



Sleepy Classes
Awakening Toppers

Pre-Mix
(Polity & Governance)
Compilation
(September to December, 2022)

Questions for Today

1. On which of the following subjects, both the Parliament and State legislature can ordinarily make laws?

1. Drugs
2. Taxes on animals
3. Nomadic tribes
4. Ports other than major ports
5. Labour disputes

Select the correct answer using the code given below:

- A. 1, 2 and 3 only
- B. 2, 3 and 5 only
- C. 1, 3, 4 and 5 only
- D. 1, 2, 3, 4 and 5

2. Consider the following statements:

1. Only State Government can legislate on matters of prevention of the Infectious diseases affecting men, animals or pests.
2. Under the Disaster Management Act, 2005, both State and Central government are empowered to deal with a disaster.

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

3. Consider the following statements in context of interstate river water disputes:

1. Article 262 of the Constitution provides for the adjudication of inter-state water disputes.
2. Vansadhara water dispute is between the states of Odisha and Chattisgarh.
3. Parliament may provide that neither the Supreme Court nor any other court is to

exercise jurisdiction in respect of any such dispute or complaint.

Which of the pairs given above is/are correctly matched?

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

4. In the context of federalism in India, consider the following pairs:

Type of federalism	Example
1.Cooperative federalism	NITI Forum for North East
2.Competitive federalism	Swachh Bharat Ranking system
3.Asymmetric federalism	Artice 371

Which of the pairs given above is/are correctly matched?

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

5. Constitution makes the following provisions with regard to inter-state comity:

1. Adjudication of inter-state water disputes.
2. Coordination through Zonal councils.
3. Mutual recognition of public acts, records and judicial proceedings.
4. Freedom of inter-state trade, commerce and intercourse.

Select the correct code:

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

C. 1, 3 and 4 only

D. 1, 2, 3 and 4

Answer : C

Explanation

The successful functioning of the Indian federal system depends not only on the harmonious relations and close cooperation between the Centre and the states but also between the states inter se. Hence, the Constitution makes the following provisions with regard to inter-state comity:

1. Adjudication of inter-state water disputes.
2. Coordination through inter-state councils.
3. Mutual recognition of public acts, records and judicial proceedings.
4. Freedom of inter-state trade, commerce and intercourse.

In addition, the zonal councils have been established by the Parliament to promote interstate cooperation and coordination.

Answers With Explanation

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1. On which of the following subjects, both the Parliament and State legislature can ordinarily make laws?

1. Drugs
2. Taxes on animals
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4. Ports other than major ports
5. Labour disputes

Select the correct answer using the code given below:

- A. 1, 2 and 3 only
B. 2, 3 and 5 only
C. 1, 3, 4 and 5 only
D. 1, 2, 3, 4 and 5

Answer : C

Explanation

- Both the Parliament and state legislature can make laws with respect to any of the matters enumerated in the Concurrent List. This list has at present 52 subjects (originally 47 subjects).
- Options 1, 3, 4 and 5 are correct. Concurrent List includes matters like electricity, labour welfare, economic and social planning, drugs and poisons, newspapers, education, and administration of justice.
- Option 2 is incorrect. Taxes on animals comes under the State list.

Additional Information:

- 42nd amendment Act 1976 shifted below mentioned five subjects from State list to Concurrent List:
 - Education
 - Forests
 - Protection of wild animals and birds
 - Weights and measures and

- Administration of justice, constitution and organisation of all courts except the Supreme Court and the High Courts
- The concept of 'Concurrent List' in the Indian Constitution has been borrowed from the Constitution of Australia
- While both Central and State Government can legislate on subjects mentioned under Concurrent List, however, in case of any conflict, the law made by the Central Government prevails.
- The matters on which uniformity of legislation throughout the country is desirable but not essential are enumerated in the concurrent list.

2. Consider the following statements:

1. Only State Government can legislate on matters of prevention of the Infectious diseases affecting men, animals or pests.
2. Under the Disaster Management Act, 2005, both State and Central government are empowered to deal with a disaster.

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 : B

Explanation

- **Statement 1 is incorrect:** The subject 'prevention of the infectious or contagious diseases or pests affecting men, animals or plants' is included in the Concurrent List under the Constitution of India. Hence, both central and state government are empowered to legislate on this matter.
- **Statement 2 is correct:** The Disaster Management Act, 2005, clearly defines the powers of the Central government, states, and districts. The law authorizes the NDMA's chairperson, the Prime Minister,

to take decisions to deal with the pandemic, including deciding on relief for victims and special measures for the needy.

- The state chief minister may also invoke special powers under the law for dealing with the pandemic. The Act also provides for state and district level authorities responsible for, among other things, **drawing plans for implementation of national plans and preparing local plans.**

Additional Information

Major Features of The Act:

- **Nodal Agency:**
 - The Act designates the **Ministry of Home Affairs** as the nodal ministry for steering the overall national disaster management.
- **Institutional Structure:** It puts into place a systematic structure of institutions at the national, state and district levels.

National Level Important Entities:

- **The National Disaster Management Authority (NDMA):**
 - It is tasked with **laying down disaster management policies and ensuring timely and effective response mechanisms.**
- **The National Executive Committee (NEC):**
 - It is constituted under **Section 8 of the DM Act** to assist the National Disaster Management Authority in the performance of its functions.
 - The NEC is **responsible for the preparation of the National Disaster Management**
- **Plan** for the whole country and to ensure that it is “reviewed and updated annually.”
 - **The National Institute of Disaster Management (NIDM):**
 - It is an **institute for training and capacity development programs** for managing natural calamities.

• **National Disaster Response Force (NDRF):**

- It refers to **trained professional units** that are called upon for specialized response to disasters

• **State and District level:**

- The Act also provides for state and district level authorities responsible for, among other things, **drawing plans for implementation of national plans and preparing local plans.**
- **State Disaster Management Authority**
- **District Disaster Management Authority.**

- The **Epidemic Diseases Act, 1897**, empowers a state government to prescribe temporary regulations to be observed by the public or any person to prevent the outbreak and spread of a disease. Recently various states have invoked the EDA, 1897, to pass orders and guidelines on social distancing measures, closure of establishments and limitation on activity.

3. Consider the following statements in context of interstate river water disputes:

1. Article 262 of the Constitution provides for the adjudication of inter-state water disputes.
2. Vansadhara water dispute is between the states of Odisha and Chattisgarh.
3. Parliament may provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint.

Which of the pairs given above is/are correctly matched?

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

Answer : C

Explanation:

Statement 1 and 3 are correct. Article 262 of the Constitution provides for the adjudication of inter-state water disputes. It makes two provisions:

- Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution and control of waters of any inter-state river and river valley.
- Parliament may also provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint.
- Statement 2 is *incorrect*.

Table 15.1 Inter-State Water Dispute Tribunals Set-up So Far

Sl. No.	Name	Set-up in	States Involved
1.	Krishna Water Disputes Tribunal-I	1969	Maharashtra, Karnataka and Andhra Pradesh
2.	Godavari Water Disputes Tribunal	1969	Maharashtra, Karnataka, Andhra Pradesh, Madhya Pradesh and Odisha
3.	Narmada Water Disputes Tribunal	1969	Rajasthan, Gujarat, Madhya Pradesh and Maharashtra
4.	Ravi and Beas Water Disputes Tribunal	1986	Punjab, Haryana and Rajasthan
5.	Cauvery Water Disputes Tribunal	1990	Karnataka, Kerala, Tamil Nadu and Puducherry
6.	Krishna Water Disputes Tribunal-II	2004	Maharashtra, Karnataka and Andhra Pradesh
7.	Vansadhara Water Disputes Tribunal	2010	Odisha and Andhra Pradesh
8.	Mahadayi Water Disputes Tribunal	2010	Goa, Karnataka and Maharashtra
9.	Mahanadi Water Disputes Tribunal	2018	Odisha and Chhattisgarh

4. In the context of federalism in India, consider the following pairs:

Type of federalism	Example
1.Cooperative federalism	NITI Forum for North East
2.Competitive federalism	Swachh Bharat Ranking system
3.Asymmetric federalism	Article 371

Which of the pairs given above is/are correctly matched?

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

Answer : D

Explanation

- Pair 1 is correct: The cooperative federalism involves the Centre and States governments cooperating with each other for the overall development of the nation.
 - Eg. Centrally sponsored schemes are jointly funded by the Centre and states. Thus, centre and states cooperate in the funding of these scheme.
 - Eg.Cooperative federalism involves the participation of the States in the creation and implementation of the policies for the development of the country.
 - Eg. NITI forum for North east – coordination between Centre and North East states
- **Pair 2 is correct:** In Competitive federalism States compete among themselves and also with the Centre for benefits. States compete with each other to attract funds and investment, which facilitates efficiency in administration and enhances developmental activities. To promote the concept of competitive federalism in India, the union government started taking several measures in that direction.
 - NITI Aayog endeavours to promote competitive federalism by facilitating improved performance of States/UTs. It encourages healthy competition between the States through transparent rankings in various sectors, along with a hand-holding approach. Swachh Bharat Ranking system and Ease of doing business ranking for states is one such example.
- **Pair 3 is correct:** Asymmetric federalism is found in a federation in which different constituent states possess different powers. One state has considerably more independence than the other states, though they have the same constitutional status. Example- Most of Northeast states enjoy special powers especially for the tribal areas under Article 371.

5. Constitution makes the following provisions with regard to inter-state comity:

1. Adjudication of inter-state water disputes.
2. Coordination through Zonal councils.
3. Mutual recognition of public acts, records and judicial proceedings.
4. Freedom of inter-state trade, commerce and intercourse.

Select the correct code:

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

Answer : C

Explanation

- The successful functioning of the Indian federal system depends not only on the harmonious relations and close cooperation between the Centre and the states but also between the states inter se. Hence, the Constitution makes the following provisions with regard to inter-state comity:
 - Adjudication of inter-state water disputes.
 - Coordination through inter-state councils.
 - Mutual recognition of public acts, records and judicial proceedings.
 - Freedom of inter-state trade, commerce and intercourse.

In addition, the zonal councils have been established by the Parliament to promote interstate cooperation and coordination.

Questions for Today

1. According to the Constitution of India, it is the duty of the President of India to cause to be laid before the Parliament which of the following?

1. The Recommendations of the Union Finance Commission
2. The Report of the Public Accounts Committee
3. The Report of the National Human Rights Commission
4. The Report of the National Commission for Scheduled Castes

Select the correct answer using the codes given below:

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

2. Which of the following cabinet committee is often described as the "Super-Cabinet"?

- A. The Political Affairs Committee
- B. Parliamentary Affairs Committee
- C. Appointments Committee
- D. The Economic Affairs Committee

3. Consider the following statements:

1. The Executive Power of the Union of India is vested in the Prime Minister.
2. The Prime Minister is the ex Officio Chairman of the Civil Services Board.

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

4. Which of the following is/are the function/functions of the Cabinet Secretariat?

1. Preparation of agenda for Cabinet Meetings
2. Secretariat assistance to Cabinet Committees
3. Allocation of financial resources to the Ministries

Select the correct answer using the code given below:

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

5. Consider the statements with reference to the powers of the President :

1. Suspensive veto exercised by the President can be overridden by a repassage of the bill by the same majority.
2. The President can keep a bill, passed by parliament, pending for an indefinite period.
3. Pardoning power is to be exercised by the president on the advice of the Union cabinet.

Select the correct answer using the code given below:

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

Answer with Explanation

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Select the correct answer using the codes given below:

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

Answer : C

Explanation

The President lays Reports and Statements before the parliament of the following bodies,

- Reports of Auditor General
- Annual report of UPSC
- Reports of Finance Commission
- Reports of Special officers of SC & ST
- Reports of Special officers for linguistic minorities
- Annual Financial statements
- Central Vigilance Commission
- Report of the National Commission for Scheduled Castes and Scheduled Tribes
- Report of the National Commission of Backward Classes

- **Option 3 is incorrect.** The National Human Rights Commission submits its annual or special reports to the Central Government and to the concerned State Governments.
- **Option 2 is incorrect.** Public Accounts Committee submits its report to the Lok Sabha Speaker.

2. Which of the following cabinet committee is often described as the "Super-Cabinet"?

- A. The Political Affairs Committee
- B. Parliamentary Affairs Committee
- C. Appointments Committee
- D. The Economic Affairs Committee

Answer : A

Explanation

- Of all the Cabinet Committees, the most powerful is the Political Affairs Committee, often described as a "Super-Cabinet". It is also known as 'super cabinet,' as it consists of most important Cabinet ministers.

3. Consider the following statements:

1. The Executive Power of the Union of India is vested in the Prime Minister.
2. The Prime Minister is the ex Officio Chairman of the Civil Services Board.

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 : D

Explanation

- **Statement 1 is incorrect.** All executive actions of the Government

of India are formally taken in the name of President. He can make rules specifying the manner in which the orders and other instruments made and executed in his name shall be authenticated. He also can make rules for more convenient transaction of business of the Union government, and for allocation of the said business among the ministers. Thus, **the executive power of the Union of India is not vested in the Prime Minister, but in the President.**

- **Statement 2 is incorrect. Cabinet secretary (not Prime Minister) is the ex-officio chairman of the Civil Services Board.** The Cabinet Secretariat functions directly under the Prime Minister. The administrative head of the Secretariat is the Cabinet Secretary who is also the ex-officio Chairman of the Civil Services Board. The business allocated to Cabinet Secretariat under Government of India (Allocation of Business) Rules, 1961 includes (i) Secretarial assistance to the Cabinet and Cabinet Committees; and (ii) Rules of Business.

4. Which of the following is/are the function/functions of the Cabinet Secretariat?

1. Preparation of agenda for Cabinet Meetings
2. Secretariat assistance to Cabinet Committees
3. Allocation of financial resources to the Ministries

Select the correct answer using the code given below:

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

Answer : C

Explanation

Option c is correct.

- The Cabinet Secretariat is responsible for the administration of the Government of India (Transaction of Business) Rules, 1961 and the Government of India (Allocation of Business) Rules 1961.
- This Secretariat provides Secretarial assistance to the Cabinet and its Committees, and also assists in decision-making in Government by ensuring Inter-Ministerial coordination. It also prepares agenda for Cabinet Meetings.
- The Cabinet Secretariat ensures that the President, the Vice President and Ministers are kept informed of the major activities of all Ministries/Departments by means of monthly summary of their activities.
- The Cabinet Secretary is the ex-officio head of the Civil Services Board, the Cabinet Secretariat, the Indian Administrative Service and head of all civil services under the rules of business of the Government.
- The Cabinet Secretariat is under the direct administration of the Prime Minister. The Prime Minister sets up different Cabinet Committees with selected members of the Cabinet and assigns specific functions to these Committees.
- Statement 3 is **not** correct. **It does not allocate financial resources to the Ministries.** The Ministry of Finance, Department of Expenditure is entrusted with the allocation of financial resources to the Ministries.

5. Consider the statements with reference to the powers of the President :

1. Suspensive veto exercised by the President can be overridden by a repassage of the bill by the same majority.
2. The President can keep a bill, passed by parliament, pending for an indefinite period.
3. Pardoning power is to be exercised by the president on the advice of the Union cabinet.

Select the correct answer using the code given below:

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

Answer : D

Explanation

Statement 1 is correct.

- When a bill is passed by Parliament, it has to be presented to the Indian President for his approval. It is up to the President of India to either reject the bill, return the bill or withhold his/her assent to the bill. The choice of the President over the bill is called the veto power.
- The President exercises **Suspensive Veto** when he returns a bill for reconsideration of the Parliament. The **presidential veto is overridden by a re-passage of the bill** by the same ordinary majority.
- **Statement 2 is correct.** The President can decide to neither ratify nor reject nor return a bill, he can simply keep the bill pending for an indefinite period. This power of the President not to take any action either positive or negative on the bill is known as the **pocket veto**.

- **Statement 3 is correct.** The supreme court examined the pardoning power of president and laid down some guidelines like the **pardoning power is to be exercised by President on the advice of the Union Cabinet**, the petitioner for mercy has no right to an oral hearing by President, the President is not bound to give reasons for his order etc.
 - President's pardon/rejection/delay is also subjected to judicial review if the presidential decision is arbitrary, irrational, mala fide or discriminatory.
 - There is no time frame for the President for the disposal of mercy petition.

Additional Information:

The President of India enjoys three 'Veto', which are **absolute veto, suspensive veto and pocket veto**. There is **no qualified veto** in the case of Indian President but American president have it.

- **Absolute veto is withholding of assent to the bill passed by the legislature.** It refers to the power of the President to withhold his assent to a bill passed by the Parliament.
- **Suspensive veto is a veto which can be overridden by the legislature with an ordinary majority.** It is **Qualified veto** is veto which can be overridden by the legislature with a **higher majority** (3/4th member present and voting).
- **Pocket veto is a veto where no action is taken** on the bill passed by the legislature. President neither ratifies nor rejects nor returns the bill, but simply **keeps the bill pending** for an indefinite period. The President can exercise this veto power as the **Constitution does not prescribe any time-limit** within which he has to take the decision with respect to a bill presented to him for his assent.

Questions for Today

1. Consider the following pairs regarding various grants made by the Parliament:

Grants	Purpose/objective
1. Additional Grant	Granted for additional expenditure upon some new service not contemplated in the budget for that year.
2. Supplementary Grant	Granted when funds to meet the proposed expenditure on a new service can be made available by reappropriation.
3. Vote of credit	Granted for meeting an unexpected demand upon the resources of India.

Which of the pairs given above are correctly matched?

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

2. Consider the following statements with reference to ordinary bills:

- When the President returns the bill for reconsideration of the parliament and if it is passed by both the Houses again with or without amendments, the president must give his/her assent to the bill.
- When the President returns the bill for reconsideration of the state legislature and if it is passed by the House or Houses again with or without amendments, the president must give his/her assent to the bill.

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

3. A deadlock between the Lok Sabha and the Rajya Sabha calls for a joint sitting of the Parliament during the passage of

- Ordinary Legislation
- Money Bill
- Constitution Amendment Bill

Select the correct answer using the codes given below:

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

4. When the annual Union Budget is not passed by the Lok Sabha

- A. the Budget is modified and presented again
- B. the Budget is referred to the Rajya Sabha for suggestions
- C. the Union Finance Minister is asked to resign
- D. the Prime Minister submits the resignation of Council of Ministers

5. In India, which of the following review the independent regulators in sectors like telecommunications, insurance, electricity, etc.?

- Ad Hoc Committee set up by the Parliament.
- Parliamentary Department Related Standing Committee
- Finance Commission

4. Financial Sector Legislative Reforms Commission
5. NITI Aayog

Select the correct answer using the code given below.

- A. 1 and 2 only
- B. 1, 3 and 4 only
- C. 3, 4 and 5 only
- D. 2 and 5 only

Answers with Explanations

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1. Consider the following pairs regarding various grants made by the Parliament:

Grants	Purpose/objective
1. Additional Grant	Granted for additional expenditure upon some new service not contemplated in the budget for that year.
2. Supplementary Grant	Granted when funds to meet the proposed expenditure on a new service can be made available by reappropriation.
3. Vote of credit	Granted for meeting an unexpected demand upon the resources of India.

Which of the pairs given above are correctly matched?

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

Answer : C

Explanation

- **Pair 1 is correct.** Additional Grant is given when a need has arisen during the current financial year for additional expenditure upon some new service not contemplated in the budget for that year.
- **Pair 2 is incorrect.** Token Grant is given when funds to meet the proposed expenditure on a new service can be made available by reappropriation. Reappropriation involves transfer of funds from one head to another. It does not involve any additional expenditure.
- Supplementary Grant is given when the amount authorised by the Parliament through the appropriation act for a particular service for the current financial year is found to be insufficient for that year.
- **Pair 3 is correct.** **Vote of Credit** is granted for meeting an unexpected demand upon the resources of India, when on account of the magnitude or the indefinite character of the service, the demand cannot be stated with the details ordinarily given in a budget. Hence, it is like a blank cheque given to the Executive by the Lok Sabha.

Additional Information:

Types of Demand for Grants

- Various other Grants are made by the Parliament under extraordinary or special circumstances.

Supplementary Grants

- It is granted when the **amount authorized by Parliament** through the appropriation act for a specific service for the current fiscal year is **found to be insufficient** for that year.
- Before the **end of the fiscal year**, the grant is presented to Parliament and approved.

- Supplementary, additional, or excess grants are provided by **Article 115**.

Additional Grants

- It is granted **when a need has arisen** during the current financial year for **additional expenditure** upon some new service not contemplated in the budget for that year.

Excess Grants

- It is granted **when money has been spent** on any service during a financial year in excess of the amount granted for that service in the budget for that year. It is **voted by the Lok Sabha** after the financial year.
- Before the demands for excess grants are submitted to the Lok Sabha for voting, they must be **approved by the Public Accounts Committee of Parliament**.

Vote of Credit

- It is granted for meeting an **unexpected demand** upon the resources of India, when on account of the magnitude or the indefinite character of the service.
- The **demand cannot be stated** with the details ordinarily given in a budget.

Exceptional Grants

- It is **not part of the current service** of any financial year.
- It is granted for a **special purpose**.

Token Grants

- It is granted when funds to meet the **proposed expenditure** on a **new service** can be made available by reappropriation.
- Reappropriation involves **transfer of funds** from one head to another. It does not involve any additional expenditure.

- **Supplementary, additional, excess, and exceptional grants, as well as votes of credit, are governed by the same method as a regular budget.**

2. Consider the following statements with reference to ordinary bills:

1. When the President returns the bill for reconsideration of the parliament and if it is passed by both the Houses again with or without amendments, the president must give his/her assent to the bill.
2. When the President returns the bill for reconsideration of the state legislature and if it is passed by the House or Houses again with or without amendments, the president must give his/her assent to the bill.

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

- **Statement 1 is correct.** When the President returns an ordinary bill for reconsideration of the parliament and if it is passed by both the Houses again with or without amendments and again presented to the President, it is obligatory for the President to give his/her assent to the bill. This means that the presidential veto is overridden by a re-passage of the bill by the same ordinary majority. Thus, the President enjoys only a 'suspensive veto'.
- **Statement 2 is incorrect.** When the President returns the bill for reconsideration of the state legislature, the house or houses have to reconsider it within a period of six

months. And if it is passed by the House or Houses again with or without amendments, the constitution does not specify whether it is obligatory on the part of the President to give his/her assent.

3. A deadlock between the Lok Sabha and the Rajya Sabha calls for a joint sitting of the Parliament during the passage of

1. Ordinary Legislation
2. Money Bill
3. Constitution Amendment Bill

Select the correct answer using the codes given below:

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

Answer : A

Explanation

- A deadlock between the Lok Sabha and the Rajya Sabha calls for a joint sitting of the Parliament during the passage of only ordinary legislation in the above situation.
- Joint sitting is an extraordinary machinery provided by the Constitution to resolve a deadlock between the two Houses over the passage of a bill.
- It must be noted here that the provision of joint sitting is applicable to ordinary bills or financial bills only and not to money bills or Constitutional amendment bills.
- In the case of a money bill, the Lok Sabha has overriding powers, while a Constitutional amendment bill must be passed by each House separately.

Additional Information

Joint Sitting-

- Article 108 of the Indian Constitution provides for a joint sitting of both Houses of Parliament.
- Accordingly, a joint session can be summoned when:
 - If after a bill is passed by one House and transmitted to the other House -
 - The other House rejects this bill, or
 - The Houses do not agree on the amendments made to the bill, or
 - More than six months elapse with the bill being received by the other House without it being passed.
 - Then, the President can summon a joint sitting unless the bill had elapsed because of the Lok Sabha's dissolution.
- Exception-
 - The joint sitting is held to resolve the deadlock over the ordinary or the finance bills only.
 - But joint sitting cannot be held in the case of Money bills or constitutional amendment bills.

The joint sitting of the Parliament:

- It is called by the President (Article 108).
- It is presided over by the Speaker.
- In his absence, it is presided over by the Deputy Speaker of the Lok Sabha, or in his absence, the Deputy-Chairman of the Rajya Sabha presides.
- The Chairman doesn't preside over the joint session.
- If any of the above officers are not present then any other member of the Parliament can preside by consensus of both the House.

4. When the annual Union Budget is not passed by the Lok Sabha

- A. the Budget is modified and presented again
- B. the Budget is referred to the Rajya Sabha for suggestions
- C. the Union Finance Minister is asked to resign
- D. the Prime Minister submits the resignation of Council of Ministers

Answer : D

Explanation

- When the annual Union Budget is not passed by the Lok Sabha, the Prime Minister submits the resignation of Council of Ministers.
- The annual budget is a money bill and if the budget is not passed in parliament, then it can be understood that the ruling party has lost its majority in house. It means the government has lost the confidence vote in the Lok Sabha and it has to resign.

5. In India, which of the following review the independent regulators in sectors like telecommunications, insurance, electricity, etc.?

1. Ad Hoc Committee set up by the Parliament.
2. Parliamentary Department Related Standing Committee
3. Finance Commission
4. Financial Sector Legislative Reforms Commission
5. NITI Aayog

Select the correct answer using the code given below.

- A. 1 and 2 only
- B. 1, 3 and 4 only
- C. 3, 4 and 5 only
- D. 2 and 5 only

Answer : A

Explanation

- Independent regulatory authorities are agencies of modern democratic governments. They are parts of the executive wing with a certain degree of statutory or constitutional autonomy, reporting directly to the legislature. Like the general executive, they are **accountable to the legislature and subject to judicial review**.
- Ad Hoc Committee set up by the Parliament and Parliamentary Department Related Standing Committee review the independent regulators in sectors like telecommunications, insurance electricity, etc.
- Finance Commission and NITI Aayog are advisory bodies and do not review the independent regulators in sectors like telecommunications.
- Financial Sector Legislative Reforms Commission (FSLRC) also had no role in reviewing independent regulators.

Questions for Today

1. Consider the following statements:

1. Calling Attention Motion is an Indian innovation in the parliamentary procedure.
2. Adjournment Motion is allowed to be used in the Lok Sabha only.
3. Privilege Motion is initiated to disqualify whole Council of minister for the breach of Parliamentary privileges.

Which of the statements given above are correct?

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

2. With reference to Panel of Chairperson of Lok Sabha, which of the following statements is/are correct?

1. Panel of Chairperson is nominated by different political parties and appointed by Speaker of Lok Sabha.
2. Panel of Chairperson consist of 10 members and one of them presides over the House when both Speaker and Deputy Speaker are absent.

Select the correct answer using the code given below:

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

3. With reference to parliamentary committees, which one of the following statements is *incorrect*?

- A. Members of Departmental Standing Committees are nominated from both the Houses of parliament.

B. Public Account Committee is not empowered to disallow expenditures by the departments.

C. Consultative committees are constituted by the Speaker

D. Select Committees are constituted for a specific purpose and they are disbanded after their report.

4. Consider the following statements with reference to the Committee on Ethics in Parliament:

1. Recently it had been mandated to formulate a code of conduct for Lok Sabha members only.
2. It has been constituted for every newly elected Lok Sabha since 13th Lok Sabha.
3. It examines the cases of breach of privileges of the House.

Which of the statements given above is/are correct?

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

5. With reference to the Parliament of India, which of the following Parliamentary Committees scrutinizes and reports to the House whether the powers to make regulations, rules, sub-rules, by-laws, etc. conferred by the Constitution or delegated by the Parliament are being properly exercised by the Executive and is within the scope of such delegation?

- A. Committee on Government Assurances
- B. Committee on Subordinate Legislation
- C. Rules Committee
- D. Business Advisory Committee

Answers with Explanations

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1. Consider the following statements:

1. Calling Attention Motion is an Indian innovation in the parliamentary procedure.
2. Adjournment Motion is allowed to be used in the Lok Sabha only.
3. Privilege Motion is initiated to disqualify whole Council of minister for the breach of Parliamentary privileges.

Which of the statements given above are correct?

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

Answer : C

Explanation

- **Statement 1 is correct.** Calling attention motion is introduced in the Parliament by a member **to call the attention of a minister to a matter of urgent public importance, and to seek an authoritative statement from him on that matter.**
- Like the zero hour, it is also an Indian innovation in the parliamentary procedure and has been in existence since 1954. However, unlike the zero hour, it is mentioned in the Rules of Procedure.
- **Statement 2 is correct.** Adjournment Motion is introduced in the Parliament to draw attention of the House to a definite matter of urgent public importance. **It involves an element of censure against the government and hence Rajya Sabha**

is not permitted to make use of this device.

- **Statement 3 is incorrect.** **Privilege Motion** is concerned with the breach of parliamentary privileges by a minister. It is moved by a member when he feels that a minister has committed a breach of privilege of the House or one or more of its members by withholding facts of a case or by giving wrong or distorted facts. Its purpose is to censure the concerned minister.

2. With reference to Panel of Chairperson of Lok Sabha, which of the following statements is/are correct?

1. Panel of Chairperson is nominated by different political parties and appointed by Speaker of Lok Sabha.
2. Panel of Chairperson consist of 10 members and one of them presides over the House when both Speaker and Deputy Speaker are absent.

Select the correct answer using the code given below:

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

Answer : B

Explanation

- Under the Rules of Lok Sabha, the Speaker of Lok Sabha nominates from amongst the members a panel of not more than ten chairpersons.
- **Statement 1 is correct.** Panel of Chairperson is nominated by different political parties and appointed by Speaker, Lok Sabha. As per the procedure, leaders of different parties suggest names of their members for

the panel, after that the Speaker appoints them to the panel.

- **Statement 2 is correct.** Panel of Chairperson consist of 10 members and any one of the chairpersons can preside over the House in the absence of the Speaker or the Deputy Speaker.

3. With reference to parliamentary committees, which one of the following statements is incorrect?

- A. Members of Departmental Standing Committees are nominated from both the Houses of parliament.
- B. Public Account Committee is not empowered to disallow expenditures by the departments.
- C. **Consultative committees are constituted by the Speaker**
- D. Select Committees are constituted for a specific purpose and they are disbanded after their report.

Answer : C

Explanation

- **Option A is correct:** Departmental Standing Committee consists of 31 members **(21 from Lok Sabha and 10 from Rajya Sabha)**. The members of the Lok Sabha are nominated by the Speaker from amongst its own members, just as the members of the Rajya Sabha are nominated by the Chairman from amongst its members.
- **Option B is correct:** The Public Account Committee (PAC) is **not vested with the power of disallowance of expenditures** by the departments. The committee just examines public expenditure from legal and formal point of view to discover technical irregularities.
- **Option C is incorrect:** Consultative Committees are constituted **by the Ministry of Parliamentary Affairs**. These are attached to various

ministries/departments of the Central Government. They consist of members of both the Houses of Parliament.

- **Option D is correct:** There is a Select Committee on a Bill. This is formed for examining a particular Bill and its membership is limited to MPs from one House.
- Under Rule 125 of the Rajya Sabha Rules and Procedures, any member may move as an amendment that a bill be referred to a select committee and, if the motion is carried, the bill shall be referred to such a committee. The House decides the members of such committee.
- Select Committees are constituted for a specific purpose and they are disbanded after their report. It is chaired by MPs from the ruling party.

4. Consider the following statements with reference to the Committee on Ethics in Parliament:

1. Recently it had been mandated to formulate a code of conduct for Lok Sabha members only.
2. It has been constituted for every newly elected Lok Sabha since 13th Lok Sabha.
3. It examines the cases of breach of privileges of the House.

Which of the statements given above is/are correct?

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

Answer : A

Explanation

- Committee on Ethics enforces the code of conduct of members of Parliament. It examines the cases of misconduct and recommends

appropriate action. Thus, it is engaged in maintaining discipline and decorum in Parliament.

- Ethics Committee was constituted in Rajya Sabha in 1997 and in Lok Sabha in 2000.

Statement 1 and 2 are correct.

- The Ethics Committee has been constituted for every newly elected Lok Sabha (since 13th Lok Sabha).
- The Ethics Committee was mandated in August 2015 to formulate a code of conduct for Lok Sabha members and suggest amendments to the code from time to time.
- A 14-point Code of Conduct for members of the Rajya Sabha House has been in force since 2005.
- **Statement 3 is incorrect.** Committee of Privileges (not Committee on Ethics) examines the cases of breach of privileges of the House and its members.

<https://indianexpress.com/article/india/ethics-panel-set-to-form-code-of-conduct-for-lok-sabha-mps-6147466/>

5. With reference to the Parliament of India, which of the following Parliamentary Committees scrutinizes and reports to the House whether the powers to make regulations, rules, sub-rules, by-laws, etc. conferred by the Constitution or delegated by the Parliament are being properly exercised by the Executive and is within the scope of such delegation?

- A. Committee on Government Assurances
- B. Committee on Subordinate Legislation
- C. Rules Committee
- D. Business Advisory Committee

Answer : B

Explanation

- Option A is *incorrect*. Committee on government assurances- checks the assurances, promises and undertakings given by ministers from time to time on the floor of the House and reports on the extent to which they have been carried through.
- Option B is correct. Committee on Subordinate legislation examines and reports to the House whether the powers to make regulations, rules, sub-rules and bye-laws delegated by the Parliament or conferred by the Constitution to the Executive are being properly exercised by it.
- Option C is *incorrect*. Rules committee considers the matters of procedure and conduct of business in the House and recommends necessary amendments or additions to the rules of the House.
- Option D is *incorrect*. Business advisory committee regulates the program and time table of the House. It allocates time for the transaction of legislative and other business brought before the House by the government.

Questions

1. The word 'fraternity' in the preamble of the Constitution of India promotes

1. Sense of brotherhood
2. Renunciation of derogatory practices against women
3. Unity and integrity of the nation

Select the correct answer using the code given below:

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

2. Which one of the following reflects the most appropriate relationship between law and liberty

- A. If there are more laws, there is less liberty.
- B. If there are no laws, there is no liberty.
- C. If there are liberty laws have to be made by the people.
- D. If laws are changed too often, liberty is in danger.

3. Which of the following are members of the general purposes committee of the Lok Sabha?

1. Speaker of the house
2. Deputy speaker
3. Chairpersons of all the departmental standing committees in the house.
4. Leaders of the recognized parties in the house
5. Members of panel of Chairpersons

Select the correct answer using the code given below:

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

- C. 1, 3 and 4 only
- D. 1, 2, 3, 4 and 5

4. A matter which cannot be raised during question hour, half-an hour discussion, short duration discussion or under adjournment motion, calling attention notice or under any rule of the House can be raised under the extraordinary device in the Rajya Sabha. Its equivalent procedural device in the Lok Sabha is provided under Rule 377.

Which of the following Parliamentary device is being described in the above paragraph?

- A. Special Mention
- B. Short Duration Discussion
- C. Point of Order
- D. Calling Attention Motion

5. Which of the following fundamental rights are available to both citizens as well as foreigners?

1. Protection against arrest and detention in certain cases
2. Freedom of speech and expression.
3. Prohibition of forced labor
4. Protection of interests of minorities.

Select the correct answer using the code given below:

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

Answers with Explanations

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

1. The word 'fraternity' in the preamble of the Constitution of India promotes

1. Sense of brotherhood
2. Renunciation of derogatory practices against women
3. Unity and integrity of the nation

Select the correct answer using the code given below:

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

Answer: - D

Explanation

- **Fraternity** means a sense of **brotherhood**. The Constitution promotes this feeling of fraternity by the system of **single citizenship**. The Preamble declares that fraternity has to assure two things –
- The dignity of the individual
- The unity and integrity of the nation.
- The word 'integrity' has been added to the preamble by the 42nd Constitutional Amendment (1976).

2. Which one of the following reflects the most appropriate relationship between law and liberty

- A. If there are more laws, there is less liberty.
- B. **If there are no laws, there is no liberty.**
- C. If there are liberty laws have to be made by the people.
- D. If laws are changed too often, liberty is in danger.

Answer: - B

Concept of Positive and Negative Liberty

- Historically, Liberty was initially thought to be an outcome of complete absence of restraints. This idea of liberty is known as negative liberty. However, later on political thinkers agreed on the fact that an absolute lack of restraints is neither possible nor desirable. This idea of liberty is known as positive liberty. Philosopher John Locke said "where there is no law, there is no freedom". He also wrote that the ultimate aim of the laws was not to abolish or restrain, but to preserve and enlarge freedom.

Option A is incorrect

- Because if there are more laws, it may lead to more liberty as well as laws themselves might be enabling more liberty.

Option B is correct

- In a society without laws, liberty may come under danger because the consequent lawlessness.

Option C is incorrect

- Even a constitutional monarchy like Bhutan can guarantee its people liberty through just laws. On the other hand, even a democracy which has majoritarian politics may deprive certain sections of its minority citizens some of their liberties.

Option D is incorrect

- This may or may not be the case. It would depend on the kind of changes being made to the laws. If the changes are towards bringing more transparencies and accountabilities in the system, then such changes may even improve people's liberties.

3. Which of the following are members of the general purposes committee of the Lok Sabha?

1. Speaker of the house
2. Deputy speaker

3. Chairpersons of all the departmental standing committees in the house.
4. Leaders of the recognized parties in the house
5. Members nominated by the presiding officer

Select the correct answer using the code given below:

- A. 1, 2 and 3 only
- B. 2 and 4 only
- C. 1, 3 and 4 only
- D. 1, 2, 3, 4 and 5

Answer: - D

Explanation

- General Purposes Committee considers and advises on matters concerning affairs of the House, which do not fall within the jurisdiction of any other parliamentary committee. In each House, this committee consists of the presiding officer (Speaker / Chairman) as its Ex-officio chairman, Deputy Speaker (Deputy Chairman in the case of Rajya Sabha), members of panel of chairpersons (panel of vice-chairpersons in the case of Rajya Sabha), chairpersons of all the departmental standing committees of the House, leaders of recognized parties and groups in the House and such other members as nominated by the presiding officer.

4. A matter which cannot be raised during question hour, half-an hour discussion, short duration discussion or under adjournment motion, calling attention notice or under any rule of the House can be raised under the extraordinary device in the Rajya Sabha. Its equivalent procedural device in the Lok Sabha is provided under Rule 377.

Which of the following Parliamentary device is being described in the above paragraph?

- A. Special Mention
- B. Short Duration Discussion

- C. Point of Order
- D. Calling Attention Motion

Answer: - A

Option A is correct

- **Special Mention:** A matter which is not a point of order or which cannot be raised during question hour, half-an hour discussion, short duration discussion or under adjournment motion, calling attention notice or under any rule of the House can be raised under the special mention in the Rajya Sabha. Its equivalent procedural device in the Lok Sabha is known as Notice (Mention) Under Rule 377.

Option b is incorrect

- In **Short Duration Discussion**, the members of the Parliament can raise discussions on a matter of urgent public importance. It is also known as two-hour discussion as the time allotted for such a discussion should not exceed two hours. The Speaker can allot two days in a week for such discussions. There is neither a formal motion before the house nor voting.

Option c is incorrect.

- **Point of Order** is an extraordinary device as it suspends the proceedings before the House. No debate is allowed on a point of order. It is usually raised by an opposition member in order to control the government.
- A member can raise a point of order when the proceedings of the House do not follow the normal rules of procedure. A point of order should relate to the interpretation or enforcement of the Rules of the House or such articles of the Constitution that regulate the business of the House and should raise a question that is within the cognizance of the Speaker.

Option d is incorrect

- **Calling Attention Motion** is introduced by a member to call the attention of a minister to a matter of urgent public importance, and to seek an authoritative statement from him on that matter. It is an Indian innovation in the parliamentary procedure and has been in existence since 1954. It is mentioned in the Rules of Procedure.

5. Which of the following fundamental rights are available to both citizens as well as foreigners?

1. Protection against arrest and detention in certain cases
2. Freedom of speech and expression.
3. Prohibition of forced labour
4. Protection of interests of minorities.

Select the correct answer using the code given below:

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

Answer: - C

Explanation

- Fundamental rights available to both citizens and foreigners (except enemy aliens) -
- **Article 14** - Equality before the law and equal protection of laws.
- **Article 20** - Protection in respect of conviction for offences.
- **Article 21** - Protection of life and personal liberty.
- **Article 21A** - Right to elementary education.
- **Article 22** - Protection against arrest and detention in certain cases.
- **Article 23** - Prohibition of traffic in human beings and forced labour.

- **Article 24** - Prohibition of employment of children in factories etc.
- **Article 25** - Freedom of conscience and free profession, practice and propagation of religion.

Article 26 - Freedom to manage religious affairs.

- **Article 27** - Freedom from payment of taxes for promotion of any religion.
- **Article 28** - Freedom from attending religious instruction or worship in certain educational institutions.

Additional information

Fundamental rights available only to citizens and not to foreigners -

- **Article 15** - Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.
- **Article 16** - Equality of opportunity in matters of public employment.
- **Article 19 - Protection of six rights** related to freedom - (a) of speech and expression; (b) to assemble peaceably and without arms; (c) to form associations or unions; (d) to move freely throughout the territory of India; (e) to reside and settle in any part of the territory of India; and (f) to practice any profession, or to carry on any occupation, trade or business.
- **Article 29 - Protection of language, script and culture of minorities.**
- **Article 30** - Right of minorities to establish and administer educational institutions.

Questions for Today

1. Which of the following provisions ensure the independence of judiciary in India?

1. Judges are barred from holding any position in judicial and quasi-judicial authorities post-retirement as per Indian constitution.
2. Parliament has the power to curtail as well as increase the jurisdiction of the Supreme Court.

Select the correct answer using the code given below:

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

2. Consider the following statements with reference to powers of Supreme Court:

1. Supreme Court enjoys a wide appellate jurisdiction.
2. Supreme Court has exclusive original jurisdiction in case of dispute between two or more states.
3. Supreme Court has exclusive original jurisdiction in case of Inter-state water disputes.

Which of the statements given above is/are correct?

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

3. The concept of judicial activism can be seen to be reflecting from which of the the following trends in the Indian political system?

1. Expansion of rights of hearing in the administrative process.
2. Excessive delegation without limitation.
3. Expansion of judicial control over discretionary powers.
4. Enforcing the equality of the other two branches (Legislature and Executive) with the judiciary.
5. Indiscriminate exercise of contempt power.

Select the correct code:

- A. 1 and 2 only
- B. 1, 2, 3 and 5 only
- C. 1, 2, 3 and 4 only
- D. 1, 2, 3, 4 and 5

4. Consider the following statements with reference to Special Leave Petition [SLP] :

1. Special leave to appeal is filed before the Supreme Court under Article 136 of the Constitution.
2. High Courts cannot review their own judgment if the Special leave Petition is rejected by the Supreme Court.
3. SLP is not an appeal but a petition filed for an appeal.

Which of the statements given above is/are correct?

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

5. Consider the following statements with reference to comparison between Indian and American Judiciary:

1. The federal court of America does not have advisory jurisdiction but the Supreme Court of India has advisory jurisdiction.
2. Appellate jurisdiction of the Indian supreme court and the American Supreme court covers only constitutional cases.

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

Answers with Explanations

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1. Which of the following provisions ensure the independence of judiciary in India?

1. Judges are barred from holding any position in judicial and quasi-judicial authorities post retirement as per Indian constitution.
2. Parliament has the power to curtail as well as increase the jurisdiction of the Supreme Court.

Select the correct answer using the code given below:

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

Answer : D

Explanation

Statement 1 is incorrect: Judges are not barred from holding any position in judicial and quasi-judicial authorities post-retirement as per Indian constitution.

Statement 2 is incorrect: According to Article 138, the Constitution allows the Parliament to increase the jurisdiction of the Supreme Court, but the Parliament is not allowed to curtail, i.e., reduce the jurisdiction of the Supreme Court. This saves the judiciary from being stopped from checking legislative excesses or curtailment of fundamental rights, by changing the areas of applicability of their powers.

Additional Information

- The jurisdiction of High Courts mentioned in the Constitution cannot be changed, However the High Court's power and jurisdictions in other regards can be changed - by both the Parliament and the State Legislature.

- According to the Constitution only the salaries, allowances, pensions and administrative expenses of the Supreme Court and the pensions of High Court judges are charged on the Consolidated Fund of India. The salaries, allowances and administrative expenses of the High Court are charged on the Consolidated Fund of State.
- This provision makes the functional expenses of the judiciary non votable by the legislature, thus making the judiciary financially independent.
- The retired judges of the Supreme Court are banned from pleading, or practicing law in any manner in any Court, or in front of any authority within the territory of India. This helps keep the judges impartial in their decisions as they don't have the temptation of pleasing any future employer.

2. Consider the following statements with reference to powers of Supreme Court:

1. Supreme Court enjoys a wide appellate jurisdiction.
2. Supreme Court has exclusive original jurisdiction in case of dispute between two or more states.
3. Supreme Court has exclusive original jurisdiction in case of Inter-state water disputes.

Which of the statements given above is/are correct?

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

Answer : A

Explanation

The Supreme Court is a Federal court, the highest court of appeal, the guarantor of the fundamental rights of the citizens and guardian of the Constitution.

Statement 1 is correct: The Supreme Court is primarily a court of appeal and hears appeals against the judgements 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

Statement 2 is correct: 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 between two or more states.

In the above federal disputes, the Supreme Court has exclusive original jurisdiction.

Statement 3 is incorrect: Further, this exclusive original 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.

3. The concept of judicial activism can be seen to be reflecting from which of the following trends in the Indian political system?

1. Expansion of rights of hearing in the administrative process.
2. Excessive delegation without limitation.
3. Expansion of judicial control over discretionary powers.
4. Enforcing the equality of the other two branches (Legislature and Executive) with the judiciary.
5. Indiscriminate exercise of contempt power.

Select the correct code:

- A. 1 and 2 only
- B. **1, 2, 3 and 5 only**
- C. 1, 2, 3 and 4 only
- D. 1, 2, 3, 4 and 5

Answer : B

Explanation

Option 1, 2, 3 and 5 are correct.

According to Dr. Vandana, the concept of judicial activism can be seen to be reflecting from the following trends, namely,

- Expansion of rights of hearing in the administrative process.
- Excessive delegation without limitation.
- Expansion of judicial control over discretionary powers.
- Expansion of judicial review over the administration.
- Promotion of open government.

- Indiscriminate exercise of contempt power.
- Exercise of jurisdiction when non-exist.
- Over extending the standard rules of interpretation in its search to achieve economic, social and educational objectives.
- Passing of orders which are per se unworkable.
- Option 4 is incorrect. The Supreme Court has mentioned that judicial restraint recognizes the equality of the other two branches (Legislature and Executive) with the judiciary. Judicial restraint also fosters that equality by minimizing inter-branch interference by the judiciary.

4. Consider the following statements with reference to Special Leave Petition [SLP] :

1. Special leave to appeal is filed before the Supreme Court under Article 136 of the Constitution.
2. High Courts cannot review their own judgment if the Special leave Petition is rejected by the Supreme Court.
3. SLP is not an appeal but a petition filed for an appeal.

Which of the statements given above is/are correct?

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

Answer : A

Explanation

Special leave to appeal by the Supreme Court:

- Notwithstanding anything in this Chapter, the Supreme Court may, in its discretion, grant special leave to appeal from any judgment, decree,

determination, sentence or order in any cause or matter passed or made by any court or tribunal in the territory of India.

- Nothing in clause (1) shall apply to any judgment, determination, sentence or order passed or made by any court or tribunal constituted by or under any law relating to the Armed Forces.
- In the case of any SLP , the SC has first to decide in its discretion whether it should grant or deny the requested Special Leave.
- **Statement 1 is correct:** Special leave to appeal is filed before the Supreme Court under Article 136 of the Constitution.
- **Statement 2 is incorrect:** The dismissal of an SLP against an order or judgment of a lower forum is not an affirmation of the same. High Courts can still review their own judgment even if the SLP is rejected by the Supreme Court.
- **Statement 3 is correct:** SLP is not an appeal but a petition filed for an appeal.

5. Consider the following statements with reference to comparison between Indian and American Judiciary:

1. The federal court of America does not have advisory jurisdiction but the Supreme Court of India has advisory jurisdiction.
2. Appellate jurisdiction of the Indian supreme court and the American Supreme court covers only constitutional cases.

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

- **Statement 1 is correct:** The federal court of America does not have advisory jurisdiction but the Supreme Court of India has advisory jurisdiction.
- **Statement 2 is incorrect:** Appellate jurisdiction of the Indian supreme court covers constitutional, criminal and civil cases but appellate jurisdiction of the American Supreme court covers only constitutional cases.

Additional Info

Difference between Indian Supreme court and the American Supreme Court:

- The federal court of America does not have advisory jurisdiction but the Supreme Court of India has advisory jurisdiction.
- The original jurisdiction of the Indian Supreme court covers only federal cases but the original jurisdiction of the American Supreme court covers not only federal cases but also cases related to the naval forces, maritime activities, ambassadors, etc.
- Appellate jurisdiction of the Indian supreme court covers constitutional, criminal and civil cases but appellate jurisdiction of the American Supreme court covers only constitutional cases.
- The jurisdictions and powers of the Indian Supreme court can be enlarged by the Parliament but the jurisdictions and the power of the American Supreme Court are limited to that conferred by the constitution.

Questions for Today

1. Samata judgement is related to

- A. Tribal rights
- B. Workplace sexual harassment
- C. Right to die with dignity
- D. Marriage

2. Consider the following statements with reference to Lok Adalat:

- 1. The Lok Adalat shall have the same powers as are vested in a Civil Court.
- 2. National Legal Services Authority (NALSA) along with other Legal Services Institutions conducts Lok Adalats.
- 3. Only civil cases, and not criminal cases, can be settled in a Lok Adalat.
- 4. Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute.

Which of the statements given above is/are correct?

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

3. Which of the following categories based cases would be entertained as Public Interest Litigation (PIL) by Judiciary :

- 1. Non-payment of minimum wages to workers
- 2. Atrocities on women
- 3. Environmental pollution
- 4. Landlord-tenant matters
- 5. Maintenance of heritage and culture
- 6. Admission to medical education institutions

Select the correct code:

- A. 1, 2, 3 and 5 only
- B. 4 and 5 only
- C. 1, 2, 3, 5 and 6 only
- D. 1, 2, 3, 4, 5 and 6

4. The jurisdiction of Central Administrative Tribunal (CAT) extends to which of the following?

- 1. Members of the defence forces
- 2. All India Services
- 3. Officers of the Supreme Court
- 4. Secretarial staff of the Parliament
- 5. Civilian employees of defence services

Select the correct answer using the code given below:

- A. 2 only
- B. 2 and 5 only
- C. 1, 2 and 3 only
- D. 1, 2, 3 and 5 only

5. Consider the following statements with reference to High Courts:

- 1. The President is authorized to declare a common high court for two or more states.
- 2. The Parliament determines the strength of a high court from time to time depending upon its workload.
- 3. The oath to the Judge of a high court is administered by the governor of that concerned state.

Which of the statements given above is/are correct?

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

Answers with Explanations

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1. Samata judgement is related to

- A. Tribal rights
- B. Workplace sexual harassment
- C. Right to die with dignity
- D. Marriage

Answer : A

Explanation

- **Context:** In this tribal rights case, the tribals allege that the government is trying to **forcefully award the mining rights to private companies, despite a judicial order** against the same. They also contended that the government is trying to subdue their ownership rights as well as mining rights on land which they have owned for generations.

Samata Judgement 1997

- The case pertains to mining rights in the Nimmalapadu village in Andhra Pradesh. The NGO, which filed the case on the behalf of tribals, alleged that the government is trying to **award mining rights to private companies** without obtaining consent from the tribals.

Answer : A

Explanation

Samata Judgement 1997

- This is expressly prohibited under the provisions of Schedule 5 of the Constitution of India and the **Panchayats (Extension to Scheduled Areas), Act, 1996**
- The NGO also alleged that the **government was also a legal person** and it does not have the power to award the mining rights without the consent of the tribals, let alone

transferring the ownership of land from the tribals to private persons.

- It is only the **tribals who have the right to mine the land** for extracting the minerals, either themselves or by forming a cooperative, with financial assistance from the state.
- **Sustainable Mining:** The **Samata judgement** is considered a stellar judgement and is remembered as pinnacle of Judicial intervention in the area of tribal rights.
- In the judgement, the Supreme Court directed that at **least 20% of the profits** obtained from such mining needs to be set aside for the development needs of the tribals, as well as the need for rehabilitation of such lands.
- **Nimmalapadu Village:** The case was fought over the mining rights for the mineral **Calcite**.
- Supreme Court directed that only people belonging to the **Konda Dora tribe** and the cooperatives formed by them have mining rights in the area.
- It also said that private mining is illegal in the area, even if the mining licences or lease is awarded by the Government, effectively impeding the power of Government to award mining licences in the area

2. Consider the following statements with reference to Lok adalat:

1. The Lok Adalat shall have the same powers as are vested in a Civil Court.
2. National Legal Services Authority (NALSA) along with other Legal Services Institutions conducts Lok Adalats.
3. Only civil cases, and not criminal cases, can be settled in a Lok Adalat.

4. Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute.

Which of the statements given above is/are correct?

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

Answer : C

Explanation

- The term 'Lok Adalat' means '**People's Court**' and is based on Gandhian principles.
- As per the Supreme Court, it is an old form of adjudicating system that prevailed in ancient India and its validity has not been taken away even in the modern days too.
- It is one of the components of the **Alternative Dispute Resolution (ADR)** system and delivers informal, cheap and expeditious justice to the common people.
- The first Lok Adalat camp was organised in **Gujarat in 1982** as a voluntary and conciliatory agency without any statutory backing for its decisions.
- In view of its growing popularity over time, it was given statutory status under the Legal Services Authorities Act, 1987. The Act makes the provisions relating to the organisation and functioning of the Lok Adalats.

Statement 1 is correct: The Lok Adalat shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure (1908).

Statement 2 is correct: National Legal Services Authority (NALSA) along with other Legal Services Institutions conducts Lok Adalats.

Statement 3 is incorrect: Both the civil cases and criminal (compoundable) cases can be settled in a Lok Adalat.

Statement 4 is correct: Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute. No appeal shall lie to any court against the award of the Lok Adalat.

Legal Services Authorities Act 1987 :

- The **Supreme Court Legal Services Committee** has been constituted to administer and implement the legal services programme insofar as it relates to the Supreme Court of India
- In every State, a **State Legal Services Authority**
- In every High Court, a **High Court Legal Services Committee**
- The **District Legal Services Authorities**,
- **Taluk Legal Services Committees** to give effect to the policies and directions of the NALSA and to provide free legal services to the people and conduct Lok Adalats in the State.

Legal Services Authorities Act 1987 :

The persons eligible for getting free legal services include:

- (i) Women and children
- (ii) Members of SC/ST
- (iii) Industrial workmen
- (iv) Victims of mass disaster, violence, flood, drought, earthquake, industrial disaster
- (v) Disabled persons
- (vi) Persons in custody
- (vii) Persons whose annual income does not exceed ₹1 lakh (in the Supreme Court Legal Services Committee the limit is ₹1,25,000/-)
- (viii) Victims of trafficking in human beings or begar.

3. Which of the following categories based cases would be entertained as Public Interest Litigation (PIL) by Judiciary:

1. Non-payment of minimum wages to workers
2. Atrocities on women
3. Environmental pollution
4. Landlord-tenant matters
5. Maintenance of heritage and culture
6. Admission to medical education institutions

Select the correct code:

- A. 1, 2, 3 and 5 only
- B. 4 and 5 only
- C. 1, 2, 3, 5 and 6 only
- D. 1, 2, 3, 4, 5 and 6

Answer : A

Explanation

Options 1, 2, 3 and 5 are correct.

- Public interest Litigation (PIL) means litigation filed in a court of law, for the protection of "Public Interest", such as Pollution, Terrorism, Road safety, Constructional hazards etc.
- Any matter where the interest of public at large is affected can be redressed by filing a Public Interest Litigation in a court of law.
- Public interest litigation **is not defined in any statute**. It has been interpreted by judges to consider the intent of public at large.
- Some of the matters which **are entertained under PIL** are:
 - Bonded Labour matters
 - Neglected Children
 - Non-payment of minimum wages to workers and exploitation of casual workers
 - Atrocities on women

- Environmental pollution and disturbance of ecological balance
- Food adulteration
- Maintenance of heritage and culture

Options 4 and 6 are incorrect.

The cases falling under the following categories will **not be entertained as PIL**:

- Landlord-tenant matters
- Service matter and those pertaining to pension and gratuity
- Complaints against Central/ State Government departments and Local Bodies
- Admission to medical and other educational institution
- Petitions for early hearing of cases pending in High Courts and Subordinate Courts

4. The jurisdiction of Central Administrative Tribunal (CAT) extends to which of the following?

1. Members of the defence forces
2. All India Services
3. Officers of the Supreme Court
4. Secretarial staff of the Parliament
5. Civilian employees of defence services

Select the correct answer using the code given below:

- A. 2 only
- B. 2 and 5 only
- C. 1, 2 and 3 only
- D. 1, 2, 3 and 5 only

Answer : B

Explanation

- The Central Administrative Tribunal has been established under **Article 323 - A** of the Constitution for adjudication of disputes and complaints with respect to

recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other authorities under the control of the Government.

- There are **17 Benches and 21 Circuit Benches** in the Central Administrative Tribunal all over India.

Options 2 and 5 are correct. The jurisdiction of CAT extends to the

- All India services
- Central Civil services
- Civil posts under the Centre
- Civilian employees of defence services
- Options 1, 3 and 4 are incorrect.
- The members of **the defence forces, officers and servants of the Supreme Court and the secretarial staff of the Parliament** are not covered by CAT.

5. Consider the following statements with reference to High Courts:

1. The President is authorized to declare a common high court for two or more states.
2. The Parliament determines the strength of a high court from time to time depending upon its workload.
3. The oath to the Judge of a high court is administered by the governor of that concerned state.

Which of the statements given above is/are correct?

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

Answer : C

Explanation

- The highest judicial court in a state is the High Court.
- It is termed as the second-highest in the country after the Supreme Court of India.
- Currently, India has 25 High Courts established in different states of the country.
- The High Court is the highest court of appeal in the state vested with the power to interpret the Constitution.
- It is the protector of the Fundamental Rights of the citizens. Besides, it has supervisory and consultative roles.
- Statement 1 is **incorrect**: The constitution of India provides a high court for each state; however, **the Parliament** [not President] is authorized to declare a common high court for two or more states. The territorial jurisdiction of a high court is co-terminus with the territory of a state. Furthermore, the Parliament has been empowered to **extend or curtail the jurisdiction of a high court over a Union Territory**.
- Statement 2 is **incorrect**: The Constitution has not specified the strength of a high court in India and leaves it to the discretion of the president. He determines the strength of a high court from time to time depending upon its workload.
- Statement 3 is correct: A judge of high court appointed by the President of India with the **consultation of the chief justice of India and governor of the state**. The **oath** to the Judge of a high court is **administered by the governor** of that concerned state.

Questions for Today

1. One common agreement between Gandhism and Marxism is

- A. the final goal of a stateless society
- B. class struggle
- C. abolition of private property
- D. economic determinism

2. In the context of India, which one of the following is the characteristic appropriate for bureaucracy?

- A. An agency for widening the scope of parliamentary democracy
- B. An agency for strengthening the structure of federalism
- C. An agency for facilitating political stability and economic growth
- D. An agency for the implementation of public policy

3. Which one of the following factors constitutes the best safeguard of liberty in a liberal democracy?

- A. A committed judiciary
- B. Centralization of powers
- C. Elected government
- D. Separation of powers

4. If the President of India exercises his power as provided under Article 356 of the Constitution in respect of a particular State, then

- A. the Assembly of the State is automatically dissolved.
- B. the powers of the Legislature of that State shall be exercisable by or under the authority of the Parliament.
- C. Article 19 is suspended in that State.
- D. the President can make laws relating to that State.

5. Which one of the following in Indian polity is an essential feature that indicates that it is federal in character?

- A. The independence of judiciary is safeguarded.
- B. The Union Legislature has elected representatives from constituent units.
- C. The Union Cabinet can have elected representatives from regional parties.
- D. The Fundamental Rights are enforceable by Courts of Law.

Answers with Explanations

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1. One common agreement between Gandhism and Marxism is

- A. the final goal of a stateless society
- B. class struggle
- C. abolition of private property
- D. economic determinism

Answer : A

Explanation

- Gandhi and Marx both opposed capitalism.
- Gandhi adopted nonviolent tactics, whilst Marx led the revolutionary overthrow of the capitalist system.
- Despite the variations in their methods, they all had the same goal in mind.
- Marx and Gandhi shared a socialist mode of production and a belief in social ownership.
- Gandhi created the idea of "Sarvodaya" to advance the welfare of all instead of favouring one certain class or portion of society, drawing inspiration from John Ruskin's book "Unto This Last."
- Marx also thought that socialism is the precursor to communism in its social form.
- Gandhi's idea of Sarvodaya society was built upon the rock basis of economic equality.
- However, unlike Marx, he did not believe in coercion or application of force; rather, people and rich landowners would voluntarily come forward to offer or share the surplus land with the needy.

- This was supposed to be facilitated under the Bhoodan (land offering) programme.
- Gandhiji considered India as a land of "village republics" which remained uncontaminated by the western ethos in the cities and that villages represented the face of real India.
- He wanted to maintain the sanctity of the villages.

2. In the context of India, which one of the following is the characteristic appropriate for bureaucracy?

- A. An agency for widening the scope of parliamentary democracy
- B. An agency for strengthening the structure of federalism
- C. An agency for facilitating political stability and economic growth
- D. An agency for the implementation of public policy

Answer : D

3. Which one of the following factors constitutes the best safeguard of liberty in a liberal democracy?

- A. A committed judiciary
- B. Centralization of powers
- C. Elected government
- D. Separation of powers**

Answer : D

Explanation

- In a liberal democracy, the division of powers between the legislative, executive, and judicial branches is a crucial guarantee for liberty.
- Separation of powers theory calls for splitting up the legislative, executive, and judicial branches of government into separate bodies.

- Due to the fact that each of the three institutions serves as a check and balance on the other's authority, the risk of arbitrary government excesses is reduced as a result of this division.
- None of the three organs can thereby take over the vital duties of the others.
- This distinction prevents any branch of the government from concentrating too much authority.
- As a result, it supports preserving the liberties and rights of the populace in democracies.

4. If the President of India exercises his power as provided under Article 356 of the Constitution in respect of a particular State, then

- A. the Assembly of the State is automatically dissolved.
- B. **the powers of the Legislature of that State shall be exercisable by or under the authority of the Parliament.**
- C. Article 19 is suspended in that State.
- D. the President can make laws relating to that State.

Answer : B

Explanation

356. Provisions in case of failure of constitutional machinery in

States.—(1) If the President, on receipt of a report from the Governor ^{2***} of a State or otherwise, is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of this Constitution, the President may by Proclamation—

1. Added by the Constitution (Forty-second Amendment) Act, 1976, s. 49 (w.e.f. 3-1-1977).
2. The words "or Rajpramukh" omitted by the Constitution (Seventh Amendment) Act, 1956, s. 29 and Sch. (w.e.f. 1-11-1956).

357. Exercise of legislative powers under Proclamation issued under article 356.—(1) Where by a Proclamation issued under clause (1) of article 356, it has been declared that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament, it shall be competent—

(a) for Parliament to confer on the President the power of the Legislature of the State to make laws, and to authorise the President to delegate, subject to such conditions as he may think fit to impose, the power so conferred to any other authority to be specified by him in that behalf;

(Part XVIII.—EMERGENCY PROVISIONS)

(a) assume to himself all or any of the functions of the Government of the State and all or any of the powers vested in or exercisable by the Governor ^{1***} or any body or authority in the State other than the Legislature of the State;

(b) declare that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament;

(c) make such incidental and consequential provisions as appear to the President to be necessary or desirable for giving effect to the objects of the Proclamation, including provisions for suspending in whole or in part the operation of any provisions of this Constitution relating to any body or authority in the State;

5. Which one of the following in Indian polity is an essential feature that indicates that it is federal in character?

- A. **The independence of judiciary is safeguarded.**
- B. The Union Legislature has elected representatives from constituent units.
- C. The Union Cabinet can have elected representatives from regional parties.
- D. The Fundamental Rights are enforceable by Courts of Law.

Answer : A

Explanation

Following are the federal features of Indian Constitution:

- Dual polity consisting of the Union at the Centre and the states at the periphery.
- Written Constitution
- Division of powers between the Centre and the states (by Schedule seven)
- Supremacy of the Constitution
- Rigidity of the constitution
- Bicameral legislature consisting of Rajya Sabha and Lok Sabha
- Independence of judiciary

Questions for Today

1. With reference to Deputy Speaker of Lok Sabha, consider the following statements:

1. As per the Rules of Procedure and Conduct of Business in Lok Sabha, the election of Deputy Speaker shall be held on such date as the Speaker may fix.
2. There is a mandatory provision that the election of a candidate as Deputy Speaker of Lok Sabha shall be from either the principal opposition party or the ruling party.
3. Both Speaker and Deputy Speaker take oath to observe allegiance to constitution.
4. The well established parliamentary practice regarding the appointment of Deputy Speaker is that the motion is moved by the Speaker and duly seconded by the Prime Minister.

Which of the statements given above are not correct?

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

2. Consider the following statements:

1. The President of India can summon a session of the Parliament at such a place as he/she thinks fit.
2. The Constitution of India provides for three sessions of the Parliament in a year, but it is not mandatory to conduct all three sessions.
3. There is no minimum number of days that the Parliament is required to meet in a year.

Which of the statements given above is/are correct?

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

3. Which one of the following statements about Money Bill is *not* correct ?

- A. Money Bill cannot be introduced in the Council of States
- B. The Council of States has no power to reject or amend the money bill.
- C. The speaker of the Lok Sabha has the sole and final power in deciding whether a bill is a Money Bill or otherwise.
- D. The Council of States has no power to discuss the money bill.

4. Which one of the following statements about the Speaker of Lok Sabha is *not* correct ?

- A. He shall vacate his office if he ceases to be member of the House of the People.
- B. He may, at any time, resign by writing his resignation to the President of India
- C. He may be removed from his office by a resolution of the house of the people passed by majority of all the then members of the house.
- D. While the office of the Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker.

5. Which of the following statements with regard to Censure Motion is NOT correct?

- A. A leave to the house is required to move it
- B. The government is free to fix time and date for its discussion
- C. It can also be moved against the entirety of the Council of Ministers
- D. The speaker decides whether the motion is in order.

Answers with Explanations

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3. Both Speaker and Deputy Speaker take oath to observe allegiance to constitution.
4. The well established parliamentary practice regarding the appointment of Deputy Speaker is that the motion is moved by the Speaker and duly seconded by the Prime Minister.

Which of the statements given above are **not** correct?

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

Answer : C

Explanation

- The election of a Deputy Speaker shall be held on such date as the Speaker may fix, and the Secretary-General shall send to every member notice of this date.
- Upto the 10th Lok Sabha, both the Speaker and the Deputy Speaker were usually from the ruling party. Since the 11th Lok Sabha, there has been a consensus that the Speaker comes from the ruling party (or ruling

alliance) and the post of Deputy Speaker goes to the main opposition party.

- The Speaker and the Deputy Speaker, while assuming their offices, do not make and subscribe any separate oath or affirmation
- There is no provision and or established practice of moving the motion for his election by the speaker and it is seconded by the prime minister.
- any member may give notice in writing, addressed to the Secretary-General, of a motion that another member be chosen as the Deputy Speaker of the House and the notice shall be seconded by a third member

2. Consider the following statements:

1. The President of India can summon a session of the Parliament at such a place as he/she thinks fit.
2. The Constitution of India provides for three sessions of the Parliament in a year, but it is not mandatory to conduct all three sessions.
3. There is no minimum number of days that the Parliament is required to meet in a year.

Which of the statements given above is/are correct?

- A. 1 only
- B. 2 only
- C. **1 and 3 only**
- D. 2 and 3 only

Answer : C

Explanation

- Article 85 : Sessions Of Parliament, Prorogation And Dissolution
- (1) The President shall from time to time summon each House of Parliament to

meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.

3. Which one of the following statements about Money Bill is *not* correct ?

- A. Money Bill cannot be introduced in the Council of States
- B. The Council of States has no power to reject or amend the money bill.
- C. The speaker of the Lok Sabha has the sole and final power in deciding whether a bill is a Money Bill or otherwise.
- D. **The Council of States has no power to discuss the money bill.**

Answer : D

Explanation

- A money bill can only be introduced in the Lok Sabha and that too on the recommendation of the president.
- Every such bill is considered to be a government bill and can be introduced only by a minister.
- After a money bill is passed by the Lok Sabha, it is transmitted to the Rajya Sabha for its consideration.
- It cannot reject or amend a money bill.
- It can only make the recommendations.
- It must return the bill to the Lok Sabha within 14 days, whether with or without recommendations.
- The Lok Sabha can either accept or reject all or any of the recommendations of the Rajya Sabha.
- If the Rajya Sabha does not return the bill to the Lok Sabha within 14 days, the bill is deemed to have been passed by both the Houses in the form originally passed by the Lok Sabha.

- When a money bill is presented to the president, he may either give his assent to the bill or withhold his assent to the bill but cannot return the bill for reconsideration of the Houses

4. Which one of the following statements about the Speaker of Lok Sabha is *not* correct ?

- A. He shall vacate his office if he ceases to be member of the House of the People.
- B. **He may, at any time, resign by writing his resignation to the President of India**
- C. He may be removed from his office by a resolution of the house of the people passed by majority of all the then members of the house.
- D. While the office of the Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker.

Answer : B

Explanation

- Usually, the Speaker remains in office during the life of the Lok Sabha.
- However, he has to vacate his office earlier in any of the following three cases:
 - If he ceases to be a member of the Lok Sabha;
 - If he resigns by writing to the Deputy Speaker; and
 - If he is removed by a resolution passed by a majority of all then members of the Lok Sabha. Such a resolution can be moved only after giving 14 days' advance notice.

5. Which of the following statements with regard to Censure Motion is *NOT* correct?

- A. A leave to the house is required to move it
- B. **The government is free to fix time and date for its discussion**

- C. It can also be moved against the entirety of the Council of Ministers
- D. The speaker decides whether the motion is in order.

Answer : B

Explanation

- It is an expression of strong disapproval or harsh criticism.
- It is general opposition against the policies of government.
- The motion must specify the charges against the government.
- Speaker decides whether the motion is in order or not.
- The reason for its adoption must be stated in Lok Sabha.
- It can be moved against an individual minister or group of ministers.
- The council of ministers need not resign if it is passed.



Sleepy Classes
Awakening Toppers

Pre-Mix

(Polity)

08th November, 2022

Questions for Today

Q.1 Which one of the following is correct in respect of appointment of District Judges?

1. They are appointed by the Chief Justice of the concerned High Court.
2. They are appointed by the Governor on the advice of Chief Justice of High Court concerned.
3. He/She should have been an advocate or a pleader for seven years.
4. District Judge has power to give all sentences up to life imprisonment but not death penalty.

Select the correct answer using the code given below:

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

Q.2 Which one of the following motions cannot be made while introducing an ordinary bill in the parliament?

- (a) That the bill be taken into consideration.
- (b) That the bill be circulated for the purpose of eliciting public opinion.
- (c) That the bill be referred to a Select Committee
- (d) That the bill be referred to a Joint Committee of the House without the concurrence of the other house

3. Which of the following statements about the Panchayati Raj System are correct?

1. All seats in a Panchayat are filled by persons chosen by direct election.
2. The Gram Sabha consists of persons registered in the village electoral rolls.
3. The chairperson of a Panchayat may or may not be an elected person depending on the state law.

4. All states in India must have a three tier system of Panchayats.

Select the correct answer using the code given below:

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

4. Which of the following statements are correct with regard to Speaker/Deputy Speaker, Lok Sabha.

1. On dissolution of Lok Sabha, both speaker and Deputy Speaker cease to be members of the House.
2. Both Speaker and Deputy Speaker vacate their office on dissolution of the Lok Sabha
3. Only Deputy Speaker vacates his office and speaker shall not vacate his office until immediately before the first meeting of the Lok Sabha after dissolution.

Select the correct answer using the code given below:

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

Q.5 Consider the following statements relating to short notice questions asked in the legislature :

1. These relate to matters of urgent public importance and can be asked for oral answer at a notice less than 10 days.
2. Short notice questions can be admissible if the minister concerned agrees to answer to it.
3. Short Notice Questions are asked during the Question Hour.

Which of the above statements are correct?

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

Answers with Explanations

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2. They are appointed by the Governor on the advice of Chief Justice of High Court concerned.
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4. District Judge has power to give all sentences up to life imprisonment but not death penalty.

Select the correct answer using the code given below :

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

Answer : D

Q.2 Which one of the following motions cannot be made while introducing an ordinary bill in the parliament?

- (a) That the bill be taken into consideration.
- (b) That the bill be circulated for the purpose of eliciting public opinion.
- (c) That the bill be referred to a Select Committee
- (d) **That the bill be referred to a Joint Committee of the House without the concurrence of the other house**

Answer : D

Explanation

- India's Parliament has multiple types of committees.
- They can be differentiated on the basis of their work, their membership and the length of their tenure.
- First are committees that examine bills, budgets and policies of ministries. These are called departmentally related Standing Committees.
- There are 24 such committees and between them, they focus on the working of different ministries.
- Each committee has 31 MPs, 21 from Lok Sabha and 10 from Rajya Sabha.
- Departmentally related Standing Committees have a tenure of one year, then they are reconstituted and their work continues throughout the term of a Lok Sabha.
- Ministers are not members; key committees like those related to Finance, Defence, Home etc are usually chaired by Opposition MPs.
- Then there are committees constituted for a specific purpose, with MPs from both Houses.
- The specific purpose could be detailed scrutiny of a subject matter or a Bill.
- These are Joint Parliamentary Committees (JPC).
- In 2011 the issue of telecom licences and spectrum was examined by a JPC headed by Congress MP P C Chacko. In 2016, the Citizenship (Amendment) Bill was sent to a JPC chaired by BJP MP Rajendra Agarwal.
- And finally, there is a Select Committee on a Bill.

- This is formed for examining a particular Bill and its membership is limited to MPs from one House.
- For Example, Rajya Sabha referred the Surrogacy (Regulation) Bill, 2019 to a Select Committee of 23 of its MPs from different parties.

3. Which of the following statements about the Panchayati Raj System are correct?

1. All seats in a Panchayat are filled by persons chosen by direct election.
2. The Gram Sabha consists of persons registered in the village electoral rolls.
3. The chairperson of a Panchayat may or may not be an elected person depending on the state law.
4. All states in India must have a three tier system of Panchayats.

Select the correct answer using the code given below:

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

Answer : B

Explanation

- The act provides for a three-tier system of panchayati raj in every state, that is, panchayats at the village, intermediate, and district levels.
- Thus, the act brings about uniformity in the Structure of Panchayati raj throughout the country.
- However, a state having a population not exceeding 20 lakh may not constitute panchayats at the intermediate level.

4. Which of the following statements are correct with regard to Speaker/Deputy Speaker, Lok Sabha.

1. On dissolution of Lok Sabha, both speaker and Deputy Speaker cease to be members of the House.
2. Both Speaker and Deputy Speaker vacate their office on dissolution of the Lok Sabha
3. Only Deputy Speaker vacates his office and speaker shall not vacate his office until immediately before the first meeting of the Lok Sabha after dissolution.

Select the correct answer using the code given below :

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

Answer : D

Explanation

Whenever the Lok Sabha is dissolved, the Speaker does not vacate his office and continues till the newly-elected Lok Sabha meets.

Q.5 Consider the following statements relating to short notice questions asked in the legislature :

1. These relate to matters of urgent public importance and can be asked for oral answer at a notice less than 10 days.
2. Short notice questions can be admissible if the minister concerned agrees to answer to it.
3. Short Notice Questions are asked during the Question Hour.

Which of the above statements are correct?

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

Answer : B

Explanation

(1) A question relating to a matter of public importance may be asked with notice shorter than ten clear days and the Speaker, if, is of the opinion that the question is of an urgent character, may direct that an enquiry may be made from the Minister concerned if such Minister is in a position to reply and, if so, on what date.

(2) Besides, being subject to the rules as to the form and content as for ordinary questions, the admissibility of a Short Notice question is judged on two additional criteria; its subject matter must be urgent, and the Minister concerned should agree to answer it.



Sleepy Classes

Awakening Toppers

Pre-Mix

(Polity)

15th November, 2022

Questions for Today

Q.1 Which of the following does not fall under the definition of money bill?

- a) Amendment of law with respect to any financial obligations undertaken by the government of India
- b) The payment of money into the Consolidated Fund of India
- c) Any financial bill as per requirement of Article 117
- d) Appropriation of money out of the Consolidated Fund of India

Q.2 Which of the following are part of the essential requirements for a person to be appointed as a member of the Finance Commission?

- 1. Supreme Court Judge or one qualified to be appointed as such
- 2. A person having wide experience in financial matters and administration
- 3. A person having special knowledge of economics.

Select the correct answer using the code given below:

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1,2 and 3 only

3. Consider the following statements regarding adjournment motion

- 1. Not more than one such motion shall be made at the same sitting
- 2. The adjournment motion notice shall be addressed to the secretary general endorsed by the speaker.

Which of the statements given above is/are not correct?

- a) 1 only
- b) 2 only

- c) Both 1 and 2 only
- d) Neither 1 nor 2

4. Which of the following statements relating to the duties of Governor is/are correct?

- 1. The duties of the governor as a constitutional head of the state do not become the subject matter of questions or debate in the parliament.
- 2. Where the Governor takes a decision independently of his Council of Ministers or where he acts as the Chief Executive of the state under the President's rule, his actions are subject to scrutiny by the parliament.

Select the correct answer using the code given below:

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

Q.5 Which of the following Articles of the Consitution of India deals with special provision with respect to the state of Assam.

- a) Article 371A
- b) Article 371B
- c) Article 371 C
- d) Article 371 D

Answers with Explanations

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

Q.1 Which of the following does not fall under the definition of money bill?

- a) Amendment of law with respect to any financial obligations undertaken by the government of India
- b) The payment of money into the Consolidated Fund of India

- c) Any financial bill as per requirement of Article 117
- d) Appropriation of money out of the Consolidated Fund of India

Answer : C

Explanation

Financial Bills (I) Article 117 (1)	Financial Bills (II) Article 117 (3)
Contains not only any or all the matters mentioned in Article 110, But also other matters of general legislation.	Contains provisions involving expenditure from the consolidated fund of India but does not include any of the matters mentioned in Article 110.
It can only be introduced only on the recommendation of the president	It cannot be passed by either house of parliament unless the president has recommended to that house the consideration of the bill.
It can only be introduced in the Lok Sabha	
It can be either Rejected or amended by the Rajya Sabha.	
In case of disagreement between two houses over such a bill president can summon a joint sitting.	

President has all veto options available.

Q.2 Which of the following are part of the essential requirements for a person to be appointed as a member of the Finance Commission?

1. Supreme Court Judge or one qualified to be appointed as such
2. A person having wide experience in financial matters and administration
3. A person having special knowledge of economics.

Select the correct answer using the code given below:

- a) 1 and 2 only
- b) 2 and 3 only
- c) 1 and 3 only
- d) 1,2 and 3 only

Answer : B

Explanation

- The chairman should be a person having experience in public affairs and the four other members should be selected from amongst the following:

1. A **judge of high court** or one qualified to be appointed as one.
2. A person who has specialized knowledge of finance and accounts of the government.
3. A person who has wide experience in financial matters and in administration.
4. A person who has special knowledge of economics.

3. Consider the following statements regarding adjournment motion

1. Not more than one such motion shall be made at the same sitting by a member.
2. The adjournment motion notice shall be addressed to the secretary general endorsed by the speaker.

Which of the statements given above is/are not correct?

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

Answer : D

Explanation

- The notice of an adjournment motion is required to be given on the prescribed form.
- It should be addressed to the Secretary-General and copies thereof endorsed to the Speaker, the Minister concerned and the Minister of Parliamentary Affairs.
- A member can give not more than one notice for any one sitting. If a notice is signed by more than one member, it is deemed to have been given by the first signatory only.
- It needs the support of 50 members to be admitted
- Rajya Sabha is not permitted to make use of this device.

Answer: D

Difficulty level - Easy

Solution

- Statement 1 is correct. Not more than one such motion shall be made at the same sitting. Adjournment motion is an extraordinary device which puts aside normal business of the House and it can only be used by the Lok Sabha, not Rajya Sabha.
- Statement 2 is correct. The adjournment motion notice shall be addressed to the secretary-general endorsed by the speaker. It involves an element of censure against government.

4. Which of the following statements relating to the duties of Governor is/are correct?

1. The duties of the governor as a constitutional head of the state do not become the subject matter of questions or debate in the parliament.
2. Where the Governor takes a decision independently of his Council of Ministers or where he acts as the Chief Executive of the state under the President's rule, his actions are subject to scrutiny by the parliament.

Select the correct answer using the code given below:

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

Answer : B

Q.5 Which of the following Articles of the Constitution of India deals with special provision with respect to the state of Assam.

- a) Article 371A
- b) **Article 371B**
- c) Article 371 C
- d) Article 371 D

Answer : B

Explanation

Article 371 - Maharashtra and Gujarat (7th Constitutional Amendment Act)

Article 371 A - Nagaland (13th Constitutional Amendment Act 1962)

Article 371 B -Assam (22nd Constitutional Amendment Act 1969)

Article 371 C - Manipur (27th CAA 1971)

Article 371 D and E -Andhra Pradesh and Telangana (32nd caa 1973)

Article 371 F- Sikkim (30) (36th Constitutional Amendment Act 1975)

Article 371 G - Mizoram (40) (53rd CAA 1986)

Article 371 H - Arunachal Pradesh (30) (55th CAA 1986)

Article 371 I - Goa (30) (56TH CAA 1987)

Article 371 J - Karnataka (98th Constitutional Amendment Act 2012)

Pre-Mix – 5 MCQs for Prelims

Subject – Polity & Governance

Date – 23rd November 2022

Q.1 The power of the President of India to refer a matter back to the Council of Ministers for reconsideration was inserted in the Constitution by

- A. 4th Constitutional Amendment Act 1978
- B. 2nd Constitutional Amendment Act 1976
- C. 3rd Constitutional Amendment Act 1977
- D. 5th Constitutional Amendment Act 1974

Q.2 Consider the following statements:

1. Article 3 provides for the admission of new states that are not part of the Union of India.
2. Settlement of an international boundary dispute does not require a constitutional amendment.
3. The 100th Constitutional Amendment Act of 2015 was enacted to give effect transfer of territories between India and Bangladesh.

Which of the statements given above is/are correct?

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

only

- C. 1 and 3
- D. 2 and 3

Q3. With Regard to Constitutional Amendment Bill, which one of the following statements is not correct?

- A. Each House needs to pass the bill separately by a prescribed special majority.
- B. The bill can be introduced in either House of Parliament
- C. The bill cannot be sponsored by a Private Member
- D. The President cannot call a joint session to pass the bill.

Q.4 With reference to the writs issued by the Courts in India, consider the following statements:

1. Mandamus will not lie against a private organization unless it is entrusted with a public duty.
2. Mandamus will not lie against a Company even though it may be a Government Company.
3. Any public minded person can be a petitioner to move the Court to obtain the writ of Quo Warranto.

Which of the statements given above are correct?

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

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Q.5 Which of the following commissions has NOT examined the issue of removal of the state governor?

- A. Sarkaria Commission
- B. Thakkar Commission
- C. Venkatchaliah Commission
- D. Puncchi Commission

Answers with Explanations

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

Q.1 The power of the President of India to refer a matter back to the Council of Ministers for reconsideration was inserted in the Constitution by

- A.
4th Constitutional Amendment Act 1978
- B.
2nd Constitutional Amendment Act 1976
- C.
3rd Constitutional Amendment Act 1977
- D.
5th Constitutional Amendment Act 1974

Answer : A

Q.2 Consider the following statements:

- 1. Article 3 provides for the admission of new states that are not part of the Union of India.
- 2. Settlement of an international boundary dispute does not require a constitutional amendment.

- 3. The 100th Constitutional Amendment Act of 2015 was enacted to give effect transfer of territories between India and Bangladesh.

Which of the statements given above is/are correct?

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

Answer : C

Explanation

- **Article 3** relates to the formation of or changes in the existing states of the Union of India.
- **Article 3** authorizes the Parliament to:
- form a new state by separation of territory from any state or by uniting two or more states or parts of states or by uniting any territory to a part of any state,
- increase the area of any state,
- diminish the area of any state,
- alter the boundaries of any state, and
- alter the name of any state.

Statement 2 is correct. The ³Supreme Court in 1969 ruled that settlement of an international boundary dispute does not require a constitutional amendment. It can be done by executive action as it does not involve cession of Indian territory to a foreign country.

Statement 3 is correct. The 100th Constitutional Amendment Act (2015) was enacted to give effect to the acquiring of certain territories by India and transfer of certain other territories to Bangladesh.

3. With Regard to Constitutional Amendment Bill, which one of the following statements is not correct?

- A. Each House needs to pass the bill separately by a prescribed special majority.
- B. The bill can be introduced in either House of Parliament
- C. **The bill cannot be sponsored by a Private Member**
- D. The President cannot call a joint session to pass the bill.

Answer : C

Q. 4 With reference to the writs issued by the Courts in India, consider the following statements:

1. Mandamus will not lie against a private organization unless it is entrusted with a public duty.
2. Mandamus will not lie against a Company even though it may be a Government Company.
3. Any public minded person can be a petitioner to move the Court to obtain the writ of Quo Warranto.

Which of the statements given above are correct?

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

Answer : C

Explanation

- Mandamus literally means 'we command'.

- It is a command issued by the court to a public official asking him to perform the official duties that he has failed or refused to perform.
- It can also be issued against any public body, a corporation, an inferior court, a tribunal, or government for the same purpose.

It cannot be issued:

- against a private individual or body. -
- to enforce departmental instruction that does not possess statutory force.
- when the duty is discretionary and not mandatory to enforce a contractual obligation.
- against the president of India or the state governors.
- against the chief justice of a high court acting in a judicial capacity.

Statement 3 Any interested person and not necessarily the aggrieved person can seek Quo Warranto writ.

Q.5 Which of the following commissions has NOT examined the issue of removal of the state governor?

- A. Sarkaria Commission 2
- B. **Thakkar Commission**
- C. Venkatchaliah Commission 1
- D. Puncchi Commission

Answer : B 1

Explanation

Sarkaria Commission (3 member commission under Retd Justice R.S Sarkaria to review centre state relations)

- The Governor should be eminent in some walk of life and from outside the state. He should be a detached figure without

intense political links, or should not have taken part in politics in the recent past. Besides, he should not be a member of the ruling party.

- He should be appointed after effective consultations with the state Chief Minister and Vice President and Speaker of the Lok Sabha should be consulted by the PM before his selection.
- He should be removed before his tenure only on the grounds as mentioned in the constitution or if aspersions are cast on his morality, dignity, constitutional propriety, etc.
- In the process of removal, the state government may be informed and consulted.

Puncchi Commission (Centre State Relations)

- Prior to his appointment, the incumbent should have kept out of local politics altogether for at least two years.
- The appointment of the governor ought to include input from the state's top minister.
- A committee should be in charge of choosing the governors. The Prime Minister, the Home Minister, the Speaker of the Lok Sabha, and the Chief Minister of the relevant state shall be on this committee. The vice president can also take part in the process.

Puncchi Commission (Centre State Relations)

- The Doctrine of Pleasure should be deleted from the Constitution.
- Only a resolution by the state legislature should remove the governor.
- It supported the right of the governor to sanction the prosecution of ministers against the state government's advice.
- It recommended that there be provision for the impeachment of the governor by the state legislature.

Venkatchaliah Commission

- The Governor of a State should be appointed and removed by the President only after consultation with the Chief Minister of that State.

Thakkar Commssion

- A one man commission under the championship of M.P Thakkar to investigate the killing of Indira Gandhi and to find lapses by the security and medical staff and the possible involvement of foreign agencies.
-

Pre-Mix – 5 MCQs for Prelims

Subject – Polity & Governance

Date – 29th November 2022

1. Which of the following statements regarding 'protective democracy' is NOT correct ?

- A. It propounds that citizen participation is essential in democracies.
- B. Citizens must be able to protect themselves from government encroachments
- C. It is compatible with Laissez Faire Capitalism
- D. Political equality is understood in formal terms as equal voting rights

2. Consider the following statements regarding Grievance Redressal Index ?

- 1. It is published annually by Department of Administrative Reforms and Public Grievances (DARPG)
- 2. It is formulated on the basis of five indicators based on timely disposal and quality of grievance disposal.

Which of the above given statements is/are incorrect?

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

3. Which of the following statements is /are correct?

- 1. As per the rules drafted under The Official Languages Act 1963, states are

divided into three categories as per Hindi Language usage.

- 2. The Committee of Parliament on Official Language has been set up under Rules of Procedure of Lok Sabha and Rajya Sabha.
 - 3. As per Census 2011, 55 percent of India's population knows Hindi as the mother tongue or second language.
- A. 1 and 2 only
B. 1 and 3 only
C. 2 and 3 only
D. 1, 2 and 3

4. If a particular area is brought under the Fifth Schedule of the Constitution of India, which one of the following statements best reflects the consequence of it?

- A. This would prevent the transfer of land of tribal people to non-tribal people.
- B. This would create a local self-governing body in that area.
- C. This would convert that area into a Union Territory.
- D. The State having such areas would be declared a Special Category State

5. Consider the following statements with reference to zonal council?

- 1. They all are statutory bodies established under the State reorganization Act of 1956.
- 2. The home minister of central government is the common chairman of all the zonal councils.
- 3. At present there are six zonal councils.
- 4. Vice-Chairman of the Zonal Council hold offices for a period of two years at a time.

- A. One statement is correct
- B. Two statements are correct

- C. Three statements are correct
- D. Four statements are correct

Answers with Explanations

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

1. Which of the following statements regarding 'protective democracy' is NOT correct?

- A. It propounds that citizen participation is essential in democracies.
- B. Citizens must be able to protect themselves from government encroachments
- C. It is compatible with Laissez Faire Capitalism
- D. Political equality is understood in formal terms as equal voting rights

Answer : C

2. Consider the following statements regarding Grievance Redressal Index?

- It is published annually by Department of Administrative Reforms and Public Grievances (DARPG)
- It is formulated on the basis of five indicators based on timely disposal and quality of grievance disposal.

Which of the above given statements is/are incorrect?

- A. 1 only
- B. 2 only
- C. Both 1 and 2

- D. Neither 1 nor 2

Answer : A

Explanation

- The Grievance Redressal Index has been published by the Department of Administrative Reforms and Public Grievances (DARPG).
- UIDAI has emerged out as the top performer in resolving the cases received through the Centralized Public Grievance Redress and Monitoring System (CPGRAMS).
- Dimensions of index:
 - Timely Disposal of Grievance Redressal:**
 - Percentage of Grievances Disposed Within 45 Days: 30%
 - Percentage of Grievances pending for more than 45 Days: 10%

Quality Disposal of Grievance Redressal:

- Percentage of Grievances Redressal (closed) and received Feedback as Excellent & Very Good: 30%
- Percentage of Grievances Redressal (closed) and received Feedback as Average & Poor: 20%
- Percentage of Appeals Filed (on closed grievances): 10%

3. Which of the following statements is /are correct?

- As per the rules drafted under The Official Languages Act 1963, states are divided into three categories as per Hindi Language usage.
- The Committee of Parliament on Official Language has been set up under Rules of Procedure of Lok Sabha and Rajya Sabha.

3. As per Census 2011, 55 percent of India's population knows Hindi as the mother tongue or second language.

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

Answer : B

Explanation

- The 11th volume of the Report of the Official Language Committee WAS RECENTLY submitted to the President of India.
- The Committee of Parliament on Official Language was set up in 1976 under Section 4 of The Official Languages Act, 1963.
- With the active promotion of Hindi being mandated by Article 351 of the Constitution, the Official Language Committee was set up to review and promote the use of Hindi in official communications.
- The first Report of the Committee was submitted in 1987.
- The Committee is constituted & chaired by the union home minister, and has, in accordance with the provisions of the 1963 Act, 30 members (20 MPs from Lok Sabha and 10 MPs from Rajya Sabha).
- Unlike the other Parliamentary panels submit its report to Parliament, this panel submits its report to the President, who "shall [then] cause the report to be laid before each House of Parliament, and sent to all the State Governments.
- States like Tamil Nadu and Kerala are exempt as per The Official Languages Act, 1963 and the Rules and Regulations (of the Act), 1976.

- The law is implemented only in 'A' category states, in which the official language is Hindi."
- According to the Rules, region 'A' includes the states of Bihar, Haryana, Himachal Pradesh, Madhya Pradesh, Chhattisgarh, Jharkhand, Uttarakhand, Rajasthan, and Uttar Pradesh, and the Union Territories of Delhi and Andaman and Nicobar Islands.
- Region 'B' includes Gujarat, Maharashtra, and Punjab, and the Union Territories of Chandigarh, Daman and Diu and Dadra and Nagar Haveli.
- Other states, where the use of Hindi is less than 65%, are listed under region 'C'.
- The Committee has suggested that efforts should be made to use Hindi "100%" in the 'A' states.
- the medium of instruction in IITs, central universities, and Kendriya Vidyalayas (KVs) in the 'A' states should be Hindi, while the regional language should be used in other states.

4. If a particular area is brought under the Fifth Schedule of the Constitution of India, which one of the following statements best reflects the consequence of it?

- A. **This would prevent the transfer of land of tribal people to non-tribal people.**
- B. This would create a local self-governing body in that area.
- C. This would convert that area into a Union Territory.
- D. The State having such areas would be declared a Special Category State

Answer : A

Explanation

- Option a is correct. The Fifth Schedule of the Constitution deals with the administration and control of Scheduled Areas as well as of Scheduled Tribes



residing in any State other than the States of Assam, Meghalaya, Tripura and Mizoram.

- Governor can make regulations for the peace and good government of a scheduled area after consulting the tribes advisory council. Such regulations may prohibit or restrict the transfer of land by tribal to non tribal members or among members of the scheduled tribes, regulate the allotment of land to members of the scheduled tribes.
- **Option b is incorrect.** According to the provisions of Paragraph 4, under Article 244(1) of Fifth Schedule of the Constitution of India, the Tribes Advisory Councils (TAC) shall be established in each State having Scheduled Areas therein and, if the President so directs, also in any State having Scheduled Tribes but not Scheduled Areas. Tribal advisory council is an advisory body, not a governing body.
- **Option c is incorrect.** Bringing any particular area under the Fifth Schedule of the Constitution of India does not convert the area into a Union Territory.
- **Option d is incorrect.** Bringing any particular area under the Fifth Schedule of the Constitution of India does not get declared as a Special Category State

5. Consider the following statements with reference to zonal council?

1. They all are statutory bodies established under the State reorganization Act of 1956.
2. The home minister of central government is the common chairman of all the zonal councils.
3. At present there are six zonal councils.
4. Vice-Chairman of the Zonal Council hold offices for a period of two years at a time.

- A. O
one statement is correct
- B. T

Two statements are correct

- C. Three statements are correct
- D. Four statements are correct

Answer : B

Explanation

Statement 1 is not correct: They are statutory bodies established by an act of parliament (State reorganization Act of 1956).

Statement 2 is correct: The home minister of central government is the common chairman of all the zonal councils.

Statement 3 is correct: At present there are six zonal councils- Northern, Central, Eastern, Western, Southern and North-Eastern.

Statement 4 is incorrect: The Chief Ministers of the States included in each zone act as Vice-Chairman of the Zonal Council for that zone by rotation, each holding office for a period of one year at a time, Chief Minister and two other Ministers as nominated by the Governor from each of the States and two members from Union Territories included in the zone.

Pre-Mix – 5 MCQs for Prelims

Subject – Polity & Governance

Date – 06th December 2022

Q.1 Which one of the following is NOT a thrust area of the Atal Mission for Rejuvenation and Urban Transformation (AMRUT) and AMRUT 2.0 ?

- A. Water Supply
- B. Storm water drainage to reduce flooding
- C. Mass Urban Transit and capacity building
- D. Green Spaces and park

Q.2 Which one of the following languages was added to the Eighth schedule by a Constitutional Amendment in 1967?

- A. Khasi
- B. Kashmiri
- C. Sindhi
- D. Urdu

Q.3 Which principle among the following was added to the Directive Principles of State Policy by the 42nd Amendment to the Constitution?

- A. Equal pay for equal work for both men and women
- B. Participation of workers in the management of industries
- C. Right to work, education and public assistance
- D. Securing living wage and human conditions of work to workers

Q.4 The Demands for Supplementary Grants must be presented to and passed by the House:

- A. Before the end of the respective financial year
- B. Before the budget of the following year is passed

- C. After the withdrawal of money from the Consolidated Fund
- D. After the submission of report of C.A.G.

Q.5 The Issue , whether Section 377 of the Indian Penal Code is violative of Articles 21,14 and 15 of the Constitution of India was decided in which one of the following cases?

- A. Shreya Singhal vs Union of India
- B. Vishakha vs State of Rajasthan
- C. Navtej Johar v/s Union of India
- D. Naz Foundation v/s Government of NCT of Delhi and others

Answers with Explanations

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

Q.1 Which one of the following is NOT a thrust area of the Atal Mission for Rejuvenation and Urban Transformation (AMRUT) and AMRUT 2.0 ?

- A. Water Supply
- B. Storm water drainage to reduce flooding
- C. Mass urban transit and capacity building
- D. Green Spaces and park

Answer : C

Explanation

Atal Mission for Rejuvenation and Urban Transformation (AMRUT) was launched in June 2015.

It is an initiative to provide basic civic amenities to the urban areas to improve the quality of life with major focus on poor and disadvantaged.

Thrust Areas

1. Water Supply
2. Sewerage and Septage Management

3. Storm Water Drainage to Reduce Flooding
4. Green Space/parks
5. For Non Motorised transport

AMRUT 2.0 launched by Hon'ble Prime Minister on 1 October 2021, with a total outlay of {2,99,000 crores - nearly 3 times of the AMRUT.

The Mission envisages providing water tap connections to households in all statutory towns through 2.68 crore new household tap connections and providing universal household coverage of sewerage/septage services in 500 AMRUT cities through 2.64 crore new sewer connections/coverage with septage management.

City Water Balance Plan will help cities to identify scope for projects focusing on the objectives of Mission stated above.

Based on the projects identified in City Water Balance Plans, City Water Action Plan (CWAP) will be devised. These CWAPs will be aggregated in the form of State Water Action Plans (SWAP).

- Major reforms are reducing non-revenue water to below 20%;
- Create a 'new tap of water' through recycle of treated used water to meet at least 20 % of total city water demand and 40 % for industrial water demand at State level;
- Electric vehicle charging points;
- 24x7 water supply; reforms on property tax and user charges;
- GIS based master plans of the cities;
- Raising funds through issuance of municipal bonds and rejuvenation of water bodies.

Q.2 Which one of the following languages was added to the Eighth schedule by a Constitutional Amendment in 1967?

A. Khasi

- B. Kashmiri
C. **Sindhi**
D. Urdu

Answer : C

Explanation

The Eighth Schedule to the Constitution consists of the following 22 languages:-

- Assamese, (2) Bengali, (3) Gujarati, (4) Hindi, (5) Kannada, (6) Kashmiri, (7) Konkani, (8) Malayalam, (9) Manipuri, (10) Marathi, (11) Nepali, (12) Oriya, (13) Punjabi, (14) Sanskrit, (15) Sindhi, (16) Tamil, (17) Telugu, (18) Urdu (19) Bodo, (20) Santhali, (21) Maithili and (22) Dogri.
- Of these languages, 14 were initially included in the Constitution.
- Sindhi language was added in 1967 by the **21st Constitutional Amendment Act**
- Thereafter three more languages viz., Konkani, Manipuri and Nepali were included in 1992 via the **71st Constitutional Amendment Act**
- Subsequently Bodo, Dogri, Maithili and Santhali were added in 2004 via the **92nd Constitutional Amendment Act**.

Q3. Which principle among the following was added to the Directive Principles of State Policy by the 42nd Amendment to the Constitution?

- A. Equal pay for equal work for both men and women
B. **Participation of workers in the management of industries**
C. Right to work, education and public assistance
D. Securing living wage and human conditions of work to workers

Answer : B

Explanation

The 42nd Amendment Act of 1976 added four new Directive Principles to

the original list. They require the State:

- To secure opportunities for healthy development of children **(Article 39).**
- To promote equal justice and to provide free legal aid to the poor **(Article 39 A).**
- To take steps to secure the participation of workers in the management of industries **(Article 43 A).**
- To protect and improve the environment and to safeguard forests and wild life **(Article 48 A).**
- The 44th Amendment Act of 1978 added one more Directive Principle, which requires the State to minimise inequalities in income, status, facilities and opportunities **(Article 38).**
- The **86th Amendment Act of 2002** changed the subject-matter of **Article 45** and made elementary education a fundamental right under **Article 21 A.**
- The amended directive requires the State to provide early childhood care and education for all children until they complete the age of six years.
- The **97th Amendment Act of 2011** added a new Directive Principle relating to cooperative societies.
- It requires the state to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies **(Article 43B).**

Q.4 The Demands for Supplementary Grants must be presented to and passed by the House:

- A. **Before the end of the respective financial year**
- B. Before the budget of the following year is passed
- C. After the withdrawal of money from the Consolidated Fund
- D. After the submission of report of C.A.G.

Answer : A

Explanation

Supplementary Grant

- It is granted when the amount authorized by the Parliament through the appropriation act for a particular service for the current financial year is found to be insufficient for that year.

Additional Grant

- It is granted when a need has arisen during the current financial year for additional expenditure upon some new service not contemplated in the budget for that year.

Excess Grant

- It is granted when money has been spent on any service during a financial year in excess of the amount granted for that service in the budget for that year.
- It is voted by the Lok Sabha after the financial year.
- Before the demands for excess grants are submitted to the Lok Sabha for voting, they must be approved by the Public Accounts Committee of Parliament.

Vote of Credit

- It is granted for meeting an unexpected demand upon the

resources of India, when on account of the magnitude or the indefinite character of the service, the demand cannot be stated with the details ordinarily given in a budget.

- Hence, it is like a blank cheque given to the Executive by the Lok Sabha.

Exceptional Grant

- It is granted for a special purpose and forms no part of the current service of any financial year.

Token Grant

- It is granted when funds to meet the proposed expenditure on a new service can be made available by reappropriation.
- A demand for the grant of a token sum (of Re 1) is submitted to the vote of the Lok Sabha and if assented, funds are made available.
- Reappropriation involves transfer of funds from one head to another.
- It does not involve any additional expenditure.
- **Supplementary, additional, excess and exceptional** grants and vote of credit are regulated by the same procedure which is applicable in the case of a regular budget.

Q.5 The Issue , whether Section 377 of the Indian Penal Code is violative of Articles 21,14 and 15 of the Constitution of India was decided in which one of the following cases?

- A. Shreya Singhal vs Union of India
- B. Vishakha vs State of Rajasthan
- C. **Navtej Johar v/s Union of India**
- D. Naz Foundation v/s Government of NCT of Delhi and others

Answer : C

Explanation

- **Naz Foundation v. Govt. of NCT of Delhi (2009)** is a landmark Indian case decided by a two-judge bench of the Delhi High Court, which held that treating consensual homosexual sex between adults as a crime is a violation of fundamental rights protected by India's Constitution.
- The verdict resulted in the decriminalization of homosexual acts involving consenting adults throughout India.
- This was later overturned by the Supreme Court of India in **Suresh Kumar Koushal vs. Naz Foundation**, in which a 2 judge bench reinstated Section 377 of the Indian Penal Code.
- However, even that was overturned by a 5 judge bench in **Navtej Singh Johar v. Union of India in 2018**, decriminalizing homosexuality once again.

Pre-Mix – 5 MCQs for Prelims**Subject – Polity & Governance****Date – 13th December 2022**

1. Consider the following statements in respect of Bharat Ratna and Padma Awards.

1. Bharat Ratna and Padma Awards are titles under the Article 18(1) of the Constitution of India.
2. Padma Awards, which were instituted in the year 1954, were suspended only once.
3. The number of Bharat Ratna Awards is restricted to a maximum of five in a particular year.

Which of the above statements are not correct?

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

2. Consider the following statements:

1. The Chief Secretary in a State is appointed by the Governor of that State.
2. The Chief Secretary in a State has a fixed tenure.

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

3. Which of the following statements about the committee on Public Undertakings is/are correct?

1. There are more members from the Lok Sabha than the Rajya Sabha in the Committee.
2. The Chairperson of the Committee is appointed by the Speaker of the Lok Sabha.

Select the correct answer using the code given below

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

4. Which of the following amendments in the Indian constitution made a proclamation of Emergency immune from Judicial Review?

- A. 38th Constitutional Amendment Act 1975
- B. 40th Constitutional Amendment Act 1975
- C. 42nd Constitutional Amendment Act 1976
- D. 44th Constitutional Amendment Act 1978

5. Which of the following is/are the recommendations of Balwant Rai Mehta Committee with reference to Panchayati Raj System in India:

1. The committee had recommended a two tier system
2. District Collector to be made the chairman of the Zila Parishad.
3. Panchayat Samiti should be the executive body and Zila Parishad will act as the advisory and supervisory body.

Select the correct answer using the code given

below:

- A. 1 only

- B. 2 and 3 only
- C. 1 and 3 only
- D. 2 only

Answers with Explanations

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1. Consider the following statements in respect of Bharat Ratna and Padma Awards.

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Which of the above statements are not correct?

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

Answer : D

Explanation

- Padma Awards, which were instituted in the year 1954, is announced every year on the occasion of Republic Day except for brief interruption(s) during the years 1978 and 1979 and 1993 to 1997.
- The award is given in three categories, namely,
- Padma Vibhushan for exceptional and distinguished service;
- Padma Bhushan for distinguished service of a high order; and
- Padma Shri for distinguished service.

- Bharat Ratna is the highest civilian award of the country.
- It is awarded in recognition of exceptional service/performance of the highest order in any field of human endeavour.
- It is treated on a different footing from Padma Award.
- The recommendations for Bharat Ratna are made by the Prime Minister to the President of India.
- No formal recommendations for Bharat Ratna are necessary.
- The number of Bharat Ratna Awards is restricted to a maximum of three in a particular year.
- Government has conferred Bharat Ratna Award on 45 persons till date.

2. Consider the following statements:

1. The Chief Secretary in a State is appointed by the Governor of that State.
2. The Chief Secretary in a State has a fixed tenure

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 : D

Explanation

- Chief Secretary is chosen by the Chief Minister.
- During British rule, the position of Chief Secretary first appeared in the Central Government.
- Lord Wellesley, who was India's then-Governor-General, founded it in 1799.

The initial occupant of this office was G.H. Barlow.

- But over time, this position vanished from the Central Government and was taken up by state governments well in advance of the achievement of Independence.
- Before 1973, he was regarded as junior to the financial commissioner in Punjab and the board of revenue members in UP, for example. On the other side, he was the most senior public officer in Tamil Nadu.
- However, this office was standardized in 1973 on the recommendation of the administrative Reforms Commission of India, and this post was equated with that of the Secretary to the Government of India, both in status and emoluments.
- The chief secretary is chosen by the Chief Minister from the senior IAS officers of the state cadre.
- Generally, the Chief Minister takes into account three factors in this regard: seniority of the officer; service record, performance and merit of the officer; and his trust and confidence in the officer.
- Further, the office of Chief Secretary has been excluded from the operation of the tenure system. In other words, there is no fixed tenure for this post.

3. Which of the following statements about the committee on Public Undertakings is/are correct?

1. There are more members from the Lok Sabha than the Rajya Sabha in the Committee.
2. The Chairperson of the Committee is appointed by the Speaker of the Lok Sabha.

Select the correct answer using the code given below

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

Answer : C

Explanation

- This committee was created in 1964 on the recommendation of the Krishna Menon Committee.
- Originally, it had 15 members (10 from the Lok Sabha and 5 from the Rajya Sabha).
- However, in 1974, its membership was raised to 22 (15 from the Lok Sabha and 7 from the Rajya Sabha).
- The members of this committee are elected by the Parliament every year from amongst its own members according to the principle of proportional representation by means of a single transferable vote. Thus, all parties get due representation in it.
- The term of office of the members is one year.
- A minister cannot be elected as a member of the committee.
- The chairman of the committee is appointed by the Speaker from amongst its members who are drawn from the Lok Sabha only.
- Thus, the members of the committee who are from the Rajya Sabha cannot be appointed as the chairman.

4. Which of the following amendments in the Indian constitution made a proclamation of Emergency immune from Judicial Review?

- A. **38th Constitutional Amendment Act 1975**
- B. 40th Constitutional Amendment Act 1975

- C. 42nd Constitutional Amendment Act 1976
- D. 44th Constitutional Amendment Act 1978

Answer : A

Explanation

Thirty-Eighth Amendment Act, 1975

1. Made the declaration of emergency by the president non-justiciable.
2. Made the promulgation of ordinances by the president, governors and administrators of union territories non-justiciable.
3. Empowered the president to declare different proclamations of national emergency on different grounds simultaneously.

Fortieth Amendment Act, 1976

1. Empowered the Parliament to specify from time to time the limits of the territorial waters, the continental shelf, the exclusive economic zone (EEZ) and the maritime zones of India.
2. Included 64 more Central and state laws, mostly relating to land reforms, in the Ninth Schedule.

42nd Constitutional Amendment Act 1976

1. Added three new words (i.e., socialist, secular and integrity) in the Preamble.
2. Added Fundamental Duties by the citizens (new Part IV A).
3. Made the president bound by the advise of the cabinet.
4. Provided for administrative tribunals and tribunals for other matters (Added Part XIV A).
5. Froze the seats in the Lok Sabha and

state legislative assemblies on the basis of 1971 census till 2001.

6. Made the constitutional amendments beyond judicial scrutiny.
7. Curtailed the power of judicial review and writ jurisdiction of the Supreme Court and high courts.
8. Raised the tenure of Lok Sabha and state legislative assemblies from 5 to 6 years.
9. Provided that the laws made for the implementation of Directive Principles cannot be declared invalid by the courts on the ground of violation of some Fundamental Rights.
10. Empowered the Parliament to make laws to deal with anti-national activities and such laws are to take precedence over Fundamental Rights.
11. Added three new Directive Principles viz., equal justice and free-legal aid, participation of workers in the management of industries and protection of environment, forests and wild life.
12. Facilitated the proclamation of national emergency in a part of territory of India.
13. Extended the one-time duration of the President's rule in a state from 6 months to one year.
14. Empowered the Centre to deploy its armed forces in any state to deal with a grave situation of law and order.
15. Shifted five subjects from the state list to the concurrent list, viz, education, forests, protection of wild animals and birds, weights and measures and

administration of justice, constitution and organisation of all courts except the Supreme Court and the high courts.

16. Did away with the requirement of quorum in the Parliament and the state legislatures.

17. Empowered the Parliament to decide from time to time the rights and privileges of its members and committees.

5. Which of the following is/are the recommendations of Balwant Rai Mehta Committee with reference to Panchayati Raj System in India:

1. The committee had recommended a two tier system
2. District Collector to be made the chairman of the Zila Parishad.
3. Panchayat Samiti should be the executive body and Zila Parishad will act as the advisory and supervisory body.

Select the correct answer using the code given

below:

- A. 1 only
- B. **2 and 3 only**
- C. 1 and 3 only
- D. 2 only

Answer : B

Explanation

- Statement 1 is incorrect: The committee had recommended a three-tier system: Gram Panchayat, Panchayat Samiti and Zila Parishad. Directly elected representatives to constitute the gram panchayat and indirectly elected representatives to constitute the Panchayat Samiti and Zila Parishad.
- Statement 2 is correct: District Collector to be made the chairman of the Zila Parishad.
- Statement 3 is correct: Panchayat Samiti should be the executive body and Zila Parishad will act as the advisory and supervisory body.

Recommendations by the Committee:

- Three-tier Panchayati Raj system: Gram Panchayat, Panchayat Samiti and Zila Parishad.
- Directly elected representatives to constitute the gram panchayat and indirectly elected representatives to constitute the Panchayat Samiti and Zila Parishad.
- Planning and development are the primary objectives of the Panchayati Raj system.
- Panchayat Samiti should be the executive body and Zila Parishad will act as the advisory and supervisory body.
- District Collector to be made the chairman of the Zila Parishad.
- It also requested for provisioning resources so as to help them discharge their duties and responsibilities.

Pre-Mix – 5 MCQs for Prelims

Subject – Polity & Governance

Date – 20th December 2022

1. Which one of the following acts provided for the inclusion of certain additional non official members in the Council of the Governor General for the first time?

- A. The Indian Councils Act 1861
- B. The Indian Councils Act of 1909
- C. The Government of India Act 1858
- D. The Charter Act of 1853

2. Which of the following laws in India has a provision for Preventive Detention ?

- 1. Unlawful Activities Prevention Act 1967
- 2. Code of Criminal Procedure 1973
- 3. National Security Act 1980
- 4. Prevention of Money Laundering Act 2002

Select the correct answer using the code given below :

- A. Only one
- B. Only two
- C. Only three
- D. All four

3. Consider the following statements with reference to Competition Commission of India (CCI)

- 1. It is a statutory body that works under the Ministry of Corporate Affairs.
- 2. The Commission consists of a chairperson and not more than 10 Members appointed by the Central Government.
- 3. The Commission is mandated to give its opinion on competition issues to government or statutory authority.

Which of the statements given above is/are correct?

- A. 1 and 2 only

- B. 2 and 3 only
- C. 1 and 3 only
- D. All of the above

4. Consider the following statements

- 1. Forcible dispossession of a person of his private property without due process of law is a violation of their human right.
- 2. The Doctrine of Adverse Possession states that if a person holds the possession of property owned by someone else for more than a specific amount of time, he will become the owner of that property.

Which of the above statements is/are correct?

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

5. Which of the following amendments were made by the 1st Constitutional Amendment Act of 1951 ?

- 1. Exemption of land reform laws from judicial review
- 2. Limiting the scope of reasonable restrictions on fundamental rights under Article 19
- 3. Providing special protection for socially, educationally backward classes or scheduled castes or scheduled tribes.

Select the correct answer using the code given below

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

Answers with Explanations

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

1. Which one of the following acts provided for the inclusion of certain additional non official members in the Council of the Governor General for the first time?

- A. The Indian Councils Act 1861
- B. The Indian Councils Act of 1909
- C. The Government of India Act 1858
- D. The Charter Act of 1853

Answer : A

Explanation

1. Indian Councils Act 1861 :

- For executive functions of the Viceroy's Council, a fifth member was added. Total number of members were five.
- It for the first time enlarged the Council for legislative purposes.
- There were to be 6-12 additional members in the legislative council.
- Lord Canning nominated three Indians - **The Raja of Benares, Maharaja of Patiala and Sir Dinker Rao.**

Other Provisions :

- Portfolio system was formalized.
- Viceroy had the power to overrule the council.
- Secretary of State had power to dissolve act made by Governor General's Council.
- Gave power to Viceroy to issue ordinances
- Decentralization of power started and legislative power was returned to Madras and Bombay presidency.

2. Which of the following laws in India has a provision for Preventive Detention ?

- 1. Unlawful Activities Prevention Act 1967
- 2. Code of Criminal Procedure 1973
- 3. National Security Act 1980
- 4. Prevention of Money Laundering Act 2002

Select the correct answer using the code given below :

- A. Only one
- B. Only two
- C. Only three
- D. All four

Answer : C

Explanation

¹[43A. Power to arrest, search, etc.—Any officer of the Designated Authority empowered in this behalf, by general or special order of the Central Government or the State Government, as the case may be, knowing of a design to commit any offence under this Act or has reason to believe from personal knowledge or information given by any person and taken in writing that any person has committed an offence punishable under this Act or from any document, article or any other thing which may furnish evidence of the commission of such offence or from any illegally acquired property or any document or other article which may furnish evidence of holding any illegally acquired property which is liable for seizure or freezing or forfeiture under this Chapter is kept or concealed in any building, conveyance or place, may authorise any officer subordinate to him to arrest such a person or search such building, conveyance or place whether by day or by night or himself arrest such a person or search such building, conveyance or place.

3. Consider the following statements with reference to Competition Commission of India (CCI)

Section 151 in The Code Of Criminal Procedure, 1973

151. Arrest to prevent the commission of cognizable offences.

(1) A police officer knowing of a design to commit any cognizable offence may arrest, without orders from a Magistrate and without a warrant, the person so designing, if it appears to such officer that the commission of the offence cannot be otherwise prevented.

Government may,—

(a) if satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to the defence of India, the relations of India with foreign powers, or the security of India, or

- 1. It is a statutory body that works under the Ministry of Corporate Affairs.
- 2. The Commission consists of a chairperson and not more than 10 Members appointed by the Central Government.
- 3. The Commission is mandated to give its opinion on competition issues to government or statutory authority.

Which of the statements given above is/are correct?

- A. 1 and 2 only
- B. 2 and 3 only
- C. 1 and 3 only
- D. All of the above.

Answer : C

Explanation

- The Competition Commission of India (within the Ministry of Corporate Affairs) has been established to enforce the competition law under the Competition Act, 2002.
- It should be noted that on the recommendations of Raghavan committee, the Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act) was repealed and replaced by the Competition Act, 2002
- The Commission consists of a chairperson and not more than 6 Members appointed by the Central Government.
- NCLAT is the Appellate Tribunal to hear and dispose of appeals against any direction issued or decision made or order passed by the Competition Commission of India (CCI) – as per the amendment brought to Section 410 of the Companies Act, 2013 by Section 172 of the Finance Act, 2017, with effect from 26th May, 2017.

4. Consider the following statements

1. Forcible dispossession of a person of his private property without due process of law is a violation of their human right.
2. The Doctrine of Adverse Possession states that if a person holds the possession of property owned by someone else for more than a specific amount of time, he will become the owner of that property.

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 : C

Explanation

- A citizen's right to own private property is a human right.
- The state cannot take possession of it without following due procedure and authority of law, the Supreme Court has held in a judgment.

- The state cannot trespass into the private property of a citizen and then claim ownership of the land in the name of 'adverse possession', the court said.
- Grabbing private land and then claiming it as its own makes the state an encroacher.
- In a welfare state, right to property is a human right, a Bench of Justices Indu Malhotra and Ajay Rastogi declared in their January 8, 2020 verdict.
- A welfare state cannot be permitted to take the plea of adverse possession, which allows a trespasser to gain legal title over such property for over 12 years.
- The State cannot be permitted to perfect its title over the land by invoking the doctrine of adverse possession to grab the property of its own citizens," Justice Malhotra, who authored the judgment, laid down the law.
- Yet, this is exactly what happened 52 years ago with Vidya Devi, a widow. The Himachal Pradesh government forcibly took over her four acres at Hamipur district to build a road in 1967.

5. Which of the following amendments were made by the 1st Constitutional Amendment Act of 1951 ?

1. Exemption of land reform laws from judicial review
2. Limiting the scope of reasonable restrictions on fundamental rights under Article 19
3. Providing special protection for socially, educationally backward classes or scheduled castes or scheduled tribes.

Select the correct answer using the code given below

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

Answer : B

Explanation

First Amendment

Act, 1951

1. Empowered the state to make special provisions for the advancement of socially and economically backward classes.
2. Provided for the saving of laws providing for acquisition of estates, etc.
3. Added Ninth Schedule to protect the land reform and other laws included in it from the judicial review.

First Amendment

Act, 1951

4. Added three more grounds of restrictions on freedom of speech and expression, viz., public order, friendly relations with foreign states and incitement to an offence. Also, made the restrictions “reasonable” and thus, justiciable in nature.
5. Provided that state trading and nationalisation of any trade or business by the state is not to be invalid on the ground of violation

Pre-Mix – 5 MCQs for Prelims

Subject – Polity & Governance

Date – 26th December 2022

1. The correct statements about Public Account of India are:

1. The public account is the fund to which all public moneys received by or on behalf of the government are credited.
 2. Legislative appropriation is not required for payments from the Public Account of India.
 3. It is an extra constitutional device
 4. It is operated by executive action.
- A. 1 and 4 only
B. 2 and 4 only
C. 1 and 3 only
D. 1, 3 and 4

2. Consider the following statements regarding the Rule of Law Index

1. It is released by Transparency International on an annual basis.
2. Rule of Law has been declining consecutively on the global scale for the last 5 years.
3. India has ranked highest among South Asian countries.

Which of the above statements is/are correct?

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

3. Which of the following statements is correct?

- A. Under Article 21A of the constitution of India, the State shall provide free and compulsory education to all children up to the age of eleven years.

- B. Every religious denomination has got the absolute power under Article 26 of the Constitution of India to manage its own affairs in matters of religion.
- C. Only Religious and Linguistic minorities find mention in Article 30 of the Constitution of India in reference to the right to establish educational institutions of their choice.
- D. President can empower any court other than the Supreme Court of India, the power to issue writs within local limits of jurisdiction.

4. Recently launched Jan Samarth Portal

- A. Provides single point access for authenticated health information to citizens
- B. Assists farmers to access links to useful farming specific information.
- C. Provides access to Pan India e-Government services.
- D. Provides link to government credit schemes.

5. Which of the following statements are incorrect?

1. Appropriation Bill cannot be amended while the Finance Bill can be amended.
 2. Appropriation Bill cannot be rejected by the Rajya Sabha while Finance Bill can be rejected by it.
- A. 1 only
B. 2 only
C. Both 1 and 2
D. Neither 1 nor 2

Answers with Explanations

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1. The correct statements about Public Account of India are:

1. The public account is the fund to which all public moneys received by or on behalf of the government are credited.
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 3. It is an extra constitutional device
 4. It is operated by executive action.
- A. 1 and 4 only
B. 2 and 4 only
 C. 1 and 3 only
 D. 1, 3 and 4

Answer : B

Explanation

- Public Account of India accounts for flows for those transactions where the government is merely acting as a banker.
- This fund was constituted under Article 266 (2) of the Constitution.
- This includes provident fund deposits, judicial deposits, savings bank deposits, departmental deposits, remittances and so on.
- Government of India is just the custodian of majority of Public Account. Government has to repay the amount to people who has stake in it either on maturity or on claim made by people.

It includes :

- Bank savings account of the various ministries/departments
- National small savings fund, defense fund
- National Investment Fund (money earned from disinvestment)
- National Calamity & Contingency Fund (NCCF) (for Disaster Management)
- Provident fund, Postal insurance, etc

2. Consider the following statements regarding the Rule of Law Index

1. It is released by Transparency International on an annual basis.
2. Rule of Law has been declining consecutively on the global scale for the last 5 years.
3. India has ranked highest among South Asian countries.

Which of the above statements is/are correct?

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

Answer : B

Explanation

- World Justice Project released the Rule of Law Index 2022
- It is an independent, multidisciplinary organization working to create knowledge , build awareness and stimulate action to advance the rule of law worldwide.
- Rule of law has declined globally for the fifth successive year.
- Top ranked Countries : Denmark, Norway, Finland, Sweden and Netherlands
- India Rank : 77/140

Nepal has scored better than India and has 69th rank.

8 Factors :

1. Constraints on government powers
2. Absence of corruption
3. Open government
4. Fundamental rights
5. Order and security
6. Regulatory enforcement
7. Civil justice,
8. Criminal justice.

3. Which of the following statements is correct?

- A. Under Article 21A of the constitution of India, the State shall provide free and compulsory education to all children up to the age of eleven years.
- B. Every religious denomination has got the absolute power under Article 26 of the Constitution of India to manage its own affairs in matters of religion.
- C. **Only Religious and Linguistic minorities find mention in Article 30 of the Constitution of India in reference to the right to establish educational institutions of their choice.**
- D. President can empower any court other than the Supreme Court of India, the power to issue writs within local limits of jurisdiction.

Answer : C

4. Recently launched Jan Samarth Portal

- A. Provides single point access for authenticated health information to citizens.
- B. Assists farmers to access links to useful farming specific information.
- C. Provides access to Pan India e-Government services.
- D. **Provides link to government credit schemes.**

Answer : D

Explanation

- Jan Samarth portal is a one of its kind platform that will directly connect the beneficiaries to the lenders.
- It is an initiative of the Ministry of Finance.
- It serves as a one stop gateway that links over a dozen government credit schemes.
- 12 schemes under four loan categories – Education, Agriculture Infrastructure, Business Activity and Livelihood- are linked to this portal.

5. Which of the following statements are incorrect?

1. Appropriation Bill cannot be amended while the Finance Bill can be amended.
 2. Appropriation Bill cannot be rejected by the Rajya Sabha while Finance Bill can be rejected by it.
- A. 1 only
 - B. 2 only
 - C. Both 1 and 2
 - D. **Neither 1 nor 2**

Answer : D

Explanation

Stages in Enactment of Budget

1. Presentation of budget.
 2. General discussion.
 3. Scrutiny by departmental committees.
 4. Voting on demands for grants.
 5. Passing of appropriation bill.
 6. Passing of finance bill.
- The Constitution states that 'no money shall be withdrawn from the Consolidated Fund of India except under appropriation made by law'.
 - Accordingly, an appropriation bill is introduced to provide for the appropriation, out of the Consolidated Fund of India, all money required to meet:

(a) The grants voted by the Lok Sabha.

(b) The expenditure charged on the Consolidated Fund of India.

- No such amendment can be proposed to the appropriation bill in either house of the Parliament that will have the effect of varying the amount or altering the destination of any grant voted, or of varying the amount of any expenditure charged on the Consolidated Fund of India.



- The Finance Bill is introduced to give effect to the financial proposals of the Government of India for the following year.
 - It is subjected to all the conditions applicable to a Money Bill.
 - Unlike the Appropriation Bill, the amendments (seeking to reject or reduce a tax) can be moved in the case of finance bill.
 - According to the Provisional Collection of Taxes Act of 1931, the Finance Bill must be enacted (i.e., passed by the Parliament and assented to by the president) within 75 days.
 - The Finance Act legalises the income side of the budget and completes the process of the enactment of the budget.
-