dissolution of Lok Sabha if CoMs lost Majority.
 - The Governors of States can act at their situational discretion in the following instances:
 - When he has to appoint a Chief Minister after no party has a clear majority in the election or when the incumbent dies in the office.
 - When he dismisses the council of ministers on an inability to prove confidence in the state legislative assembly.
 - When he dissolves the state legislative assembly on time when it loses its majority.

Q5. Consider the following statements with reference to the Departmentally Related Standing Committees (DRSCs) in Parliament:

1. The members of the DRSCs are elected by the individual houses from the MPs.
2. Unlike financial committees, a minister can become a member of DRSCs.
3. The DRSCs were formally constituted only in 1993.

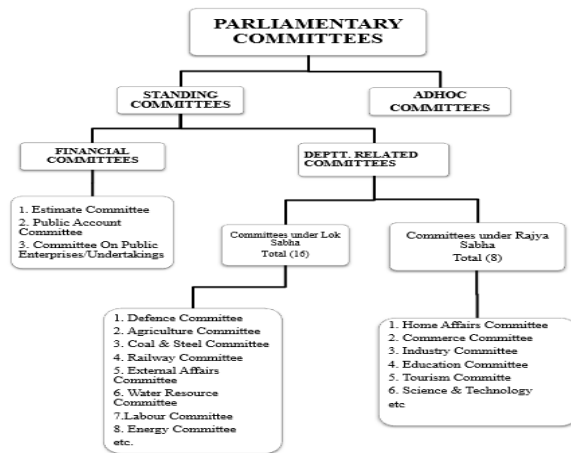
How many of the above statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All the three
- (d) None of the above

Ans. (a)

Explanation:

- ❖ Candidates should have a working knowledge of the different Parliamentary Committees, their roles-rules-rituals as UPSC has a tendency of asking associated question. The underlying theme has also been part of Previous Year Questions, highlighting the need to thoroughly analyse them.
- **Statement 1 is incorrect.** The members of the DRSCs are nominated by the individual houses from the MPs.
- **Statement 2 is incorrect.** A minister cannot become a member of DRSCs.
- **Statement 3 is correct.** The Departmentally Related Standing Committees were formally constituted with effect from April, 1993.
- Supplementary Notes:
 - Departmental Parliamentary Committees
 - There are 24 Department-related Standing Committees (DRSCs). Each of these committees have 31 members – 21 from Lok Sabha and 10 from Rajya Sabha
 - These members are to be nominated by the Speaker of Lok Sabha or the Chairman of Rajya Sabha respectively. The term of office of these committees does not exceed one year.
 - A minister is not eligible to be nominated as a member of any standing committee.
 - These committees are serviced either by Lok Sabha secretariat or the Rajya Sabha secretariat depending on who has appointed the chairman of that committee.



Q6. Consider the following statements:

1. Question hour is the first hour of parliament, where questions are asked only to ministers.
2. Question hours were cancelled for the first time during Covid pandemic.
3. Zero hour is an Indian Parliamentary innovation.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All the three
- (d) None of the above

Ans. (a)

- ❖ Candidates are advised to have a brief idea about different parliamentary tools and procedures as UPSC may attempt typically difficult questions based on these areas.

Explanation:

- **Statement 1 is incorrect.** Question hour is the first hour of parliament, where questions can be asked to any Member of Parliament.
- **Statement 2 is incorrect.** The Question hours were cancelled for the first time during Chinese aggression in 1962.
- **Statement 3 is correct.** Zero hour is an Indian Parliamentary innovation.
- **Supplementary notes:**
- **Question Hour**
 - The first hour of every parliamentary sitting is slotted for the Question Hour. However, in 2014 the Question Hour was shifted in the Rajya Sabha from 11 am to 12 noon.
 - During this one hour, Members of Parliament (MPs) ask questions to ministers and hold them accountable for the functioning of their ministries.
 - The questions can also be asked to the private members (MPs who are not ministers).
 - It is regulated according to parliamentary rules. The presiding officers of the both Houses (Rajya Sabha and Lok Sabha) are the final authority with respect to the conduct of Question Hour.
 - There are three types of questions asked.
 - Starred question (distinguished by an asterisk)- this requires an oral answer and hence supplementary questions can follow.
 - Unstarred question- this requires a written answer and hence, supplementary questions cannot follow.
 - Short notice question is one that is asked by giving a notice of less than ten days. It is answered orally.
 - Question Hour in both Houses is held on all days of the session. But there are two days when an exception is made.

- When the President addresses MPs from both Houses at the beginning of a new Lok Sabha and on the first day of a new Parliament year.
- On the day the finance minister presents the Budget.
- Zero Hour
- Zero Hour is an Indian Parliamentary Innovation not mentioned in the Parliamentary Rules of Procedure.
- Under this, MPs can raise matters without any prior notice.
- The zero hour starts immediately after the question hour and lasts until the agenda for the day (i.e., regular business of the House) is taken up. In other words, the time gap between the question hour and the agenda is known as zero hour.
- Parliamentary records show that during the Chinese aggression in 1962, the Winter Session was advanced. The sitting of the House started at 12 pm and there was no Question Hour held.

Colour-coding of questions

- Starred- Green
- Unstarred- White
- Short Notice- Light Pink
- By Private Members- Yellow

Q7. Consider the following statements:

1. The exclusive original jurisdiction of the Supreme Court includes disputes arising out of a pre-constitutional treaty.
2. The advisory jurisdiction of the Supreme Court states that the President can seek the opinion of the Supreme Court in any law of public importance.

Which of the above statements is/are incorrect?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans. (a)

- ❖ Supreme Court's jurisdictions, functions and other aspects of its official mandate are important aspects of the static Polity syllabus about which, Candidates are expected to have a sound knowledge.

Explanation:

- **Statement 1 is incorrect.** Article 131 says that the Supreme Court shall not have any kind of jurisdiction in disputes arising out of any "treaty, agreement, covenant, engagement, sanad or any other similar instrument which came into being before the commencement of our Constitution.
- **Statement 2 is correct.** The advisory jurisdiction of the Supreme Court states that the President can seek the opinion of the Supreme Court in any law of public importance.
- Supplementary notes:
- Original Jurisdiction of Supreme Court
 - As a Federal court, the Supreme Court decides disputes between different units of the Indian Federation. More elaborately, any dispute between:
 - the Centre and one or more states; or
 - the Centre and any state or states on one side and one or more states on the other; or
- two or more states.
 - In the above federal disputes, the Supreme Court has exclusive original jurisdiction.
 - Further, this jurisdiction of the Supreme Court does not extend to the following:
 - A dispute arising out of any pre-Constitution treaty, agreement, covenant, engagement, sanad or other similar instrument.

- A dispute arising out of any treaty, agreement, etc., which specifically provides that the said jurisdiction does not extend to such a dispute.
- Inter-state water disputes.
 - Matters referred to the Finance Commission.
 - Adjustment of certain expenses and pensions between the Centre and the states.
 - Ordinary dispute of Commercial nature between the Centre and the states.
 - Recovery of damages by a state against the Centre.
- Writ Jurisdiction of Supreme Court
 - The Supreme Court is empowered to issue writs, including habeas corpus, mandamus, prohibition, quo-warranto and certiorari for the enforcement of the fundamental rights of an aggrieved citizen.
 - In this regard, the Supreme Court has original jurisdiction in the sense that an aggrieved citizen can go directly to the Supreme Court, not necessarily by way of appeal.
 - However, the writ jurisdiction of the Supreme Court is not exclusive. The High Courts are also empowered to issue writs for the enforcement of the Fundamental Rights.
 - Appellate Jurisdiction of Supreme Court
 - The Supreme Court is primarily a court of appeal and hears appeals against the judgments of the lower courts. It enjoys a wide appellate jurisdiction which can be classified under four heads:
 - Appeals in constitutional matters
 - Appeals in civil matters
 - Appeals in criminal matters
 - Appeals by special leave
- Advisory Jurisdiction of Supreme Court
 - The Constitution under Article 143 authorizes the President to seek the opinion of the Supreme Court in the two categories of matters:
 - On any question of law or fact of public importance which has arisen or which is likely to arise.
 - On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, sanad or other similar instruments.
- Supreme Court as a Court of Record
 - As a Court of Record, the Supreme Court has two powers:
 - The judgements, proceedings and acts of the Supreme Court are recorded for perpetual memory and testimony. These records are admitted to be of evidentiary value and cannot be questioned when produced before any court.
 - They are recognised as legal precedents and legal references.
 - It has power to punish for contempt of court, either with simple imprisonment for a term up to six months or with fine up to 2,000 or with both.
- Power of Judicial Review
 - Judicial review is the power of the Supreme Court to examine the constitutionality of legislative enactments and executive orders of both the Central and state governments.
 - On examination, if they are found to be violative of the Constitution (ultra-vires), they can be declared as illegal, unconstitutional and invalid (null and void) by the Supreme Court. Consequently, they cannot be enforced by the Government.

Article No.	Description
129	SC to be court of record + Contempt of Court
131	Original Jurisdiction
132	Appellate Jurisdiction
136	Special Leave to Appeal in SC
142	Complete Justice
143	Advisory Jurisdiction of SC (Advice to President)

Q8. Consider the following statements with reference to the Speaker of Lok Sabha:

1. The President of India administers the oath of office to the Speaker of Lok Sabha.
2. The Speaker is the chairman of the Business Advisory Committee and Rules Committee.
3. The Speaker is the guardian of privileges of the members of the house.
4. The salary of the Speaker is charged upon the Consolidated Fund of India.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All the four

Ans. (c)

- ❖ Candidates with sound understanding of the Constitutional role of the Speaker, which is a key static topic, are expected to solve this question without difficulty. The underlying theme has also been part of Previous Year Questions (Eg. 2012), highlighting the need to thoroughly analyse them.

Explanation:

- **Statement 1 is incorrect.** There is no oath of office to be administered to the Speaker of the Lok Sabha.
- **Statement 2 is correct.** The Speaker is the chairman of the Business Advisory Committee and Rules Committee.
- **Statement 3 is correct.** The Speaker is the guardian of privileges of the members of the house.
- **Statement 4 is correct.** The salary of the Speaker is charged upon the Consolidated Fund of India.
- Supplementary Notes:
- The Office of the Speaker in India
 - It is a living and dynamic institution which deals with the actual needs and problems of Parliament in the performance of its functions.
 - Article 93 of the Constitution provides for the election of both the Speaker and the Deputy Speaker.
 - The Speaker is the constitutional and ceremonial head of the House.
 - History
 - The institutions of Speaker and Deputy Speaker originated in India in 1921 under the provisions of the Government of India Act of 1919 (Montague-Chelmsford Reforms).
 - The Government of India Act of 1935 changed the nomenclatures of President and Deputy President to the Speaker and Deputy Speaker respectively.
- Election of Office of the Speaker
 - The Constitution of India requires the Speaker should be a member of the House.
 - Usually, a member belonging to the ruling party is elected Speaker. The process has evolved over the years where the ruling party nominates its candidate after informal consultations with leaders of other parties and groups in the House.
 - This convention ensures that once elected, the Speaker enjoys the respect of all sections of the House.
 - The Speaker (along with the Deputy Speaker) is elected from among the Lok Sabha members by a simple majority of members present and voting in the House.
- Term of Office of the Speaker
 - The Speaker holds Office from the date of his/her election till immediately before the first meeting of the next Lok Sabha (for 5 years).
 - The speaker once elected is eligible for re-election.
 - Whenever the Lok Sabha is dissolved, the Speaker does not vacate his office and continues till the newly-elected Lok Sabha meets.
- Role and Powers of Speaker

- He/she is the final interpreter of the provisions of the Constitution of India, the Rules of Procedure and Conduct of Business of Lok Sabha and the parliamentary precedents, within the House.
- In matters regarding interpretation of these provisions, he/she often gives rulings which are respected by members and are binding in nature.
- He/she presides over a joint sitting of the two Houses of Parliament.
- He/she can adjourn the House or suspend the meeting in absence one-tenth of the total strength of the House (called the quorum).
- The speaker does not vote in the first instance but in the case of a tie; when the House is divided equally on any question, the Speaker is entitled to register a Casting Vote.
- He/she decides whether a bill is a Money Bill or not and his/her decision on this question is final.
- It is the speaker who decides the questions of Disqualification of a member of the Lok Sabha, arising on the ground of defection under the provisions of the Tenth Schedule. The 52nd amendment to the Indian Constitution vests this power in the Speaker.
- He/she acts as the ex-officio chairman of the Indian Parliamentary Group (IPG) which is a link between the Parliament of India and the various parliaments of the world.
- He also acts as the ex-officio chairman of the Conference of Presiding Officers of Legislative Bodies in the country.
- The Committees of the House are constituted by the speaker and function under the speaker's overall direction. The Chairmen of all Parliamentary Committees are nominated by him/her.
- Committees like the Business Advisory Committee, the General Purposes Committee and the Rules Committee work directly under his Chairmanship.
- The Speaker is the guardian of the rights and privileges of the House, its Committees and members. It depends solely on the Speaker to refer any question of privilege to the Committee of Privileges for examination, investigation and report.
- Usually, the Speaker remains in office during the life of the Lok Sabha. However, under following conditions, the speaker, may have to vacate the office earlier:
 - If he ceases to be a member of the Lok Sabha.
 - If he resigns by writing to the Deputy Speaker
 - If he is removed by a resolution passed by a majority of all the members of the Lok Sabha.
 - Such a resolution can be moved only after giving 14 days' advance notice.
 - When a resolution for the removal of the Speaker is under consideration of the House, he/she may be present at the sitting but not preside

Q9. Consider the following statements:

Statement I:

The 44th Constitution Amendment Act made the Cabinet a 'fait accompli' to the President for the declaration of a National Emergency.

Statement II:

There was a need to rationalize Emergency procedures under Article 356 to bring more legislative accountability to the executive decision-making concerning National Emergencies.

Which of the following is correct with respect to the above statements?

- Both Statements I and II are correct and Statement II is the correct explanation of Statement I
- Both Statements I and II are correct and Statement II is not the correct explanation of Statement I
- Statement I is correct and Statement II is incorrect
- Statement I is incorrect and Statement II is correct

Ans. (c)

- ❖ The trick lies in the factual presentation of which article governs National Emergency provisions, which is wrong in spite of the latter statement being able to substantiate the former. The

underlying theme has also been part of Previous Year Questions (Eg. 20), highlighting the need to thoroughly analyse them. Additionally, for questions framed this way, we should-First verify whether both the statements are true/false individually.

Followed by trying to investigate if there is any kind of correlation between the two

Explanation:

- The 44th Constitution Amendment Act made the Cabinet a 'fait accompli' to the President for the declaration of a National Emergency. This was because there was a need to rationalize Emergency procedures under Article 352 to bring more legislative accountability to the executive decision-making concerning National Emergencies. Hence, Option (c) is the correct choice.
- Supplementary notes:
 - 44th Amendment made a few changes in the provisions of the constitution-
 - Any changes in the basic structure of the constitution can be made only if they are approved by the people of India by a majority of votes at a referendum in which at least fifty-one per cent of the electorate participated. Article 368 was amended to ensure this.
 - The 44th Amendment Act of 1978 reversed the provision made by the 42nd amendment act that allowed the government to amend the constitution on its wish by Article 368. 44th Amendment Act nullified this unjustified power to the government.
 - Right to Property was removed from the list of fundamental rights (Article 31) and was made a legal right under Article 300A.
- Proclamation of Emergency
 - National Emergency (Article 352) can be issued only when the security of India or any part of its territory is threatened by war or external aggression or by armed rebellion.
 - Internal disturbance not amounting to armed rebellion would not be a ground for the issue of a Proclamation.
 - An emergency can be proclaimed only on the basis of written advice tendered to the President by the Cabinet.
 - Declaration of National Emergency by President was no more immune from Judicial Review.
 - The 6 Fundamental Rights to be taken away only during War/External Aggression.
 - Articles 20,21 to remain enforceable even during Emergency.
 - Extension of President's Rule (Article 356) beyond 1 year to need certification from Election Commission of India/happen during a National Emergency.
 - Satisfaction of President to enforce Article 356 isn't beyond the scope of Judicial Review.
 - The right to liberty is further strengthened by the provision that law for preventive detention cannot authorize, in any case, detention for a longer period than three months, unless an Advisory Board has reported that there is sufficient cause for such detention.
 - Right of the media to report freely and without censorship the proceedings in Parliament and the State Legislatures.



Q10. What do you mean by the term 'amicus curiae'?

- (a) Innocent until proven guilty

- (b) Friend of the court
- (c) Order of Court Marshall
- (d) Guilty until proven innocent

Ans. (b)

- ❖ UPSC tends to ask the difficult questions from this section based on Judicial terminologies, quite frequently. Candidates should attempt to build familiarity with as many such terms as possible, especially ones which may have been in news.

Explanation:

- Amicus curiae literally translate to “friend of the court”. He/She is an individual or organization who is not a party to a legal case, but who is permitted to assist a court by offering expertise that has a bearing on the issues in the case. The decision on whether to consider an amicus brief lies within the discretion of the court. The most common area of need of amicus curiae is in cases that are under appeal, or issue of public interest litigation and they can be appointed in both civil and criminal cases. Hence, Option (b) is the correct choice.
- Supplementary notes:

Some examples of such terms-

Terms	Meanings
• ad hominem	• To the man -appealing to a person's interests or prejudices rather than to reason
• ex-curia	• Out of court
• in facie curiae	• In the face/presence of the court
• sine die	• Without a day set for reconvening) / Indefinitely
• sine qua non	• An essential element or condition
• Bona fide	• In good faith/With honest intention
• Corpus delicti	• A crime must be proved to have occurred before a person can be convicted of committing that crime.

Q11. The third schedule of the Indian Constitution contains the forms of oath and affirmation for which of the following?

1. High Court Judges
2. Advocate General of the States
3. Comptroller and Auditor General
4. State Ministers
5. President of India

Select the correct answer using the code given below:

- (a) Only 1, 3 and 4
- (b) Only 1, 3, 4 and 5
- (c) Only 3 and 5
- (d) 1, 2, 3, 4 and 5

Ans- (a)

Explanation:

- The third schedule of the Indian Constitution contains the forms of oath and affirmation for:
 - Union Ministers of India
 - Parliament Election Candidates
 - Members of Parliament (MPs)
 - Supreme Court Judges
 - Comptroller and Auditor General
 - State Ministers
 - State Legislature Elections' Candidates

- State Legislature Members
- High Court Judges
- The Attorney General and Advocate General of the states are not included in the list.
- Article 60 of the Indian Constitution prescribes the Oath or affirmation by the President.
- It is not included in the third schedule. So, option (a) is the correct answer.

Q12. According to the 44th Amendment Act of 1978, the President's rule can only be extended over a year every 6 months under which of the following conditions?

1. When the Election Commission certifies that elections cannot be conducted in the state concerned.
2. If Rajya Sabha passes a resolution by a two-thirds majority to extend the President's rule.
3. When there is already a national emergency throughout India or in the whole or any part of the state.

Select the correct answer using the code given below:

- (a) Only 1 and 3
- (b) Only 2 and 3
- (c) Only 3
- (d) 1, 2 and 3

Ans- (a)

Explanation:

- President's Rule refers to the suspension of a state government and the imposition of direct rule of the Centre. Proclamation of President's Rule under Article 356 of the Constitution stands for six months. This timeframe can be extended up to three years, in phases. According to the 44th Amendment Act of 1978, the President's rule can only be extended over a year every 6 months under the following conditions:
- The Election Commission certifies that elections cannot be conducted in the state concerned.
- There is already a national emergency throughout India or in the whole or any part of the state. So, option (a) is correct.

Q13. With reference to the National Commission for Backward Classes (NCBC), consider the following statements:

1. The Commission was set up under the 102nd Constitutional Amendment Act of 2018.
2. The tenure of the members of the commission is five years.
3. The commission is mandated to submit its report to the parliament every five years.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans- (d)

Explanation:

- Statement 1 is incorrect: The National Commission for Backward Classes (NCBC) was set up in 1993 as a statutory body after the Mandal case judgment. The 102nd Constitutional Amendment Act of 2018 conferred it a constitutional status.
- Statement 2 is incorrect: The commission consists of a chairperson, a vice-chairperson, and three other members. They are appointed by the President by warrant under his/her hand and seal. Their condition of service and tenure of office are determined by the President.

- Statement 3 is incorrect: The commission presents an annual report to the President. The President places the report in the parliament.

Q14. Consider the following statements:

1. Parliament cannot alter the boundaries or rename a State without its consent.
2. Amendments to alter the distribution of executive power between Centre and States require Special Majority.
3. Parliament can prescribe residence within a State/Union Territory as a condition for certain employments.
4. The IR Coelho case of the Supreme Court made the 9th Schedule of the Constitution also subjected to Judicial Review.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All the four

Ans. (b)

- ❖ All statements cover key aspects of the static syllabus. Candidates with a sound knowledge on the static syllabus shouldn't face problems in solving this question.

Explanation:

- **Statement 1 is incorrect.** Parliament can alter the boundaries or rename a State without its consent.
- **Statement 2 is incorrect.** Amendments to alter the distribution of executive power between Centre and States require Special Majority along with subsequent Ratification of half of the states.
- **Statement 3 is correct.** Parliament can prescribe residence within a State/Union Territory as a condition for certain employments.
- **Statement 4 is correct.** The IR Coelho case of the Supreme Court made the 9th Schedule of the Constitution also subjected to Judicial Review.
- **Supplementary Notes:**
 - As per Article 3 of the Constitution, for the formation of any new State/alteration of boundaries/renaming etc., Prior recommendation of the President is required before the formal introduction of such a Bill in the Union Parliament. However, although the President is supposed to consult the concerned State Legislative Assembly, it isn't mandatory for him/her. Hence, Parliament can alter the boundaries or rename a State without its consent, making India an "indestructible Union of destructible States".
 - The Parliament can prescribe residence within a state or union territory as a condition for certain employments or appointments in that state or union territory under Article 16 of the Constitution of India.
 - The IR Coelho Case marks the historical judgment of IR Coelho v. the State of Tamil Nadu. Popularly known as the 9th schedule case, the nine judges' bench was supervised by the tenth Chief Justice of India, Mr. Y.K.Sabharwal, published a unanimous judgment on 11th January 2007, endorsing the judiciary's authority to review or revise any law that destroys the basic structure of the constitution in fundamental rights, even though they are put in the 9th Schedule of the Indian Constitution. Thus, it has genuinely strengthened the hold or the power of the basic structure doctrine in the Indian Constitution, emphasizing the consequences of amendments, if violative, should certainly be struck down.
 - Article 368 in Part XX of the Constitution deals with the power of parliament to amend the constitution and its procedures. It provides for two types of amendments, that is, by a Special Majority of Parliament and the Special Majority of Parliament along with the Ratification of half of the States' Legislatures by a simple majority.

Article 16 in The Constitution Of India 1949

16. Equality of opportunity in matters of public employment

(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect or, any employment or office under the State

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State

(5) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination

Examples of other cases on Basic Structure

- Shankari Prasad Case (1951)
- Golaknath Case (1967)
- Keshavananda Bharti Case (1973)
- Minerva Mills Case (1980)
- Woman Rao Case (1981)

Constitutional Amendment in India

- Article 368
- Amendment by Simple Legislative Procedure
Admission & Formation of New States, Citizenship, Parliamentary privileges etc
- By Special Majority- by not < 2/3rd members of House present & voting + majority of its total membership
- By Special Majority + Ratification by not < 1/2 of State Legislatures – Entrenched Provisions
manner of President's election, extent of executive power of union & States, VII Schedule & jurisdiction of SC & HCs etc.

Q15. Consider the following statements:

1. The Chairman of any State Public Service Commission can be a member of the Union Public Service Commission.

2. The Chairman of Union Public Service Commission can be a member of any State Public Service Commission.
3. A Member of Union Public Service Commission can be a member of any State Public Service Commission.
4. A Member of any State Public Service Commission can be a member of Union Public Service Commission.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All the four

Ans. (b)

- ❖ Multiple statements closely related but intricately differentiated- one of the trademark tactics used by UPSC to induce errors in the exam. Candidates are advised to be thorough with these parts of the syllabus.

Explanation

- **Statement 1 is correct.** The Chairman of any State Public Service Commission can be a member of the Union Public Service Commission.
- **Statement 2 is incorrect.** The Chairman of Union Public Service Commission can be a member of any State Public Service Commission.
- **Statement 3 is incorrect.** A Member of Union Public Service Commission can be a member of any State Public Service Commission.
- **Statement 4 is correct.** A Member of any State Public Service Commission can be a member of Union Public Service Commission.

Supplementary Notes:

Post	Reappointment provisions
<ul style="list-style-type: none"> Chairman, Union Public Service Commission 	<ul style="list-style-type: none"> No reappointment
<ul style="list-style-type: none"> Member, Union Public Service Commission 	<ul style="list-style-type: none"> Chairman, Union Public Service Commission Chairman, State Public Service Commission
<ul style="list-style-type: none"> Chairman, State Public Service Commission 	<ul style="list-style-type: none"> Chairman/Member, any other State Public Service Commission Chairman/Member, Union Public Service Commission
<ul style="list-style-type: none"> Member, State Public Service Commission 	<ul style="list-style-type: none"> Chairman, State Public Service Commission Chairman/Member, any other State Public Service Commission Chairman/Member, Union Public Service Commission

Q16. Consider the following pairs:

Name	Description
<ul style="list-style-type: none"> Central Bureau of Investigation 	<ul style="list-style-type: none"> Statutory Body under Delhi Police Special Establishment Act, 1946
<ul style="list-style-type: none"> Central Vigilance Commission 	<ul style="list-style-type: none"> Statutory Body under Central Vigilance Commission Act, 2003
<ul style="list-style-type: none"> Lokpal 	<ul style="list-style-type: none"> Statutory Body under Lokpal and Lokayukta Act, 2013

How many pairs given about are correctly matched?

- (a) Only one
- (b) Only two
- (c) All the three
- (d) None of the above

Ans. (b)

- ❖ Candidates are advised to have a comprehensive understanding about the Constitutional-Statutory-Non-Statutory Institutions of the Government of India's administrative machinery. The underlying theme has also been part of Previous Year Questions, highlighting the need to thoroughly analyse them.

Explanation:

Name	Description
• Central Bureau of Investigation	• Non-Statutory Body under Delhi Police Special Establishment Act 1946
• Central Vigilance Commission	• Statutory Body under Central Vigilance Commission Act 2003
• Lokpal	• Statutory Body under Lokpal and Lokayukta Act 2013

- Hence, Option (b) is the correct choice.
- Supplementary Notes:
 - Central Bureau of Investigation (CBI)
 - It is the premier investigating police agency in India which provides assistance to the Central Vigilance Commission and Lokpal.
 - It functions under the superintendence of the Deptt. of Personnel, Ministry of Personnel, Pension & Public Grievances, Government of India - which falls under the prime minister's office. However, for investigations of offences under the Prevention of Corruption Act, its superintendence vests with the Central Vigilance Commission.
 - It is also the nodal police agency in India which coordinates investigation on behalf of Interpol Member countries.
 - The CBI is not a statutory body but derives its power to investigate from the Delhi Special Police Establishment Act, 1946.
 - The establishment of the CBI was recommended by the Santhanam Committee on Prevention of Corruption (1962–1964). Director of CBI has been provided security of two-year tenure, by the CVC Act, 2003.
 - In November 2021, the President promulgated two ordinances to allow the Centre to extend the tenures of the directors of the CBI and the Enforcement Directorate from two years to up to five years.
 - Central Vigilance Commission (CVC)
 - It was set up by the Government in 1964 on the recommendations of the Committee on Prevention of Corruption, headed by Shri K. Santhanam, to advise and guide Central Government agencies in the field of vigilance.
 - CVC are conceived to be the apex vigilance institution, free of control from any executive authority, monitoring all vigilance activity under the Central Government and advising various authorities in Central Government organizations in planning, executing, reviewing and reforming their vigilant work.
 - The Parliament enacted Central Vigilance Commission Act, 2003 (CVC Act) conferring statutory status on the CVC.
 - It is an independent body which is only responsible to Parliament. It submits its report to the President of India.
- Members include-
 - Central Vigilance Commissioner - Chairperson.

- Not more than two Vigilance Commissioners - Members.
- It is empowered to inquire into offences alleged to have been committed under the Prevention of Corruption Act, 1988 by certain categories of public servants.
- Lokpal
 - The Lokpal and Lokayukta Act, 2013 provided for the establishment of Lokpal for the Union and Lokayukta for States.
 - These institutions are statutory bodies without any constitutional status.
 - They perform the function of an “ombudsman” and inquire into allegations of corruption against certain public functionaries and for related matters.
 - The term of office for Lokpal Chairman and Members is 5 years or till the age of 70 years.
 - The members are appointed by the president on the recommendation of a Selection Committee.
 - The selection committee is composed of the Prime Minister who is the Chairperson, Speaker of Lok Sabha, Leader of Opposition in Lok Sabha, Chief Justice of India or a Judge nominated by him/her and one eminent jurist.

Q17. Consider the following statements:

1. President of India cannot be sued for acts done in his/her official capacity.
2. The Union government cannot be sued for torts committed by its officials.

Which of the above statements is/are incorrect?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans. (b)

- ❖ Candidates with sound knowledge of key constitutional provisions must be able to solve this question without much difficulty.

Explanation:

- **Statement 1 is correct.** President of India can't be sued for acts done in his/her official capacity. Under Article 361 of The Indian Constitution President or Governor of any state shall not be answerable to any court for exercise and performance of power and duties of his office.
- **Statement 2 is incorrect.** The Union government can be sued for torts committed by its officials. The Union and State governments would be liable for tortious acts committed by their employees in the course of employment for violation of Article 21. The Supreme Court awarded monetary compensation in a large number of cases.
- **Supplementary Notes:**
 - Article 300 of the Indian Constitution embodies the concept of constitutional tort. It permits the Union and state governments to be sued as juristic persons capable of owning and acquiring property, entering into contracts, bringing legal actions etc.
 - The development of constitutional tort which began in the early eighties and was cemented into judicial precedent in Nilabati Behe Nilabati Behera v State of Orissa (1993, p.373) has profoundly influenced the direction the tort law has taken in the past decade.
 - It has recognised state liability, and in denuding the defence of sovereign immunity the constitutional tort has taken wide arcs around previously established practices in tort law. Constitutional torts fall under absolute liability.
 - Government of India has contractual, not personal liability of individuals. However, the Sovereign/Non-Sovereign functional distinction of immunity of the government was taken up by the Supreme Court in Kasturilal Case (1965).
 - Thereafter, in the Nagendra Rao case (1994), the Court criticized the Doctrine of Sovereign Immunity and adopted a liberal approach with respect to the tortuous liability of the State

where State can't avoid damage and compensation to affected citizens owing to negligence by public servants.

- The Supreme Court, again in the Common Cause Case (1992), rejected differences between Sovereign and Non-Sovereign Immunity, making the State liable to tortuous acts.
- As for the President and Governor, no criminal proceedings can be initiated against them for personal acts during their tenure. However, Civil proceedings may be initiated with a n advanced notice of 2 months.
- Ministers are also not liable for the official acts of the President and Governor-their advice tendered in inadmissible in Court Enquiry proceedings.

Q18. Consider the following statements:

1. The Parliament (Prevention of Disqualification) Act, 1959 exempts several posts from disqualification on the grounds of 'Office of Profit'.
2. The above-mentioned Act was amended five times.
3. The term 'Office of Profit' is well-defined in the Constitution of India.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All the three
- (d) None of the above

Ans. (b)

- ❖ Statements which associate any provision being derived/defined by the Constitution, are generally traps laid by UPSC to induced. Candidates must be wary of such tricks. Additionally, a brief idea on such key static topics should equip the candidates to solve such questions. The underlying theme has also been part of Previous Year Questions (Eg. 2019), highlighting the need to thoroughly analyse them.

Explanation:

- **Statement 1 is incorrect.** The Parliament (Prevention of Disqualification) Act, 1959 exempts several posts from disqualification.
- **Statement 2 is correct.** It has been amended 5 times since its formulation 1960, 1992,1993,2006 and 2013.
- **Statement 3 is incorrect.** The law or the constitution of India does not clearly define what constitutes an office of profit but the definition has evolved over the years with interpretations made in various court judgments.
- Supplementary notes:
 - If legislators hold an 'office of profit' under the government, they might be susceptible to government influence, and may not discharge their constitutional mandate fairly.
 - The intent is that there should be no conflict between the duties and interests of an elected member. Hence, the office of profit law simply seeks to enforce a basic feature of the Constitution-The principle of separation of power between the legislature and the executive.
 - Posts exempted from disqualification include-
 - Ministers of State and Deputy Ministers,
 - Parliamentary Secretaries and Parliamentary Under Secretaries,
 - Deputy Chief Whips in Parliament,
 - Vice-Chancellors of Universities,
 - Officers in the National Cadet Corps, and the Territorial Army, and
 - The Chairman and members of Advisory Committees set up by the Government when they are not entitled to any fee or remuneration other than compensatory Etc.
 - The law does not clearly define what constitutes an office of profit but the definition has evolved over the years with interpretations made in various court judgments.

- In 1964, the Supreme Court ruled that the test for determining whether a person holds an office of profit is the test of appointment-
- Factors which are considered in this determination includes:
- Whether the government is the appointing authority
- Whether the government has the power to terminate the appointment
- Whether the government determines the remuneration
- What is the source of remuneration
- Power that comes with the position
- Under Article 102 (1) and Article 191 (1) of the Constitution, an MP or an MLA (or an MLC) is barred from holding any office of profit under the central or state government.
- The articles clarify that "a person shall not be deemed to hold an office of profit under the government of India or the government of any state by reason only that he is a minister".
- Provisions of Articles 102 and 191 also protect a legislator occupying a government position if the office in question has been made immune to disqualification by law.

Q19. Who of the among can be appointed as a judge of Supreme Court?

- (a) Any resident of India residing in India for seven years
- (b) Citizen of India who have been a judge of High Court for five years
- (c) Citizen of India who have been advocated of High Court for five years
- (d) Citizen of India who have been a judge of district court for seven years.

Ans: (b)

Explanation:

- Qualifications of Judges A person to be appointed as a judge of the Supreme Court should have the following qualifications:
- He should be a citizen of India.
- He should have been a judge of a High Court (or high courts in succession) for five years.
- He should have been an advocate of a High Court (or High Courts in succession) for ten years
- He should be a distinguished jurist in the opinion of the president.
- So, option (b) is correct.

Q20. Consider the following statements regarding Comptroller and Auditor General of India (CAG):

1. The office of the CAG is provided by the Article 148 of the Indian Constitution.
2. The CAG is the guardian of the public purse only at the Centre and not at the state.
3. The CAG was called as the most important officer under the Constitution of India by Dr. B.R. Ambedkar.

Which of the statements given above are correct?

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) 1, 2 and 3

Ans: (c)

Explanation:

- **Statement 1 is correct:** The Constitution of India (Article 148) provides for an independent office of the Comptroller and Auditor General of India (CAG). The Indian Audit and Accounts Department was created during the British rule in 1753.
- **Statement 2 is incorrect:** The CAG is the head of the Indian Audit and Accounts Department. He is the guardian of the public purse and controls the entire financial system of the country at both the levels-the Centre and the state.
- **Statement 3 is correct:** His duty is to uphold the Constitution of India and laws of Parliament in the field of financial administration. This is the reason why Dr. B.R. Ambedkar had said that the CAG shall be the most important Officer under the Constitution of India. He is one of the bulwarks

of the democratic system of government in India: the others being the Supreme Court, the Election Commission and the Union Public Service Commission.

Q21. With reference to the Special Officer for Linguistic Minorities, consider the following statements:

1. The provision for this was not present in the original constitution and has been added through the Seventh Constitutional Amendment Act.
2. The provision for this is present in Part XVI of the Constitution.
3. The tenure of the special officer is 5 years or till he attains the age of 65 years, whichever is earlier.

How many statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans- (a)

Explanation:

- Article 350-B provides for a Special Officer for Linguistic Minorities, who is known as the Commissioner for Linguistic Minorities in India (CLM) to investigate all the matters relating to the Safeguards provided for the linguistic minorities in India under the Constitution and report to the President upon
- **Statement 1 is correct:** The provision for the Special Officer for Linguistic Minorities was not present in the original constitution and has been added through the Seventh Constitutional Amendment Act.
- **Statement 2 is incorrect:** The provision for this is present in Part XVII of the constitution.
- **Statement 3 is incorrect:** The Constitution does not specify the qualifications, tenure, salaries, allowances, service conditions, and procedure for removal of Special Officer for Linguistic Minorities.

Q22. With reference to the Supreme Court and its functions, consider the following statements:

1. The minimum age required for being appointed as judge of the Supreme Court is 35 years.
2. Article 126 confers the supreme court with the powers of being the court of record.
3. The ground for removal of the Supreme Court judge is for 'violation of the Constitution'.

Which of the statements given above is/are correct?

- (a) Only 1 and 3
- (b) Only 2
- (c) Only 1 and 2
- (d) None

Ans- (d)

Explanation:

- **Statement 1 is incorrect:** The Constitution does not prescribe any minimum age for appointment as a judge of the Supreme Court.
- **Statement 2 is incorrect:** The judgments, proceedings, and acts of the Supreme Court are recorded for perpetual memory and testimony. These records are admitted to be of evidentiary value and cannot be questioned when produced before any court. They are recognized as legal precedents and legal references and are court is called the Court of Records. Article 129 of the Indian Constitution empowers the Supreme Court to be a court of record.
- **Statement 3 is incorrect:** The grounds for removal of the Supreme Court judge are for 'proved misbehaviour' and 'incapacity'.

Q23. With reference to the Comptroller and Auditor General of India, consider the following statements:

1. He is the guardian of the public purse and controls the financial systems of both the central government and the state governments.
2. He/she is the ex-officio chairperson of the Public Accounts Committee.
3. He/She holds the office for a period of five years or up to 65 years, whichever is earlier.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) 1, 2 and 3

Ans- (a)

Explanation:

Statement 1 is correct: The Comptroller and Auditor General of India is the guardian of the public purse and controls the financial systems of both the central government and the state governments.

Statement 2 is incorrect: The Lok Sabha speaker has the authority to appoint the chairman of the committee. The chairman of the committee is mainly from the opposition party. The Comptroller and Auditor General of India is not the ex-officio chairperson of the Public Accounts Committee.

Statement 3 is incorrect: The Comptroller and Auditor General of India holds the office for a period of six years or up to 65 years, whichever is earlier.

Q24. With reference to the Attorney General of India, consider the following statements:

1. He/she must be a person who is qualified to be appointed as the judge of the Supreme Court.
2. He/She holds the office for a period of five years or up to 65 years, whichever is earlier.
3. He/She is not a member of the central cabinet.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans. (b)

Explanation:

- **Statement 1** is correct: The Attorney General must be a person who is qualified to be appointed as the judge of the Supreme Court. In other words, he/she must be a citizen of India and must have been a judge of any high court for at least five years, or an advocate in any high court for 10 years, or an eminent jurist in the eyes of the President.
- **Statement 2** is incorrect: The term of office for the Attorney General is not fixed by the Constitution. He/she holds the office at the pleasure of the President i.e. can be removed by President at any time.
- **Statement 3** is correct: The Attorney General is not a member of the central cabinet.

Q25. Which of the following provisions can be amended only by the special majority of the Parliament?

1. Formation of new states or alteration of a boundary of a state
2. Delimitation of constituencies
3. Representation of states in Parliament
4. Any of the lists in the seventh schedule
5. Sixth schedule of the constitution

Select the correct answer using the code given below:

- (a) Only 1, 2 and 3
- (b) Only 3 and 4

(c) Only 1, 2, 4 and 5

(d) 1, 2, 3, 4 and 5

Ans. (b)

Explanation:

- The following provisions can be amended only through a special majority:
- Election of the President and its manner.
- Extent of the executive power of the Union and the states.
- Supreme Court and high courts.
- Representation of states in Parliament
- Any of the lists in the seventh schedule
- Other provisions like the formation of new states or alteration of a boundary of a state, Delimitation of constituencies, and amendment in the Sixth schedule of the constitution can be done through a simple majority. So, option (b) is correct.

Q26. Consider the following statements:

1. A Panchayat constituted upon the dissolution of a panchayat before the expiration of its duration shall serve entire five years.
2. All the state laws relating to panchayats shall be ended with immediate effect at the commencement of the 73rd Constitutional Amendment Act (1992).
3. All the members of panchayats at the village, intermediate and district levels shall be elected directly by the people.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans: (a)

Explanation:

- **Statement 1 is incorrect:** A panchayat constituted upon the dissolution of a panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved panchayat would have continued had it not been so dissolved.
- **Statement 2 is incorrect:** All the state laws relating to panchayats shall continue to be in force until the expiry of one year from the commencement of this act.
- **Statement 3 is correct:** All the members of panchayats at the village, intermediate and district levels shall be elected directly by the people.

Q27. Consider the following statements with reference to Judiciary of India:

1. The President can appoint a judge of the Supreme Court as an acting Chief Justice of India.
2. With the previous consent of the president, the Chief Justice of India can appoint a judge of a High Court as an ad hoc judge of the Supreme Court for a temporary period.
3. The retired judge who is acting as a judge of the Supreme Court for a temporary period will enjoy all the jurisdiction, powers and privileges of a judge of Supreme Court.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans: (c)

Explanation:

- **Statement 1 is correct:** The President can appoint a judge of the Supreme Court as an acting Chief Justice of India when the office of Chief Justice of India is vacant or the Chief Justice of India is temporarily absent or the Chief Justice of India is unable to perform the duties of his office.
- **Statement 2 is correct:** The Chief Justice of India can appoint a judge of a High Court as an ad hoc judge of the Supreme Court for a temporary period. He can do so only after consultation with the chief justice of the High Court concerned and with the previous consent of the president.
- **Statement 3 is correct:** At any time, the chief justice of India can request a retired judge of the Supreme Court or a retired judge of a high court, who is duly qualified for appointment as a judge of the Supreme Court, to act as a judge of the Supreme Court for a temporary period. Such a judge is entitled to such allowances as the president may determine.

Q28. Consider the following statements with reference to the "PESA Act of 1996":

1. The central government may nominate such Scheduled Tribes which have no representation in the Panchayat at the intermediate level or the Panchayat at the district level.
2. Every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level.
3. The prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be mandatory for grant of concession for the exploitation of minor minerals by auction.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans. (b)

Explanation:

- **Statement 1 is incorrect:** The state government may nominate such Scheduled Tribes which have no representation in the Panchayat at the intermediate level or the Panchayat at the district level. But such nomination shall not exceed one-tenth of the total members to be elected in that Panchayat.
- **Statement 2 is correct:** Every village shall have a Gram Sabha consisting of persons whose names are included in the electoral rolls for the Panchayat at the village level.
- **Statement 3 is correct:** The prior recommendation of the Gram Sabha or the Panchayats at the appropriate level shall be mandatory for grant of concession for the exploitation of minor minerals by auction.

Q 29. Consider the following statements with reference to the features of the 74th Amendment Act of 1992:

1. The Governor of specific state may direct that the provisions of the Act may modify as per his discretion.
2. The state legislature may make provisions with respect to the maintenance of accounts by municipalities.
3. The act does not provide for any specific time period for any municipality.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans. (a)

Explanation:

- **Statement 1 is incorrect:** The President may direct that they would apply to a Union territory subject to such exceptions and modifications as he may specify.

- **Statement 2 is correct:** The state legislature may make provisions with respect to the maintenance of accounts by municipalities and the auditing of such accounts.
- **Statement 3 is incorrect:** The act provides for a five-year term of office for every municipality. However, it can be dissolved before the completion of its term.

Q 30. The Governor of a state performs which of the following functions?

1. He/She exercises executive, legislative and judicial powers only.
2. He/She has to always act with the aid and advice of the council of ministers.
3. He/She has the power to appoint and remove the members of the state finance commission.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans. (d)

Explanation:

- **Statement 1 is incorrect:** The powers and functions of the Governor can be divided under the following heads:
 - Executive powers.
 - Legislative powers.
 - Financial powers.
 - Judicial powers.
- **Statement 2 is incorrect:** Apart from this Governor enjoys discretionary powers in which he/she is not bounded by the aid and advice of the council of ministers.
- **Statement 3 is incorrect:** The Legislature of a State may, by law, provide for the composition of the State Finance Commission (243-1), the qualifications which shall be requisite for appointment as members thereof and the manner in which they shall be selected.

Q31. Which of the following constitutes the revenue of the urban local bodies?

1. Local taxes include property tax, entertainment tax.
2. User charges include water charges, sanitation charges, sewerage charges.
3. Various cess like library cess, education cess, beggary cess.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans. (c)

Explanation:

- **Statement 1 is correct:** The revenue from the local taxes includes property tax, entertainment tax, taxes on advertisements, professional tax, water tax, tax on animals, lighting tax, pilgrim tax, market tax, toll on new bridges, octroi and so on.
- **Statement 2 is correct:** The user charges (i.e., payment for public utilities) include water charges, sanitation charges, sewerage charges and so on.
- **Statement 3 is correct:** In addition, the municipal bodies impose various cesses like library cess, education cess, beggary cess and so on.

Q 32. Consider the following statements:

1. The laws of the Parliament are applicable to the Indian citizens and their property in any part of the world.

2. The President is empowered to direct that an act of Parliament does not apply to a scheduled area in the state.

Which of the above statements is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans. (a)

Explanation:

- **Statement 1 is correct:** The Parliament can make 'extraterritorial legislation'. Thus, the laws of the Parliament are also applicable to the Indian citizens and their property in any part of the world.
- **Statement 2 is incorrect:** The governor is empowered to direct that an act of Parliament does not apply to a scheduled area in the state or apply with specified modifications and exceptions.

Q 33. Consider the following statements:

1. The judges of the Supreme Court are appointed by the Chief Justice of India.
2. The judges of the Indian Judiciary are selected through the National judicial appointment commission.
3. The earlier collegium system of appointment of judges have been struck down as ultra vires.

Which of the above statements is/are correct?

- (a) Only 1
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) None

Ans. (d)

Explanation:

- **Statement 1 is incorrect:** The judges of the Supreme Court are appointed by the President after consultation with the chief justice and such other judges of the Supreme Court and the High Courts as he deems necessary.
- **Statement 2 is incorrect:** The 99th Constitutional Amendment Act of 2014 and the National Judicial Appointments Commission Act of 2014 had replaced the collegium system of appointing judges to the Supreme Court and High Courts with a new body called the National Judicial Appointments Commission (NJAC). However, in 2015, the Supreme Court has declared both the 99th Constitutional Amendment as well as the NJAC Act as unconstitutional and void.
- **Statement 3 is incorrect:** Consequently, the earlier collegium system became operative again. This verdict was delivered by the Supreme Court in the Fourth Judges case (2015). The Court opined that the new system (i.e. NJAC) would affect the independence of the judiciary.

Q34. The writ jurisdiction of the Supreme Court differs from that of a High Court in which of the following respects?

1. Unlike a High Court, the Supreme Court can issue writs not only for the enforcement of Fundamental Rights but also for any other purpose.
2. The Supreme Court can issue writs against a person throughout the territory of India whereas a High Court cannot issue writs outside its territorial jurisdiction.
3. Unlike the Supreme Court, a High Court may refuse to exercise its writ jurisdiction.

Select the correct answer using the code given below:

- (a) Only 1
- (b) Only 1 and 2
- (c) Only 3
- (d) Only 2 and 3

Answer: (c)

Explanation:

- The Supreme Court (under Article 32) and the High Courts (under Article 226) can issue the writs of habeas corpus, mandamus, prohibition, certiorari and quo-warranto.
- **Statement 1 is incorrect:** The Supreme Court can issue writs only for the enforcement of fundamental rights whereas a High Court can issue writs not only for the enforcement of Fundamental Rights but also for any other purpose.
- **Statement 2 is incorrect:** The Supreme Court can issue writs against a person or government throughout the territory of India whereas a High Court can issue writs against a person residing or against a government or authority located within its territorial Jurisdiction only or outside its territorial jurisdiction only if the cause of action arises within its territorial jurisdiction.
- **Statement 3 is correct:** A remedy under Article 32 is in itself a Fundamental Right and hence, the Supreme Court may not refuse to exercise its writ jurisdiction. On the other hand, a remedy under Article 226 is discretionary and hence, a High Court may refuse to exercise its writ jurisdiction.

Q35. Which committee/commission recommended that “A permanent Inter-State Council called the Inter-Governmental Council should be set up under Article 263”?

- (a) Rajamannar Committee
- (b) Sarkaria Commission
- (c) Punchhi Commission
- (d) JVP committee

Ans. (b)

Explanation:

- In 1983, the Central government appointed a three-member Commission on Centre state relations under the chairmanship of R.S. Sarkaria, a retired judge of the Supreme Court. The commission was asked to examine and review the working of existing arrangements between the Centre and states in all spheres and recommend appropriate changes and measures.
- The important recommendations are mentioned below:
 - A permanent Inter-State Council called the Inter-Governmental Council should be set up under Article 263.
 - Article 356 (President’s Rule) should be used very sparingly, in extreme cases as a last resort when all the available alternatives fail.
 - The institution of All-India Services should be further strengthened and some more such services should be created.
 - So, option (b) is correct.

Q36. Consider the following statements:

1. While a proclamation of National emergency is in operation President acquires the power to legislate with respect to matters in the State List.
2. The laws formulated during National emergency will become inoperative on the expiration of six months after the emergency has ceased to operate.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans. (b)

Explanation:

- **Statement 1 is incorrect:** The Parliament acquires the power to legislate with respect to goods and services tax or matters in the State List, while a proclamation of national emergency is in operation.

- **Statement 2 is correct:** The laws become inoperative on the expiration of six months after the emergency has ceased to operate.

Q37. Consider the following statements regarding "Governor":

1. No Governor can be removed from office till completion of his term.
2. No Governor can continue in office beyond five years.
3. Prime Minister can transfer the appointed Governor from one state to another.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans. (d)

Explanation:

- **Statement 1 is incorrect:** According to Article 156(1), the governor will hold office till the pleasure of the president; that is, the governor can be removed by the president before the completion of his term.
- **Statement 2 is incorrect:** According to Article 156(4), Governor shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.
- **Statement 3 is incorrect:** The President may transfer a Governor appointed to one state to another state for the rest of the term.

Q38. Which of the following taxes levied and collected and retained by the States?

1. Taxes on agricultural income
2. Duties of excise on alcoholic liquors for human consumption
3. Stamp duties on bills of exchange
4. Taxes on the sale or purchase of goods

Select the correct answer using the code below:

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 3 and 4 only
- (d) 1 and 4 only

Ans. (a)

Explanation:

- **Statement 1 and 2 are correct:** Taxes Levied and Collected and Retained by the States: (i) land revenue (ii) taxes on agricultural income (iii) duties in respect of succession to agricultural land (iv) estate duty in respect of agricultural land (v) taxes on lands and buildings (vi) taxes on mineral rights (vii) Duties of excise on alcoholic liquors for human consumption opium, Indian hemp and other narcotic drugs and narcotics, but not including medicinal and toilet preparations containing alcohol or narcotics.
- **Statement 3 is incorrect:** Taxes Levied by the Centre but Collected and Appropriated by the States (Article 268): This category includes the stamp duties on bills of exchange, cheques, promissory notes, policies of insurance, transfer of shares and others.
- **Statement 4 is incorrect:** Taxes Levied and Collected by the Centre but Assigned to the States (Article 269): Taxes on the sale or purchase of goods (other than newspapers) in the course of inter-state trade or commerce.

Q39. Who among the following presides over the proceedings of the Rajya Sabha when the offices of both the Speaker and the Deputy Speaker fall vacant?

- (a) The senior most member of the Rajya Sabha.
- (b) The person selected by the members of the House from among themselves.

- (c) Any member of the Rajya Sabha appointed by the President of India.
(d) The Union Minister of Parliamentary Affairs.

Ans. (c)

Explanation:

- The President can appoint any member of the Lok Sabha to preside over its proceedings when the offices of both the Speaker and the Deputy Speaker fall vacant.
- Similarly, he can also appoint any member of the Rajya Sabha to preside over its proceedings when the offices of both the Chairman and the Deputy Chairman fall vacant. So, option (c) is correct.

Q40. Consider the following statements:

1. Presidential Impeachment charges should be passed by two-third of member that framed the charges.
2. An impeachment is a Quasi-Judicial procedure in the Parliament.

Which of the statements given above is/are correct?

- (a) Only 1
(b) Only 2
(c) Both 1 and 2
(d) Neither 1 nor 2

Ans. (c)

Explanation:

- **Statement 1 is correct:** The impeachment charges of President can be initiated by either House of Parliament. These charges should be signed by one-fourth members of the House (that framed the charges) and a 14 days' notice should be given to the President. After the impeachment resolution is passed by a majority of two-thirds of the total membership of that House, it is sent to the other House.
- **Statement 2 is correct:** Impeachment shows Quasi-judicial nature because it reflects both legislative and judicial nature.

Q 41. With reference to Lok Adalat, consider the following statements:

1. Lok Adalats have no jurisdiction in respect of a matter pending before a High Court.
2. It is a statutory body.
3. The district judge is the ex-officio chairman of the Lok Adalat.

Which of the statements given above is correct?

- (a) Only 1
(b) Only 2
(c) Only 3
(d) None

Ans. (b)

Explanation:

- **Statement 1 is incorrect:** The jurisdiction of the Lok Adalat is to determine and to arrive at a compromise or a settlement between the parties to a dispute. Lok Adalats can hear any case pending before any court, or any dispute which has not been brought before any court and is likely to be filed before the court.
Statement 2 is correct: Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987.
- **Statement 3 is incorrect:** National Legal Services Authority (NALSA) along with other Legal Services Institutions conducts Lok Adalats. District judge is not the ex-officio chairperson of the Lok Adalats,

in fact, chairpersons are appointed by the Central Authority or, as the case may be, the State Authority depending upon the nature of the Lok Adalats. Generally, a Lok Adalat consists of a judicial officer as the chairman and a lawyer (advocate) and a social worker as members.

Q 42. Recently, a sub-divisional magistrate (judicial), and his staff member were suspended by the Uttar Pradesh state government for the reason of summoning the Uttar Pradesh governor in a land acquisition-related case. Which one of the following Articles of the Indian Constitution did the magistrate and his team violated by summoning the incumbent governor?

- (a) Article 158
- (b) Article 229
- (c) Article 233A
- (d) Article 361

Ans. (d)

Explanation:

- Article 361 of the Indian Constitution provides Protection to President, Governors and Rajpramukh. As per Article 361 (1), the President, or the Governor or Rajpramukh of a State, shall not be answerable to any court for the exercise and performance of the powers and duties of his office or for any act done or purporting to be done by him in the exercise and performance of those powers and duties. As per Article 361 (2), no criminal proceedings whatsoever shall be instituted or continued against the President, or the Governor of a State, in any court during his term of office. So, option (d) is correct.

Q 43. With reference to the Basic Structure Doctrine of the Indian Constitution, consider the following statements:

1. The components which constitute to form the basic structure of the constitution are listed under Article 13 of the Indian constitution.
2. In the Kesavananda Bharati, the supreme court said that doctrine of basic structure would apply to constitutional amendments enacted after 24th April, 1973.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (d)

Explanation:

- **Statement 1 is incorrect:** The supreme court is yet to define or clarify what all constitutes the basic structure of the constitution. Based on various judgements by supreme court we can segregate the certain components of basic structure of the constitution. However, no list of such components mentioned under Article 13 of the Indian Constitution.
- **Statement 2 is incorrect:** In the Waman Rao Case (1981), the supreme court said that doctrine of basic structure would apply to constitutional amendments enacted after 24th April, 1973. Kesavananda Bharati judgment was delivered on April 24, 1973 by a Supreme Court Bench of 13 judges. It laid down the “basic structure” doctrine.

Q44. With reference to election laws in India, consider the following statements:

1. The existing election law, allows candidates to contest polls from maximum of two constituencies simultaneously.
2. All doubts and disputes arising in connection with the election of the Vice-President are enquired into and decided by the Election Commission of India.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (a)

Explanation:

- **Statement 1 is correct:** As per Section 33(7) of the RPA (Representation of the People Act), 1951, one candidate can contest from a maximum of two constituencies.
- **Statement 2 is incorrect:** According to Article 71 of the Constitution, 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.

Q 45. Which one of the following committees proposed for the State Funding of Elections?

- (a) Raj Chelliah Committee
- (b) Kelkar Committee
- (c) Indrajit Gupta Committee
- (d) Rangarajan committee

Ans- (c)

Explanation:

Indrajit Gupta Committee on State Funding of Elections (1998):-

- Indrajit Gupta Committee of 1998 endorsed state funding of elections. As per the committee, it is fully justified, constitutional, legal as well as on ground of public interest to establish a fair playing field for parties with less money. **So, option (c) is correct.**

Q46. Who among the following are the members of the National Development Council (NDC)?

1. Members of NITI Aayog
2. All the Union Cabinet Ministers
3. Chief Minister of All the states
4. Governors of all the states

Select the correct answer using the code given below:

- (a) Only 1 and 3
- (b) Only 1, 2 and 3
- (c) Only 2 and 3
- (d) 1, 2, 3 and 4

Ans- (b)

Explanation:

- Composition of National Development Council (NDC) is:
 - Prime Minister
 - All Union Cabinet Ministers
 - Members of NITI Aayog
 - Representatives of Union Territories, and

- Chief Ministers of all states in India
- Governors of all the states are not included in the Composition of National Development Council (NDC). So, option (b) is correct.

Q47. Which of the following parliamentary motions can be moved only in Lok Sabha and not in Rajya Sabha?

1. No-confidence Motion
2. Censure Motion
3. Privilege Motion
4. Call-Attention Motion
5. Cut Motions

Select the correct answer using the code given below:

- (a) Only 1 and 2
- (b) Only 1, 2 and 5
- (c) Only 1, 2 and 3
- (d) 1, 2, 3, 4 and 5

Ans- (b)

Explanation:

- A no-confidence motion is a parliamentary motion that is moved only in the Lok Sabha and not in Rajya Sabha. It is moved against the entire council of ministers.
- Censure Motion can be moved only in Lok Sabha. It can be moved against an individual minister a group of ministers or the entire council of ministers.
- Privilege motion is moved by a member when he feels that a minister has committed a breach of privilege of the House. Its purpose is to censure the concerned minister. It can be moved to Rajya Sabha as well as Lok Sabha.
- Calling Attention Motion can be introduced in Parliament by a member to call the attention of a minister to a matter of urgent public importance. It can be moved in the Rajya Sabha as well as in the Lok Sabha.
- A cut motion is a special power vested in members of the Lok Sabha to oppose a demand being discussed for specific allocation by the government in the Finance Bill as part of the Demand for Grants. So, option (b) is correct.

Q 48. With reference to the Anti-Defection Law, consider the following statements:

1. Under the anti-defection law, an independent MLA would have to give up their seat if he or she chooses to join a political party after being elected.
2. If a member elected on the ticket of a political party "voluntarily gives up" membership of the party and joins another party, he or she is subjected to dismissal under the anti-defection law.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (c)

Explanation:

- Anti-Defection Law was introduced through the 52nd Constitutional Amendment Act of 1985.
- Statement 1 is correct: Under the anti-defection law, an independent MLA would have to give up their seat if he or she chooses to join a political party after being elected.
- Statement 2 is correct: As per the Act, even if a member elected on the ticket of a political party "voluntarily gives up" membership of the party and joins another party, he or she is subjected to anti-defection law where they lose their elected seat.

Q49. With reference to the Lokpal and Lokayuktas, consider the following statements:

1. Lokpal is a multi-member body, that consists of one chairperson and a maximum of five members.
2. These are statutory bodies.
3. In India, Maharashtra became the first state to establish the Institution of Lokayuktas.

Which of the statements given above are correct?

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) 1, 2 and 3

Ans- (b)

Explanation:

- **Statement 1 is incorrect:** In 1966, the First Administrative Reforms Commission recommended the setting up of two independent authorities- at the central and state level, to look into complaints against public functionaries, including MPs. Lokpal is a multi-member body, that consists of one chairperson and a maximum of 8 members.
- **Statement 2 is correct:** The Lokpal and Lokayuktas Act, 2013, commonly known as The Lokpal Act, is an anti-corruption Act of the Indian Parliament in India which “seeks to provide for the establishment of these two institutions. So, these are statutory bodies.
- **Statement 3 is correct:** In India, Maharashtra became the first state to establish the Institution of Lokayuktas in 1971.

Q50. With reference to Bharatiya Nyaya Sanhita 2023, consider the following statements:

1. It will replace Indian Penal Code (IPC), 1860.
2. It does not remove the offence of sedition.
3. Organised crime has been added as an offence.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans: (b)

Explanation:

- **Statement 1 is correct:** Bhartiya Nyaya Sanhita 2023 replaces Indian Penal Code (IPC), 1860, the principal law on criminal offences in India.
- **Statement 2 is incorrect:** It removes the offence of sedition. Sedition is no longer an offence. Instead, there is a new offence for acts endangering the sovereignty, unity and integrity of India.
- **Statement 3 is correct:** Organised crime has been added as an offence. It includes crimes such as kidnapping, extortion and cyber-crime committed on behalf of a crime syndicate. Petty organised crime is also an offence now.

Q 51. Consider the following statements:

1. The advice given by the Supreme Court on any dispute arising out of any pre-Constitution treaty is binding on the President.
2. If any question of law or fact of public importance arises then the Supreme Court can refuse to give its opinion to the President.

Which of the above statements is/are correct?

- (a) only 1
- (b) only 2
- (c) both 1 and 2
- (d) neither 1 nor 2

Answer: (b)

Explanation:

- **Statement 1 is incorrect:** During any dispute arising out of a pre-Constitution treaty, the Supreme Court has to submit its opinion to the President. The opinion expressed by the Supreme Court is only advice and not a judicial pronouncement. Therefore, it is not binding on the President; He may or may not follow the opinion.
- **Statement 2 is correct:** On any question of law or fact of public importance which has arisen or is likely to arise, the Supreme Court may defer or refuse to give its opinion to the President.

Q 52. Consider the following statements with reference to “Judicial Review”:

1. It can be defined as the power of the judiciary to examine the constitutionality of executive orders of both the Central and State governments.
2. The Supreme Court has not yet declared the power of judicial review as a basic structure of the Constitution.
3. Judicial review is needed to maintain the principle of supremacy of the Constitution.

How many of the above statements are/are correct?

- (a) Only one
- (b) Only two
- (c) all three
- (d) None of the above

Answer: (b)

Explanation:

- **Statement 1 is correct:** Judicial review is the power of the judiciary to examine the constitutionality of legislative acts and executive orders of both the Central and State governments.
- **Statement 2 is incorrect:** In *Indira Gandhi vs Raj Narayan* case 1975, the Supreme Court has declared the power of judicial review to be an element of the basic structure of the Constitution.
- **Statement 3 is correct:** Judicial review is needed to maintain the principle of supremacy of the Constitution, maintain federal balance, protect the fundamental rights of the citizens.

Q 53. With reference to Individual privileges available to members of the state legislatures, consider the following statements:

1. They are not liable to any proceedings in any court for anything they said in the state legislature.
2. They can refuse to appear as witness in the court when state legislature is in session.
3. Irrespective of nature of case i.e civil or criminal, the members cannot be arrested during the session of the state legislature.

Which of the statements given above is/are correct?

- (a) Only 1 and 2
- (b) Only 1
- (c) 1, 2 and 3
- (d) None of the above

Ans- (a)

Explanation:

- **Statement 1 is correct:** Members have freedom of speech in state legislature, and no member is liable to any proceedings in any court for anything said in the state legislature.
- **Statement 2 is correct:** They are exempted from jury service when Parliament is in session. So, they can refuse to appear as witness or give evidence in the court when state legislature is in session.

- **Statement 3 is incorrect:** Members cannot be arrested during the session of Parliament 40 days before the beginning and 40 days after the end of a session. However, this privilege is available only in civil cases and not in criminal cases.

Q 54. With reference to Judiciary and its functions in India, consider the following statements:

1. The Chief Justice of a High Court is appointed by the Chief Justice of India in consultation with President.
2. The phrase 'judicial review' has been mentioned in Article 136 for the supreme court and Article 226 for the high courts.
3. Article 129 and Article 215 confers the supreme court and high courts with the powers of being the court of record respectively.

Which of the statements given above is correct?

- (a) 1 Only
- (b) 2 Only
- (c) 3 Only
- (d) None of the above

Ans- (c)

Explanation:

- **Statement 1 is incorrect:** The Chief Justice of any High Court is appointed by the President of India, in consultation with the Chief Justice of India.
- **Statement 2 is incorrect:** The phrase judicial review has nowhere been mentioned in the constitution of India. However, the Article 13 and Article 226 explicitly confers the power of judicial review.
- **Statement 3 is correct:** Article 129 of the Indian Constitution empowers the Supreme Court to be a court of record i.e. the Supreme Court shall have all the powers of such a court, including the power to punish for contempt of itself. Similarly, Article 215 confers the High Courts with a power of court of record. Every High Court shall have all the powers of such a court including the power to punish for contempt of itself.

Q 55. In the Representation of Peoples Act, 1950 (RPA Act 1950), the allocation of seats is mentioned for which of the following bodies?

1. Lok Sabha
2. Rajya Sabha
3. Legislative Assemblies
4. Legislative Councils

Select the correct answer using the code given below:

- (a) Only 1, 2 and 3
- (b) Only 2, 3 and 4
- (c) Only 1, 3 and 4
- (d) 1, 2, 3 and 4

Ans - (c)

Explanation:

- **Representation of Peoples Act, 1950 (RPA Act 1950) includes four schedules -**
- First Schedule: Allocation of seats in the House of the People
- Second Schedule: Total number of seats in the Legislative Assemblies

- Third Schedule: Allocation of seats in the Legislative Councils
- Fourth Schedule: Local authorities for purposes of elections to Legislative Councils. It mentions about the allocation of seats for States and Union Territories in the Rajya Sabha. The same is not mentioned under Representation of Peoples Act, 1950 (RPA Act 1950). **So, option (c) is correct.**

Q 56. In the context of election system in India, which one of the following best describes the term 'Classified Service Voter' (CSV)?

- (a) An assisting person to visually challenged person for casting a vote in election
- (b) Government officials deployed outside their constituency for election duty
- (c) Overseas electors or NRIs voting through e-portal in elections.
- (d) Member of the Armed Forces of the Union voting through proxy.

Ans- (d)

Explanation:

- **Service voters are those who have service qualification under sub-Section (8) of Section 20, RPA, 1950 means:**
- being a member of armed Forces of Union
- being a member of a force under provisions of Army Act, 1950 applicable with or without modification
- being a member of an Armed Police Force of a State serving outside that State
- being a person employed under Government of India posted outside the country

Service voters are enrolled at their native place even though they do not reside there permanently. Service voter can cast their vote either through postal ballot or through a proxy voter duly appointed by him and a service voter who opts to vote through a proxy is called Classified Service Voter.

Q 57. Which of the following features are mentioned in the Representation of Peoples Act, 1950 (RPA Act 1950)?

1. Delimitation of constituencies
2. Qualification and disqualifications of voters
3. Allocation of seats in Lok Sabha and Legislative Assemblies.
4. Disputes regarding elections
5. By-elections

Select the correct answer using the code given below:

- (a) Only 1, 2 and 3
- (b) Only 2, 3 and 4
- (c) Only 1, 3, and 4
- (d) 1, 2, 3, 4 and 5

Ans - (a)

Explanation:

- **The following are the feature of the Representation of the People Act (RPA), 1950:**
- Lays down procedures for delimitation of constituencies.
- Provides for the allocation of seats in the House of the People and in the Legislative Assemblies and Legislative Councils of States.
- Lays procedure for the preparation of electoral rolls and the manner of filling seats.
- Lays down the qualification of voters.

- Disputes regarding elections are not mentioned in the Representation of the People Act (RPA), 1950. Dispute regarding elections and provision for by-elections are mentioned in the Representation of Peoples Act, 1951 (RPA Act 1951). **So, option (a) is correct.**

Q 58. Which one of the following statements is not correct in the context of a Lok Sabha Speaker?

- He/she once elected is eligible for re-election.
- He/she is elected from among the Lok Sabha members and the date of election of the speaker is fixed by the president.
- He/she vacates his/her office immediately as soon as the Lok Sabha gets dissolved.
- He/she has to vacate his/her office if a resolution is passed against him/her by an effective majority of all the members of the Lok Sabha.

Ans- (c)

Explanation:

- As per Article 93 of the Indian Constitution, the Lok Sabha has a Speaker and a Deputy Speaker. In the Lok Sabha, both presiding officers i.e the Speaker and the Deputy Speaker are elected from among its members by a simple majority of members present and voting in the House.
- The speaker can be removed from office by a resolution passed by a majority of all the members of the Lok Sabha i.e effective majority. The speaker once elected is eligible for re-election. The date of election of the speaker is fixed by the president. Whenever the Lok Sabha is dissolved, the Speaker does not vacate his office and continues till the newly-elected Lok Sabha meets. **So, option (c) is incorrect.**

Q 59. With reference to parliamentary proceedings, consider the following statements:

1. A bill pending in Rajya Sabha but not passed by the Lok Sabha lapses on dissolution of the Lok Sabha.
2. A bill passed by Lok Sabha but pending in Rajya Sabha lapses on dissolution of Lok Sabha.

Which of the statements given above is/are correct?

- Only 1
- Only 2
- Both 1 and 2
- Neither 1 nor 2

Ans- (b)

Explanation:

- **Statement 1 is incorrect:** A bill pending in Rajya Sabha but not passed by the Lok Sabha does not lapse on dissolution of the Lok Sabha.
- **Statement 2 is correct:** A bill passed by Lok Sabha but pending in Rajya Sabha lapses on dissolution of Lok Sabha.

Q 60. With reference to 73rd Constitutional Amendment Act of 1992, consider the following statements:

1. This act brought the state governments under the constitutional obligation to adopt the new Panchayati raj system.
2. The act added 11th schedule containing 29 functional items of the panchayats.
3. The act mandated the reservation of one-third of seats for scheduled castes and scheduled tribes in every panchayat area.

Which of the statements given above is/are correct?

- (a) Only 1 and 2
- (b) Only 3
- (c) Only 1
- (d) 1, 2 and 3

Ans- (a)

Explanation:

- **Statement 1 is correct:** 73rd constitutional amendment act gives constitutional status to the Panchayati raj institutions. It has brought the state governments under the constitutional obligation to adopt the new Panchayati raj system.
- **Statement 2 is correct:** 73rd constitutional amendment act has added a new Part-IX to the Constitution of India. It also added 11th Schedule containing 29 functional items of the panchayats.
- **Statement 3 is incorrect:** The Constitution 73rd Amendment Act provides for the reservation of seats for scheduled castes and scheduled tribes in every panchayat in proportion of their population to total population in the panchayat area. The act mandated the reservation of one-third of seats for women in Panchayati Raj Institutions and offices of the chairperson at all levels of Panchayati Raj Institutions.

Q 61. With reference to Electoral Bonds (EBs), consider the following statements:

1. EBs are interest-free bearer bonds that can be purchased by companies and individuals.
2. There is a limit on number of EBs that a person or company can purchase.
3. All transactions of EBs are carried out via cheques or digitally.

How many of the above statements is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans: (b)

Explanation:

Statement 1 is correct: EBs are interest-free bearer bonds or money instruments that can be purchased by companies and individuals in India from authorised branches of State Bank of India (SBI).

Statement 2 is incorrect: There is no cap on number of EBs that a person or company can purchase.

Statement 3 is correct: All transactions of EBs are carried out via cheques or digitally.

Q 62. With reference to RTI Act, consider the following statements:

1. Nodal agency for the implementation of the RTI Act is the Department of Personnel and Training (DoPT) under the Ministry of Personnel, Public Grievances and Pensions.
2. It replaced Freedom of Information Act, 2002.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans:(c)

Explanation:

Statement 1 is correct: The Nodal agency responsible for the implementation of the RTI Act is the Department of Personnel and Training (DoPT) under the Ministry of Personnel, Public Grievances and Pensions.

The primary goal of the scheme is to contribute towards more accountable and transparent government.

Statement 2 is correct: Right to Information (RTI) replaced Freedom of Information Act, 2002.

Q 63. Consider the following statements regarding Returning Officer:

1. The Returning Officer's duties include accepting and scrutinizing nomination forms.
2. He/she is responsible for overseeing the election only in one constituency.
3. Election Commission of India appoints the Returning Officer a constituency, in consultation with the State Governments.

How many of the statements given above is/are incorrect?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans:(a)

Explanation:

Statement 1 is correct: The Returning Officer has a pivotal role in election management. He/she is so called because he/ she conducts the election in a constituency and returns elected candidate.

Statement 2 is incorrect: A Returning Officer is responsible for overseeing the election in one constituency or sometimes in two, as directed by the Election Commission of India.

Statement 3 is correct: The Election Commission of India appoints the Returning Officer and Assistant Returning Officer for a constituency, in consultation with the State Governments and the Union Territories as the case may be.

Q 64. Which of the following statements is/are correct about Money Bills?

1. If Rajya Sabha does not return the money bill in the stipulated time limit then that bill shall be deemed passed without the consent of the Rajya Sabha.
2. A bill that is related with the demand or payment of fees for licenses or fees for services rendered is categorized as money bill.

Select the correct answer using the options given below:

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans - (a)

Explanation:

- **Statement 1 is correct:** The stipulated time for the Rajya Sabha to hold the money bill is maximum of 14 days. If Rajya Sabha does not return the money bill in the stipulated time limit then that bill shall be deemed passed without the consent of the Rajya Sabha.
- **Statement 2 is incorrect:** Article 110 of Indian Constitution gives provisions following which a bill cannot be deemed as a money bill. A bill is not a Money Bill:
 - When it provides for the imposition of fines or other pecuniary penalties.
 - Demand, payment of fees for licenses or fees for services rendered.
 - Imposition, abolition, remission, alteration or regulation of any tax.

Q 65. Which of the following bills cannot be introduced in the Parliament without the prior consent of the President?

1. Money bill
2. Constitution Amendment Bill
3. Bill related to creation of new state

Select the correct answer using the code given below:

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) 1, 2 and 3

Ans - (c)

Explanation:

- A money bill can only be introduced in Lok Sabha with prior recommendation of the President for introduction in Lok Sabha. A bill related to the amendment of the constitution can be initiated either by a minister or by a private member and does not require prior permission of the president. A bill to form new state can be introduced in the Parliament only with the prior recommendation of the President. **So, option (c) is correct.**

Q 66. With reference to Constitutional Amendment, consider the following statements:

1. Part XVIII of the constitution deals with the power of the parliament to amend the constitution.
2. An amendment to the constitution can be initiated in either House of the Parliament or even in the legislative assembly of any state.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (d)

Explanation:

- **Statement 1 is incorrect:** Article 368 in Part XX of the Constitution deals with the power of the Parliament to amend the constitution and its procedure. Part XVIII of the constitution deals with the emergency provisions.
- **Statement 2 is incorrect:** An amendment to the constitution can be initiated in either House of the Parliament but not in the legislative assembly of any state.

Q 67. Consider the following statements about the "Adjournment motion":

1. This Motion is introduced only in the Lok Sabha and not in Rajya Sabha.
2. The primary object of this motion is to draw the attention of the House to a recent matter of urgent public importance.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans - (c)

Explanation:

- **Statement 1 is correct:** Adjournment motion is introduced only in the Lok Sabha to draw the attention of the House to a definite matter of urgent public importance. Since it involves an element of censure against the government, therefore Rajya Sabha is not permitted to make use of this device.
- **Statement 2 is correct:** The primary object of an adjournment motion is to draw the attention of the House to a recent matter of urgent public importance having serious consequences.

Q 68. Consider the following pairs:

Articles of Indian Constitution	Related to
1. Article 320	Removal of members of Public Service Commission
2. Article 338B	National Commission for Scheduled Tribes
3. Article 350B	Special officer for linguistic minorities
4. Article 371C	Special provision with respect to state of Manipur

How many of the above pairs is/are correctly matched?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

Ans- (b)

Explanation:

- **Pair 1 is incorrect:** Article 320 of the Indian Constitution deals with functions of the public service commission, Article 317 deals with removal of members of public service commission.
- **Pair 2 is incorrect:** Article 338-B is related to National Commission for Backward Classes, while Article 338-A is related National Commission for Scheduled Tribes.
- **Pair 3 is correct:** Article 350-B is related to special officer for linguistic minorities.
- **Pair 4 is correct:** Article 371-C is related to special provision with respect to state of Manipur.

Q 69. Which one of the following statements is incorrect?

- (a) The value of vote of a Member of Legislative Assembly (MLA) for the presidential election is lowest for MLA of Goa.
- (b) Third schedule of Indian Constitution deals with the oath and affirmation for Union Ministers of India.
- (c) Forty-fourth constitutional amendment act replaced the term 'internal disturbance' with 'armed rebellion' in respect of national emergency.
- (d) NOTA system is not applicable to presidential election.

Ans - (a)

Explanation:

- The value of vote of an MLA for the presidential election is lowest for MLA of Sikkim and highest for that of MLA of Uttar Pradesh.
- Third schedule of Indian Constitution deals with the oath and affirmation for Union Ministers of India.
- Forty-fourth constitutional amendment act replaced the term 'internal disturbance' with 'armed rebellion' in respect of national emergency.
- NOTA system is applicable only for direct elections, since presidential election is indirect election, the system is not applicable to presidential election. **So, option (a) is correct.**

Q 70. Which one of the following amendment acts, restricted the size of the council of ministers in a state to less than 15% of the effective strength of the assembly?

- (a) 61st Constitutional Amendment Act
- (b) 71st Constitutional Amendment Act
- (c) 81st Constitutional Amendment Act
- (d) 91st Constitutional Amendment Act

Ans - (d)

Explanation:

- The 91st Constitutional Amendment Act 2003, states that the total number of ministers, including the Prime Minister, in the Council of Ministers shall not exceed 15% of the total strength of the Lok Sabha and similarly in state legislative assembly the size of the council of ministers in a state is restricted to less than 15% of the effective strength of the assembly. But, the number of ministers including the Chief Minister in a state shall not be less than 12. **So, option (d) is correct.**

Q 71. Who among the following can be removed by the Governor of a State?

1. Advocate General of the State
2. Chairperson of the State Public Service Commission
3. MLA under the anti-defection law

Select the correct answer using the code given below:

- A. Only 1
- B. Only 1 and 2
- C. 1, 2 and 3
- D. None of the above

Ans - (a)

Explanation:

- Advocate General of the State remains in the office during the pleasure of the Governor. The Constitution does not contain the procedure and grounds to remove the Advocate General of State. Governor can remove him/her at any point in time. The Chairman or any other member of State Public Service Commission (SPSC) shall be removed from his/her office by order of the President of India.
- It is the power of the Speaker of the state legislative assembly to decide disqualification of a Member of Legislative Assembly (MLA) under the Tenth Schedule or anti-defection law. **So, option (a) is correct.**

Q 72. Consider the following pairs of writs and their applications:

Writs	Applications
1. Certiorari	Writ issued by a superior court commanding the performance of a specified official act or duty
2. Mandamus	Higher court order to transfer of case which is pending in the lower courts
3. Quo-Warranto	Order by court to a person when an illegal usurpation of a public office by a person is done.

How many of the above pairs is/are correctly matched?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None of the above

Ans- (a)

Explanation:

- Mandamus is a writ issued by a superior court commanding the performance of a specified official act or duty. Certiorari is used by a court to transfer of case which is pending in the lower courts or the order given by lower courts in a case needs to be quashed. Quo-Warranto is used when an illegal usurpation of a public office by a person is done. **So, option (a) is correct.**

Q 73. Which of the following committee(es) consists of members from both the Houses of the Parliament?

- Committee on Public Undertakings
- Committee on Estimates
- Committee on Public Accounts

Select the correct answer using the code given below:

- (a) Only 3
- (b) Only 1 and 3
- (c) Only 2 and 3
- (d) 1, 2 and 3

Ans- (b)

Explanation:

- Committee on Public Accounts consists of 22 members, 15 from Lok Sabha and 7 from Rajya Sabha. Committee on Public Undertakings consists of 15 members from Lok Sabha and 7 members from Rajya Sabha. Committee on Estimates consists of 30 members, all from Lok Sabha. **So, option (b) is correct.**

Q 74. Consider the following statements about Closure Motion:

- It can be moved in both the Houses of the Parliament.
- If the motion is approved by the House, debate is stopped and the matter is put to vote.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (c)

Explanation:

- **Statement 1 is correct:** Closure motion is moved by an MP to cut short the debate on a matter before the House. It can be moved in Lok Sabha as well as Rajya Sabha.
- **Statement 2 is correct:** If the closure motion is approved by the House, debate is stopped and the matter is put to vote.
- There are four kinds of closure motions:
 - Simple Closure: It is one when a member moves that the 'matter having been sufficiently discussed be now put to vote'.
 - Closure by Compartments: In this case, the clauses of a bill or a lengthy resolution are grouped into parts before the commencement of the debate. The debate covers the part as a whole and the entire part is put to vote.
 - Kangaroo Closure: Under this type, only important clauses are taken up for debate and voting and the intervening clauses are skipped over and taken as passed.
 - Guillotine Closure: It is one when the undiscussed clauses of a bill or a resolution are also put to vote along with the discussed ones due to want of time.

Q 75. Which one of the following determines the service conditions of members of All India Services?

- (a) Parliament
- (b) Union Public Service Commission
- (c) State Public Service Commission
- (d) Rajya Sabha

Ans- (a)

Explanation:

- Article 312 of the Indian Constitution confers power on Parliament to regulate recruitment and conditions of service of persons appointed to All India Services. **So, option (a) is correct.**
- The services known at the commencement of Constitution as the IAS and IPS shall be deemed to be services created by Parliament under Article 312.

Q 76. Consider the following processes involved during Budget session:

- (a) Appropriation Bill
- (b) Passing of finance bill
- (c) Voting for demand for grant
- (d) General discussion

Which of the following is the correct order of the above processes?

- (a) 4, 3, 1, 2
- (b) 1, 2, 3, 4
- (c) 4, 3, 2, 1
- (d) 4, 1, 2, 3

Ans- (a)

Explanation:

The following is the order of the processes involved in passing of the budget in the parliament.

- Presentation of budget
- General discussion
- Scrutiny by departmental committees
- Voting on demands of grants

- Passing of the appropriation bill
- Passing of finance bill.
- **So, option (a) is correct.**

Q 77. Consider the following statements with reference to Public Account of India?

1. Legislative appropriation is required for the payments from the Public Account of India.
2. This account constitutes a part of financial liability to the government.
3. Public Account of India is mentioned under Article 266

How many statements above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans- (b)

Explanation:

- **Statement 1 is incorrect:** Legislative appropriation is not required for the payments from the Public Account of India.
- **Statement 2 is correct:** Public Account of India includes funds like Provident Funds of Government Employees, Deposits of Local Funds, Reserve Funds Deposits made by outside agencies, Departmental Advances, etc. Balances in these accounts constitute a part of the overall financial liabilities of the Government.
- **Statement 3 is correct:** This fund was constituted under Article 266 (2) of the Constitution. It accounts for flows for those transactions where the government is merely acting as a banker.

Q 78. Consider the following statements:

1. The oath of office to the Governor is administered by the President of India.
2. Governor can be removed from office only on grounds of proved misbehaviour or incapacity.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans - (d)

Explanation:

- **Statement 1 is incorrect:** It is the Chief Justice of concerned State High Court who administers the oath of office to the Governor. In his absence, it is the senior-most judge of the High Court who administers the oath.
- **Statement 2 is incorrect:** Under Article 155 and 156 of the Constitution, a Governor is appointed by the President and holds office "during the pleasure of the President". There are no provisions laid down in the Constitution for the manner in which the Governor and the state can be removed.

Q79. Which of the following statements is/are correct regarding the powers of the governor to reserve a bill for the consideration of the president?

1. This power is laid down in Article 201 of the Indian Constitution.

2. It is a discretionary power of the governor.

Select the correct answer using the options given below:

- A. Only 1
- B. Only 2
- C. Both 1 and 2
- D. Neither 1 nor 2

Ans- (b)

Explanation

- **Statement 1 is incorrect:** Article 200 of the Indian Constitution outlines the process for a Bill passed by the Legislative Assembly of a State to be presented to the Governor for assent, who may either assent, withhold assent or reserve the Bill for consideration by the President. Article 201 states that when a Bill is reserved for the consideration of the President, the President may assent to or withhold assent from the Bill. The President may also direct the Governor to return the Bill to the House or Houses of the Legislature of the State for reconsideration.
- **Statement 2 is correct:** The Governor, who is appointed by the Centre can use his powers to delay or reject Bills passed by State Assemblies. Though, the governor exercises his executive powers only on the advice of the Council of Ministers under Article 154, yet reserving bills passed by State Assemblies comes as a discretionary power of the Governor.

Q 80. Consider the following statements in the context of functions and powers of Rajya Sabha:

1. It can declare a subject of State List as a subject of National Importance.
2. Powers of Rajya Sabha are equal to that of Lok Sabha in view of constitutional amendment bills.
3. Rajya Sabha has a term of six years.

How many of the above statements is/are correct?

- A. Only one
- B. Only two
- C. All three
- D. None

Ans - (b)

Explanation:

- **Statement 1 is correct:** Rajya Sabha can declare a subject of State List as a subject of National Importance. As per Article 249, the Parliament can make laws on items in the State List if the Rajya Sabha passes a resolution by two-third majority of its members present and voting.
- **Statement 2 is correct:** The powers and status of the Rajya Sabha are equal to that of the Lok Sabha during introduction and passage of ordinary bills and Constitutional Amendment Bills.
- **Statement 3 is incorrect:** Rajya Sabha is a permanent body and is not subject to dissolution. However, one third of the members retire every second year, and are replaced by newly elected members. Each member is elected for a term of six years.

Q 81. Which of the following are the features of Parliamentary System of government?

1. Majority party rule
2. Dual executive.
3. Collective responsibility
4. Separation of powers

Select the correct answer using the code given below:

- A. Only 1 and 2
- B. Only 2 and 3
- C. Only 1, 2 and 3
- D. 1, 2, 3 and 4

Ans (c)

Explanation:

The following are the features of the parliamentary system: -

- Dual executive.
- Majority party rule
- Collective responsibility.
- Political homogeneity
- Double membership.
- Leadership of prime minister.
- Dissolution of Lower House.
- Fusion of powers (executive is part of legislature)
- The presidential form of government is based on the principle of separation of power among the three organs of the government. **So, option (c) is correct.**

Q 82. With reference to ordinance making powers of President and Governors, consider the following statements:

1. Article 123 talks about the presidential powers to promulgate ordinances, while power of governor to promulgate ordinances is given in Article 213.
2. Ordinances can be promulgated only when both the Houses of the parliament are not in session.
3. The maximum life of an ordinance is 1 month.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans- (a)

Explanation:

- **Statement 1 is correct:** Article 123 of the Indian Constitution talks about the presidential powers to promulgate ordinances. Similarly, Article 213 talks about power of governor to promulgate ordinances.
- **Statement 2 is incorrect:** An ordinance can be promulgated if:
 - Either of the House of the Parliament is not in session
 - President feels a need for immediate action.
- Thus, President can promulgate Ordinance at any time, except when both Houses of Parliament are in session.
- **Statement 3 is incorrect:** The maximum validity of an ordinance is 6 months and 6 weeks. The maximum gap between two sessions of Parliament cannot be more than six months. Also, an ordinance expires after 6 weeks once both houses of the Parliament are in session.

Q 83. As per Article 150 of the Constitution of India, the accounts of the Union and of the States shall be kept in such form as prescribed by the:

- (a) Parliament on advice of Comptroller and Auditor-General
- (b) President on advice of Comptroller and Auditor-General
- (c) Comptroller and Auditor-General on advice of Parliament
- (d) Comptroller and Auditor-General on advice of the Council of Ministers

Ans- (b)

Explanation:

- According to Article 150, Form of accounts of the Union and of the States The accounts of the Union and of the States shall be kept in such form as the President may, on the advice of the Comptroller and Auditor General of India, prescribe. **So, option (b) is correct.**

Q 84. With reference to Vice-President of India, consider the following statements:

1. Vice President of India hold office till the age of 65 years.
2. In the list of order of precedence of the Republic of India, he holds the third position only after President and Prime Minister of India.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (d)

Explanation:

- **Statement 1 is incorrect:** The Vice-President holds office for a term of five years from the date on which he enters upon his office. There is no age limit of 65 years prescribed in the constitution for the post of vice-president of India.
- **Statement 2 is incorrect:** In the list of order of precedence of the Republic of India, he holds the second position only after President of India.

Q 85. Consider the following statement regarding the National Commission for Backward Classes:

1. **Statement I:** Its mandate is to oversee the interests of the economically weaker sections (EWS) of society.
2. **Statement II:** While inquiring into any complaint it has all the powers of a civil court.

Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct and Statement-II is incorrect
- (d) Statement-I is incorrect and Statement-II is correct

Ans: (d)

Explanation:

- **Statement I is incorrect:** Article 338-B of the Constitution provides that there shall be a Commission for the socially and educationally backward classes to be known as the National Commission for Backward Classes.
- The NCBC consists of a Chairperson, Vice-Chairperson and three other Members, who shall all be appointed by the President by warrant under his hand and seal.

- Further, the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.
- **Statement II is correct:** The Commission shall, while investigating any matter or inquiring into any complaint, have all the powers of a civil court.

Q 86. Which of the following is not correct with reference to the Citizens Charter?

- (a) It includes vision and mission statement of the organisation.
- (b) It is legally enforceable and, therefore, is justiciable.
- (c) It stipulates the responsibilities of the citizens.
- (d) It includes the standards of service delivery.

Ans: (b)

Explanation:

- The Citizen's Charter is a document of commitments made by a government organization to the citizens/client groups in respect of the services/schemes being provided to them or to be provided to them. It includes the vision and mission statement of the organization.
- The Citizen's Charter should also stipulate the responsibilities of the citizens in the context of the Charter.
- Citizen's Charter is intended to empower citizens so that they can demand committed standards of service and avail remedies in case of non-compliance by service provider Organizations/Departments.
- The Citizens Charter is not legally enforceable and, therefore, is non-justiciable. However, it is a tool for facilitating the delivery of services to citizens with specified standards, quality and time frames, etc. with commitments from the Organisation and its clients. **So, option (b) is incorrect.**

Q 87. Which of the following statements is/are correct about the Uniform Civil Code (UCC)?

1. It is mentioned under Article 45 of the Constitution.
2. It is based on Gandhian principles.

Select the correct answer using the options given below:

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans- (d)

Explanation:

- **Statement 1 is incorrect:** The Directive Principles of State Policy (DPSP) is mentioned in Part 4 of the Constitution, from Articles 36 to 51. Article 44 is related to Uniform Civil Code, while Article 45 is related to early childhood care and education for all children.
- **Statement 2 is incorrect:** Uniform Civil Code (UCC) is not a part of Gandhian principles, DPSP reflect the ideology of liberalism.

Q 88. Consider the following statements:

1. Matters related to the suitability of candidates for promotions or transfers from one service to another.
2. While making reservations of appointments or posts in favour of any backward class of citizens.
3. Disciplinary matters affecting a person serving under the Government of India in a civil capacity.

On which of the above matters, the Union Public Service Commission (UPSC) is consulted by the government?

- (a) Only 1 and 3
- (b) Only 2
- (c) 1, 2 and 3
- (d) None

Ans: (a)

Explanation:

- The Union Public Service Commission (UPSC) is consulted on the following matters related to personnel management:
 - All matters relating to methods of recruitment to civil services and for civil posts.
 - **Statement 1 is correct:** The principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another. The suitability of candidates for appointments to civil services and posts; for promotions and transfers from one service to another; and appointments by transfer or deputation. The concerned departments make recommendations for promotions and request the UPSC to ratify them.
 - **Statement 3 is correct:** All disciplinary matters affecting a person serving under the Government of India in a civil capacity.
- The UPSC is not consulted on the following matters:
 - **Statement 2 is incorrect:** While making reservations of appointments or posts in favour of any backward class of citizens.
 - While taking into consideration the claims of scheduled castes and scheduled tribes in making appointments to services and posts.
 - With regard to the selections for Chairmanship or membership of commissions or tribunals, posts of the highest diplomatic nature and a bulk of Group C and Group D services.

Q 89. Consider the following statements about the Shadow Cabinet:

1. It is formed by the opposition party to balance the ruling cabinet.
2. Members of a shadow cabinet have no executive power.
3. It is important feature of Indian parliamentary system.
4. It has its genesis in British cabinet system.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

Ans (c)

Explanation:

- **Statement 1 is correct:** The Westminster system of government includes the shadow ministry or cabinet. It consists of a senior team of opposition spokespersons. They under the direction of the Leader of the Opposition, create an opposition cabinet to the governments and whose members shadow or reflect the positions of each Cabinet member individually.
- **Statement 2 is correct:** Members of a shadow cabinet have no executive power. Their main responsibility is to scrutinise the policies and actions of the government.
- **Statement 3 is incorrect:** Shadow cabinet is not an important feature of Indian parliamentary system. There is no such institution in India.

- **Statement 4 is correct:** It is a unique institution having genesis in British cabinet system.
- The Shadow Cabinet is the team of senior spokespeople chosen by the Leader of the Opposition to mirror the Cabinet in Government.

Q 90. Consider the following statements regarding National Commission for Scheduled Castes (NCSC):

1. It is a statutory body.
2. Its inquiries into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes (SCs).
3. It investigates and monitors all matters relating to the constitutional and other legal safeguards for the SCs.

How many of the statements given above is/are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans: (b)

Explanation:

- **Statement 1 is incorrect:** Article 338 of the Constitution established the National Commission for Scheduled Castes. It is thus a constitutional body.
- The functions of the Commission are:
 - **Statement 3 is correct:** To investigate and monitor all matters relating to the constitutional and other legal safeguards for the SCs and to evaluate their working.
 - **Statement 2 is correct:** To inquire into specific complaints with respect to the deprivation of rights and safeguards of the SCs.
 - To participate and advise on the planning process of socio-economic development of the SCs and to evaluate the progress of their development under the Union or a state;
 - To present to the President, annually and at such other times as it may deem fit, reports upon the working of those safeguards;

Q 91. How many of the following hold(s) the office during the pleasure of the President?

1. Governor
2. Comptroller and Auditor General
3. Attorney General of India
4. State Election Commissioner

Select the correct answer using the options given below:

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

Ans- (b)

Explanation:

- The attorney general is appointed by the President of India at the instance of the Union Cabinet under Article 76(1) of the Constitution and hold office during the pleasure of the President. The Governor of a state also holds office during the pleasure of the President.
- Comptroller and Auditor General (CAG) can be removed by the President on the same grounds and in the same manner as a judge of the Supreme Court. He does not hold his office till the pleasure of the President. Similarly, the state election commissioner cannot be removed from office except on the grounds and manner specified for judge of High Court. **So, option (b) is correct.**

Q 92. With reference to the 'General consent to CBI', consider the following statements:

1. It is given to CBI to investigate cases of corruption against central government employees in the concerned state.
2. Ministry of Home Affairs is the nodal authority to grant consent.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (a)

Explanation:

- **Statement 1 is correct:** CBI is governed by the Delhi Special Police Establishment Act that makes consent of a state government mandatory for conducting investigation in that state. "General consent" is normally given to help the CBI seamlessly conduct its investigation into cases of "corruption against central government employees in the concerned state."
- **Statement 2 is incorrect:** Delhi Special Police Establishment Act, 1946 confers the power to grant or withdraw the consent upon the states.
- Recently, Andhra Pradesh and West Bengal governments withdrew "general consent" to the CBI for investigating cases in their respective states. It means the CBI will not be able to register any fresh case involving a central government official or a private person stationed in these two states without getting case-specific consent.

Q 93. How many of the following statements is/are incorrect regarding the emoluments of the President?

1. It can be reduced during a Financial Emergency.
2. They do not require any parliament sanction.
3. These are charged on the Contingency Fund of India.

Select the correct answer using the code given below:

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

Ans- (b)

Explanation:

- **Statement 1 is correct:** During Financial emergency, all the money bills and budget of the states must be reserved for the consideration of the President. Salaries of important personalities (President, VP, CAG etc) can be reduced.
- **Statement 2 is correct:** Emoluments to the President and judges of the Supreme Court do not require and parliament sanction and thus are shown separately in the budget.
- **Statement 3 is incorrect:** Emoluments of the president are charged on the Consolidated Fund of India and not the contingency fund.

Q 94. Consider the following statement:

1. The Lokpal chairperson receives the same salary and allowances as the Chief Justice of India.
2. The administrative expenses of the Lokpal are charged upon the Consolidated Fund of India.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (c)

Explanation:

- **Statement 1 is correct:** According to the Lokpal and Lokayuktas Act, 2013, the chairperson of the Lokpal receives the same salary and allowances as the Chief Justice of India. The members of the Lokpal receive the same salary and allowances as the justices of the Supreme Court.
- **Statement 2 is correct:** The administrative expenses of the Lokpal, including all salaries, allowances and pensions of the Chairperson, Members or Secretary or other officers or staff of the Lokpal, will be charged upon the Consolidated Fund of India and any fees or other money taken by the Lokpal shall form part of that Fund.

Q 95. As per the provisions mentioned in the Indian Constitution, if the President dies while in office, the vice President can act as President for a maximum period of?

- (a) Five years
- (b) One year
- (c) Three months
- (d) Six months

Ans- (d)

Explanation:

- When the President dies in office and Vice President takes over as President, he can continue serving as the President for a maximum of 6 months within which a new President shall be elected. **So, option (d) is correct.**

Q 96. Consider the following statements regarding Official Language Commission:

1. **Statement I:** It is a statutory body constituted under the provisions of The Official Languages Act, 1963.
2. **Statement II:** The Commission can make recommendations to the President related to restrictions on the use of English language for official purposes of the Union.

Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct and Statement-II is incorrect
- (d) Statement-I is incorrect and Statement-II is correct

Ans: (d)

Explanation:

- **Statement I is incorrect:** The Official Languages Act, 1963 provides for the languages which may be used for the official purposes of the Union. However, it does not constitute the Official Language Commission as a statutory body. The Official Language Commission was established by the President of India under the provisions of Article-344 of the Indian Constitution.
- **Statement II is correct:** The Commission can indeed make recommendations to the President related to the progressive use of the Hindi language for the official purposes of the Union and restrictions on the use of English for such purposes.

Q 97. Consider the following statement regarding the violation of the Model Code of Conduct (MCC):

1. Transfer of an election official can be done without prior approval of the Election Commission.
2. Combining official visit with electioneering work by the Prime Minister is permitted.

Which of the statements given above is/are correct?

- (a) Only 1
- (b) Only 2
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (b)

Explanation:

- The Model Code of Conduct (MCC) is a set of guidelines issued by the Election Commission of India for political parties and candidates to religiously abide by, for free and fair elections.
- **Statement 1 is incorrect:** The Model Code of Conduct (MCC) stipulates a total ban on the transfer and posting of all officers/officials directly or indirectly connected with the conduct of the election. If any transfer or posting of an officer is considered necessary, prior approval of the Commission shall be obtained.
- **Statement 2 is correct:** The Ministers shall not combine their official visit with electioneering work and shall not also make use of official machinery or personnel during the electioneering work however, the Commission has exempted the Prime Minister from the operation of the model code of conduct provision pertaining to the combining of official visit with electioneering visit.

Q 98. Consider the following statements regarding the National e-Governance Services Delivery Assessment (NeSDA) framework:

1. **Statement I:** It emphasizes on the quality of the e- Governance service delivery mechanism from the citizen's perspective.
2. **Statement II:** The framework covers services under G2B (especially to small businesses) and G2C segments across all sectors of the economy.

Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct and Statement-II is incorrect
- (d) Statement-I is incorrect and Statement-II is correct

Ans: (c)

Explanation:

- **Statement I is correct:** The National e-Governance Services Delivery Assessment (NeSDA) framework was conceptualized and launched in August 2018. The assessment framework emphasizes on the effectiveness/quality of the e- Governance service delivery mechanism from the citizens perspective.
- **Statement II is incorrect:** The NeSDA framework primarily assessed all the service portals (State/UT and Central Ministry service portals) on 7 key parameters, viz. Accessibility, Content Availability, Ease of Use, Information Security & Privacy, End service Delivery, Integrated Service Delivery and Status & Request Tracking. The framework covers six sectors, viz. Finance, Labour & Employment, Education, Local Government & Utilities, Social Welfare (including Agriculture & Health) and Environment (including Fire) sectors. The framework covers services under G2B (especially to small businesses) and G2C segments, in these six sectors.

Q 99. Which of the following offices are attached to NITI Aayog?

1. Development Monitoring and Evaluation Office.
2. Cell for IPR Promotion Management (CIPAM) and
3. National Institute of Labour Economics Research and Development

Select the correct answer using the code given below.

- (a) Only 1 and 2
- (b) Only 2 and 3
- (c) Only 1 and 3
- (d) 1, 2 and 3

Ans: (d)

Explanation:

- NITI Aayog was constituted on January 1, 2015. It has replaced the erstwhile Planning Commission. It is non-constitutional, non-statutory body. It has been created by an executive resolution of Government. It is the premier policy 'Think Tank' of the Government of India, providing both directional and policy inputs.
- **Offices attached to NITI Aayog:**
- **Statement 1 is correct:** Development Monitoring and Evaluation Office fulfil the mandate of evaluation and monitoring tasks assigned to NITI Aayog.
- **Statement 2 is correct:** National Institute of Labour Economics Research and Development (NILERD) is involved in research, data collection, and education and training programmes in all aspects of human capital planning, human resource development, monitoring and evaluation.
- **Statement 3 is correct:** Cell for IPR Promotion and Management (CIPAM) is a professional body which ensures focused action on issues related to IPRs and addresses the 7 identified objectives of the National IPR Policy, 2016. It assists in simplifying and streamlining of IP processes, apart from

undertaking steps for furthering IPR awareness, commercialization and enforcement. It is under the aegis of Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry.

Q 100. Which of the following institutions/bodies are considered as 'public authority' under the Right to Information (RTI) Act?

1. Office of Chief Justice of India
2. Office of Attorney General
3. Unaided Religious Trusts
4. Comptroller and Auditor-General of India (CAG)

Select the correct answer using the code given below.

- (a) Only 3 and 4
- (b) Only 1 and 4
- (c) Only 1, 2 and 4
- (d) Only 1 and 2

Ans: (b)

Explanation:

- **Statement 1 is correct:** The Supreme Court has ruled that the office of the Chief Justice of India (CJI) is a public authority under the Right to Information (RTI) Act, 2005.
- **Statement 2 is incorrect:** The Delhi High Court has held that the office of the Attorney General of India (AGI) does not fall within the definition of "public authority" under the RTI Act.
- **Statement 3 is incorrect:** The Hyderabad High Court has held that religious institutions like temples, churches, and mosques that are not funded by the government do not fall within the purview of the Right to Information Act-2005 (RTI)89.
- **Statement 4 is correct:** The Comptroller and Auditor General of India (CAG) is an independent authority under the Constitution of India and is considered a public authority under the RTI Act.

