

## Pre-Mix – 5 MCQs for Prelims

### Subject – Polity

Date – 21<sup>st</sup> March 2023

1. With reference to the Unlawful Activities Prevention Act (UAPA) 1967 consider the following statements:

1. The act is applicable even if the offense is committed outside India.
2. The Union and state government has the power to designate an individual or an organization as a terrorist.

Which of the statements given above is/are correct?

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

2. Which of the following is not the member of selection committee for CBI director as per Lokpal and Lokayuktas Act 2013 ?

- A. Home Minister
- B. Prime Minister
- C. Leader of Opposition in Lok Sabha
- D. Chief Justice of India

3. Consider the following statements :

1. In the M.C Mehta case 1986 , rule of strict liability was imposed
2. Advisory jurisdiction of the Supreme Court is not applicable on pre constitutional treaties/agreements/laws.

Which of the above statements is/are incorrect?

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

4. Which of the following Supreme Court verdicts is either directly or indirectly related to the Right to Life and Liberty under Article 21 of the Indian Constitution?

1. AK Gopalan Case
2. Maneka Gandhi's case
3. Puttaswamy Case
4. Vishaka Guidelines

Select the correct answer using the codes given below:

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

5. Consider the following statements

1. The Representation of Peoples' Act 1951 delineates the criteria for recognition of Political parties as National and State parties.
2. Only recognized political parties are allowed star campaigners during elections.

Which of the above statements is/are correct?

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

## Answers with Explanations

Click [here](#) to watch the following topics on YouTube.

1. With reference to the Unlawful Activities Prevention Act (UAPA) 1967 consider the following statements:

1. The act is applicable even if the offense is committed outside India.
2. The Union and state government has the power to designate an individual or an organization as a terrorist.

Which of the statements given above is/are correct?

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

**Answer : A**

**Explanation**

- **Schedule 1** of the act states that in the opinion of the central government, if any association is unlawful, it may, by notification in the Official Gazette, declare such association to be unlawful.
- In 2019 most recent amendment was made to the act (The Unlawful Activities (Prevention) Amendment Act, 2019) which now empowers the Union Government to designate an individual as a terrorist.
- UAPA incorporated provisions for a Tribunal that must confirm the notification declaring an outfit unlawful within six months.
- The act was amended in 2004,2013,2019.
- **Statement 1 is correct** : The act extends to the whole of India. Anyone in our country who violates this Act's provisions and is found to be responsible is subject to punishment under this Act.
- Any person who commits an offense outside of India that is punishable by this Act would be treated in accordance with its provisions in the same way as if the offense had been committed within India.

2. Which of the following is not the member of selection committee for CBI director as per Lokpal and Lokayuktas Act 2013 ?

- A. Home Minister
- B. Prime Minister
- C. Leader of Opposition in Lok Sabha
- D. Chief Justice of India

**Answer : A**

**Explanation**

- The Director of CBI as Inspector General of Police, Delhi Special Police Establishment, is responsible for the administration of the organisation.
- The Lokpal and Lokayuktas Act (2013) amended the Delhi Special Police Establishment Act (1946) and made the following changes with respect to appointment of the Director of CBI:
- **Appointment Committee:** The Central Government shall appoint the Director of CBI on the recommendation of a three-member committee consisting of the **Prime Minister as Chairperson**, the **Leader of Opposition in the Lok Sabha** and the **Chief Justice of India** or Judge of the Supreme Court (SC) nominated by him.

3. Consider the following statements :

1. In the M.C Mehta case 1986 , rule of strict liability was imposed
2. Advisory jurisdiction of the Supreme Court is not applicable on pre constitutional treaties/agreements/laws.

Which of the above statements is/are incorrect?

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

**Answer : C**

**Explanation**

The Constitution (Article 143) authorizes the president to seek the opinion of the Supreme Court in the two categories of matters:

- (a) On any question of law or fact of public importance which has arisen or which is likely to arise.

(b) On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, Sanad or other similar instruments.

- In the first case, the Supreme Court may tender or may refuse to tender its opinion to the president.
- But, in the second case, the Supreme Court 'must' tender its opinion to the president. In both the cases, the opinion expressed by the Supreme Court is only advisory and not a judicial pronouncement.
- Hence, it is not binding on the president; he may follow or may not follow the opinion.

#### **Absolute liability versus strict liability :**

- The Supreme Court of India established the 'Absolute Liability Principle' in *MC Mehta vs Union of India*, stating that in the case of industries such as Shriram that engage in inherently dangerous activities, the rule of absolute liability will be applied, i.e., any industry involved in hazardous activities that causes harm to the environment or the people through any accident would be held absolutely liable.

**4. Which of the following Supreme Court verdicts is either directly or indirectly related to the Right to Life and Liberty under Article 21 of the Indian Constitution?**

1. AK Gopalan Case
2. Maneka Gandhi's case
3. Puttaswamy Case
4. Vishaka Guidelines

**Select the correct answer using the codes given**

**below:**

- A. 1 and 2 only
- B. 2 and 3 only
- C. 1, 2 and 3 only

D. 1, 2, 3 and 4

**Answer : D**

#### **Explanation**

**Vishakha Guidelines :** The Supreme Court mentions that the security is needed for women at workplace as lack of it inhibits right to dignity and decency under article 21.

**Maneka Gandhi case (1978) :** The Supreme Court overruled its judgment in the Gopalan case by taking a wider interpretation of Article 21. Therefore, it ruled that the right to life and personal liberty of a person can be deprived by law provided the procedure prescribed by that law is reasonable, fair, and just. In other words, it has introduced the American expression 'due process of law'.

**AK Gopalan Case :** Supreme Court took a narrow interpretation of Article 21 and held that the protection under Article 21 is only available against arbitrary executive action and not arbitrary legislative action. This is because of the expression 'procedure established by law' in Article 21, which is different from the expression 'due process of law' contained in the American Constitution.

**Justice K.S. Puttaswamy (Retd) vs Union of India case :** The Supreme Court of India ordered, that the right to privacy is an intrinsic part of the right to life and personal freedom guaranteed by the Indian Constitution under Article 21.

**5. Consider the following statements**

1. The Representation of Peoples' Act 1951 delineates the criteria for recognition of Political parties as National and State parties.
2. Only recognized political parties are allowed star campaigners during elections.

**Which of the above statements is/are correct?**

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

**Answer : D**

**Explanation**

- Consequent to The Election Symbols (Reservation & Allotment) Order, 1968, Election Commission lists out the criteria for recognition of political parties as national or state parties under its Political Parties and Election Symbols Order.
- A 'recognized' National or State party declared as such by the ECI can nominate a maximum of 40 star campaigners.
- An unrecognized political party can nominate a maximum of 20 star campaigners.

# General Studies for UPSC 2024 Mentorship Course **LIVE**



₹ 27,000/-

INSTALMENTS AVAILABLE

<b>Content</b>	Complete GS content (500+ hours)
<b>Essay</b>	Essay content with Evaluation and Mentorship
<b>Current Affairs</b>	Subject- wise Daily Current Affairs
<b>Prelims MCQs</b>	Sectional Quiz Prelims Test Series
<b>Mains Answer Writing</b>	100+ Questions Mains Answer Writing Model Answers & Video Solutions Personalized Answer Evaluation & Feedback
<b>Mentorship</b>	Live Doubt Sessions Access to Telegram Group & Personal 1:1 Mentorship Strategic Mentorship from Selected Candidates Psychological Counseling

☎ 1800-890-3043

✉ [sleepy.classes@gmail.com](mailto:sleepy.classes@gmail.com)