



**Sleepy Classes**  
Awakening Toppers

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**Pre-Mix**  
**(Polity & Governance)**  
*Compilation*  
**January to April 2023**

## Pre-Mix - 5 MCQs for Prelims

### Subject - Polity & Governance

Date - 03<sup>rd</sup> January 2023

**1. Match the list I with list II and select the correct answer using the code given below**

#### List I

#### List II

- |   |   |
|---|---|
| A.) Pluralist Democracy exercised by a privileged few.          | 1. Power is always exercised by a privileged few.               |
| B.) People's Democracy  | 2. Highest and Harmonious Development of Individual Capacities. |
| C.) Developmental Democracy through common ownership of wealth. | 3. Social Equality  |
| D.) Elitist Democracy   | 4. Capacity of groups to ensure Governmental responsiveness.    |

**Code : (A) (B) (C) (D)**

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

**2. Consider the following statements**

1. National Monuments Authority is a statutory body established in 1958 under Ancient Monuments and Archaeological Sites and Remains Act.
2. It is the final authority to declare ancient monuments and archaeological sites as of National Importance.

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

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

**3. Which of the following statements with regard to 6<sup>th</sup> schedule of the constitution is/are correct?**

1. The President is empowered to organise and re-organise autonomous districts in 6<sup>th</sup> schedule states.
2. All laws made by the autonomous district council must be assented to by the governor.
3. President in case of Assam and Governor in case of Meghalaya, Tripura and Mizoram can decide which parliamentary laws extend to the tribal areas.

**Select the correct answer using the code given below :**

- 2 only
- 3 only
- 1 and 3 only
- 1, 2 and 3

**4. We adopted parliamentary democracy based on the British model, so consider the following statements regarding parliamentary democracy in India**

1. As regards legislation, the British Parliament is supreme or sovereign but in India, the power of the parliament to legislate is limited.
2. The constitution of India mandates that a Constitution bench of the Supreme Court must not consist of less than 5 judges.

**Select the correct answer using the code given below:**

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

**5. Consider the following statements regarding Urban - 20 initiative ?**

1. It is a city diplomacy initiative started at Paris Climate Summit of 2015.



2. New Delhi will host the event organized by Ministry of Housing and Urban Affairs because it was recently recognized as one of C-40 cities.

Which of the above statements is/are incorrect?

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

## Answers with Explanations

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

1. Match the list I with list II and select the correct answer using the code given below

List I

List II

- |   |   |
|---|---|
| A.) Pluralist Democracy exercised by a privileged few.                  | 1. Power is always exercised by a privileged few.               |
| B.) People's Democracy Harmonious Development of Individual Capacities. | 2. Highest and Harmonious Development of Individual Capacities. |
| C.) Developmental Democracy through common ownership of wealth.         | 3. Social Equality through common ownership of wealth.          |
| D.) Elitist Democracy ensure Governmental responsiveness.               | 4. Capacity of groups to ensure Governmental responsiveness.    |

Code : (A) (B) (C) (D)

- |     |   |   |   |   |
|-----|---|---|---|---|
| (a) | 4 | 3 | 2 | 1 |
| (e) | 4 | 2 | 3 | 1 |
| (f) | 1 | 2 | 3 | 4 |
| (g) | 1 | 3 | 2 | 4 |

Answer : a

Explanation

- **Pluralist Democracy** - Pluralist democracy is a model of democracy in which no one group dominates politics and organized groups compete with each other to influence policy.

- **Elite democracy** is a model of democracy in which a small number of people, usually those who are wealthy and well-educated, influence political decision making.
- **People's democracy** is a theoretical concept within Marxism-Leninism and a form of government which developed after World War II and allows in theory for a multi-class and multi-party democracy on the pathway to socialism. People's democracy was established in a number of European and Asian countries as a result of the people's democratic revolutions of the 1940s.

**Social democracy** - It is a political ideology that originally advocated a peaceful evolutionary transition of society from capitalism to socialism using established political processes.

- In the second half of the 20th century, there emerged a more moderate version of the doctrine, which generally espoused state regulation, rather than state ownership, of the means of production and extensive social welfare programs.
- The social democratic movement grew out of the efforts of August Bebel who with Wilhelm Liebknecht cofounded the Social Democratic Workers' Party in 1869 and then effected the merger of their party with the General German Workers' Union in 1875 to form what came to be called the Social Democratic Party of Germany.

2. Consider the following statements

1. National Monuments Authority is a statutory body established in 1958 under Ancient Monuments and Archaeological Sites and Remains Act.
2. It is the final authority to declare ancient monuments and archaeological sites as of National Importance.

Which of the above statements is/are correct?

- A. 1 only

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

**Answer : D**

**Explanation**

- National Monuments Authority (NMA) under the Ministry of Culture, Govt. of India has been setup as per provisions of The Ancient Monuments and Archaeological Sites and Remains AMASR (Amendment and Validation) Act, 2010 which was enacted in March, 2010.
- Several functions have been assigned to the NMA for the protection and preservation of monuments and sites through management of the prohibited and regulated area around the centrally protected monuments.
- One amongst these responsibilities of NMA is also to consider grant of permissions to applicants for construction related activity in the prohibited and regulated area.

#### **Section 4A (1)**

- The Central Government shall, on the recommendation of the Authority, prescribe categories in respect of ancient monuments or archaeological sites and remains declared as of national importance under Section 3 and 4, and while prescribing such categories it shall have regard to the historic, archaeological and architectural value and such other factors as may be relevant for the purpose of such categorization.

#### **3. Which of the following statements with regard to 6<sup>th</sup> schedule of the constitution is/are correct?**

1. The President is empowered to organise and re-organise autonomous districts in 6<sup>th</sup> schedule states.
2. All laws made by the autonomous district council must be assented to by the governor.
3. President in case of Assam and Governor in case of Meghalaya, Tripura and Mizoram

can decide which parliamentary laws extend to the tribal areas.

**Select the correct answer using the code given below :**

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

**Answer : A**

**Explanation**

**Statement 1 is incorrect :** The governor is empowered to organize and re-organise the autonomous districts. Thus, he can increase or decrease their areas or change their names or define their boundaries and so on.

**Statement 2 is correct :** Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.

- The elected members hold office for a term of five years (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the governor.
- Each autonomous region also has a separate regional council.
- The district and regional councils administer the areas under their jurisdiction.
- They can make laws on certain specified matters like land, forests, canal water, shifting cultivation, village administration, inheritance of property, marriage and divorce, social customs and so on.
- But all such laws require the assent of the governor.

**Statement 3 is incorrect :**

- The power of direction, in this regard, lies either with the president or governor.

- Thus, in the case of Assam, it lies with the Governor, both in respect of acts of Parliament or state legislature.
- In the case of Meghalaya, Tripura and Mizoram, it lies with the president in respect of acts of Parliament and governor in respect of acts of state legislature.

**4. We adopted parliamentary democracy based on the British model, so consider the following statements regarding parliamentary democracy in India**

1. As regards legislation, the British Parliament is supreme or sovereign but in India, the power of the parliament to legislate is limited.
2. The constitution of India mandates that a Constitution bench of the Supreme Court must not consist of less than 5 judges.

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**

**Statement 1 is correct :** Parliament is not supreme in India and enjoys limited and restricted powers due to a written constitution, federal system, judicial review and fundamental rights

**Statement 2 is correct :**

- **Article 145 (3)** states that The minimum number of Judges who are to sit for the purpose of deciding any case involving a substantial question of law as to the interpretation of this Constitution or for the purpose of hearing any reference under article 143 shall be five

- Presently, Constitution Benches are set up on an ad hoc basis as and when the need arises.
- The idea behind a Constitution Bench is clear: it is constituted in rare cases to decide important questions of fact or legal and/or constitutional interpretation.

**5. Consider the following statements regarding Urban - 20 initiative ?**

1. It is a city diplomacy initiative started at Paris Climate Summit of 2015.
2. New Delhi will host the event organized by Ministry of Housing and Urban Affairs because it was recently recognized as one of C-40 cities.

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

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

**Answer : C**

**Explanation**

1. The Urban 20 (U20) is a city diplomacy initiative launched on December 12, 2017, at the One Planet Summit in Paris.
2. Under the G20 presidency of India from December 01, 2022 to November 30, 2023, the Ministry of Housing and Urban Affairs is organizing Urban 20 event.
3. Urban-20 (U20), one of the Engagement Groups of G20, provides a platform for cities from G20 countries to facilitate discussions on various important issues of urban development including climate change, social inclusion, sustainable mobility, affordable housing, and financing of urban infrastructure and propose collective solutions.
4. Under the G20 presidency of India, Ahmedabad, a UNESCO World Heritage city, will host the U20 cycle. Along with C40 (Climate 40) and United Cities and Local



Governments (UCLG), two international non-governmental advocacy groups on urban issues, Ahmedabad will organize various events including City Sherpas' inception meeting on 9-10 February 2023, thematic discussions and side events on urban development issues culminating with U20 Mayors' Summit in July 2023.

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**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 10<sup>th</sup> January 2023**

**1. Consider the following statements regarding borrowing by the Centre and the States.**

1. The Central government can borrow either within India or outside upon the security of the Consolidated Fund of India. Similarly, the state government can borrow either within India or outside upon the security of the Consolidated Fund of state.
2. A state cannot raise any loan without the consent of the RBI if there is still outstanding any part of a loan made to the state by the Centre or in respect of which a guarantee has been given by the Centre.

**Which of the above statement/s is/are incorrect?**

- A. 1 Only
- B. 2 only
- C. Both 1 and 2
- D. Neither 1 and 2

**2. Consider the following major inter-state water disputes and the states/UTs involved:**

1. Cauvery Water Disputes: Karnataka , Kerala, Tamil Nadu and Puducherry.
2. Mahadayi Water Disputes: Goa, Karnataka and Maharashtra
3. Mahanadi Water Disputes: Odisha and Andhra Pradesh.

**Which of the above statement/s is/are correct?**

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

**3. Consider the following statements with respect to the Composition of the Legislative Council.**

1. 1/3 are elected by the members of local

bodies in the state like municipalities, district boards, etc.

2. 1/3 are elected by the members of the legislative assembly of the state from amongst persons who are not members of the assembly.
3. 1/6 are elected by graduates of three years standing and residing within the state.

**Which of the above statement/s is/are correct?**

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

**4.. Consider the following provisions of the 73rd Constitutional Amendment Act (1992).**

1. Establishment of panchayats at the village, intermediate and district levels.
2. The organisation of Gram Sabha in a village or group of villages.
3. Reservation of one-third seats (both members and chairpersons) for women in panchayats at all three levels.
4. Determining the manner of election of the chairperson of the village panchayat.

**Which of the above provisions is/are of compulsory nature?**

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

**5. The eleventh schedule contains the list of functional items that are placed within the purview of panchayats by the state legislature as provided under the 73rd constitutional amendment act. Which of the following items are the parts of it?**

1. Animal husbandry, dairying and poultry.

2. Small-scale industries, including food processing industries.
3. Social forestry and farm forestry.
4. Land improvement, implementation of land reforms.

**Select the correct code:**

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

### Answers with Explanations

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

**1. Consider the following statements regarding borrowing by the Centre and the States.**

1. The Central government can borrow either within India or outside upon the security of the Consolidated Fund of India. Similarly, the state government can borrow either within India or outside upon the security of the Consolidated Fund of state.
2. A state cannot raise any loan without the consent of the RBI if there is still outstanding any part of a loan made to the state by the Centre or in respect of which a guarantee has been given by the Centre.

**Which of the above statement/s is/are incorrect?**

- A. 1 Only
- B. 2 only
- C. Both 1 and 2
- D. Neither 1 and 2

**Answer : C**

**Explanation**

**Statement 1 is incorrect.**

- The Central government can borrow either within India or outside upon the security of the Consolidated Fund of India or can give guarantees, but both within the limits fixed

by the Parliament. So far, no such law has been enacted by Parliament. Similarly, a state government can borrow within India (and not abroad) upon the security of the Consolidated Fund of the State or can give guarantees, but both within the limits fixed by the legislature of that state.

**Statement 2 is incorrect.**

- A state cannot raise any loan without the consent of the Centre if there is still outstanding any part of a loan made to the state by the Centre or in respect of which a guarantee has been given by the Centre.
- The Constitution makes the following provisions with regard to the borrowing powers of the Centre and the states:

1. The Central government can borrow either within India or outside upon the security of the Consolidated Fund of India or can give guarantees, but both within the limits fixed by the Parliament. So far, no such law has been enacted by Parliament.

2. Similarly, a state government can borrow within India (and not abroad) upon the security of the Consolidated Fund of the State or can give guarantees, but both within the limits fixed by the legislature of that state.

3. The Central government can make loans to any state or give guarantees in respect of loans raised by any state. Any sums required for the purpose of making such loans are to be charged to the Consolidated Fund of India.

4. A state cannot raise any loan without the consent of the Centre if there is still outstanding any part of a loan made to the state by the Centre or in respect of which a guarantee has been given by the Centre.

**2. Consider the following major inter-state water disputes and the states/UTs involved:**

1. Cauvery Water Disputes: Karnataka , Kerala, Tamil Nadu and Puducherry.
2. Mahadayi Water Disputes: Goa, Karnataka and Maharashtra
3. Mahanadi Water Disputes: Odisha and



Andhra Pradesh.

Which of the above statement/s is/are correct?

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

**Answer : D**

**Explanation**

Tribunal	Date of Constitution	States Involved
Godavari Water Disputes Tribunal	April 1969	Maharashtra, Andhra Pradesh, Karnataka, Madhya Pradesh, and Orissa
Krishna Water Disputes Tribunal-I	April 1969	Maharashtra, Andhra Pradesh, and Karnataka
Narmada Water Disputes Tribunal	October 1969	Maharashtra, Rajasthan, Madhya Pradesh and Gujarat
Ravi and Beas Water Tribunal	April 1986	Punjab, Haryana, and Rajasthan
Cauvery Water Disputes Tribunal	June 1990	Kerala, Karnataka, Tamil Nadu, and Puducherry
Krishna Water Disputes Tribunal-II	April 2004	Maharashtra, Andhra Pradesh, and Karnataka
Vansadhara Water Disputes Tribunal	February 2010	Andhra Pradesh and Odisha
Mahadayi Water Disputes Tribunal	November 2010	Goa, Karnataka, and Maharashtra
Mahanadi Water Disputes Tribunal	March 2018	Chhattisgarh and Odisha

**3. Consider the following statements with respect to the Composition of the Legislative Council.**

- 1/3 are elected by the members of local bodies in the state like municipalities, district boards, etc.
- 1/3 are elected by the members of the legislative assembly of the state from amongst persons who are not members of the assembly.
- 1/6 are elected by graduates of three years standing and residing within the state.

Which of the above statement/s is/are correct?

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

D. 1, 2 and 3

**Answer : A**

**Explanation**

**Statement 1 is correct.**

**Statement 2 is correct.**

**Statement 3 is incorrect.** 1/12 are elected by graduates of three years standing and residing within the state.

**Strength:**

The maximum strength of the council is fixed at one-third of the total strength of the assembly and the minimum strength is fixed at 40. It means that the size of the council depends on the size of the assembly of the concerned state.

**Manner of Election:**

Of the total number of members of a legislative council:

- 1/3 are elected by the members of local bodies in the state like municipalities, district boards, etc.,
- 1/12 are elected by graduates of three years standing and residing within the state,
- 1/12 are elected by teachers of three years standing in the state, not lower in standard than secondary school,
- 1/3 are elected by the members of the legislative assembly of the state from amongst persons who are not members of the assembly, and
- The remainder is nominated by the governor from amongst persons who have special knowledge or practical experience of literature, science, art, cooperative movement and social service. Thus, 5/6 of the total numbers of members of a legislative council are indirectly elected and 1/6 are nominated by the governor.

**4.. Consider the following provisions of the 73rd Constitutional Amendment Act (1992).**

- Establishment of panchayats at the village, intermediate and district levels.

2. The organisation of Gram Sabha in a village or group of villages.
3. Reservation of one-third seats (both members and chairpersons) for women in panchayats at all three levels.
4. Determining the manner of election of the chairperson of the village panchayat.

**Which of the above provisions is/are of compulsory nature?**

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

**Answer : C**

**Explanation**

**Compulsory provision:**

- The organisation of Gram Sabha in a village or group of villages.
- Establishment of panchayats at the village, intermediate and district levels.
- Direct elections to all seats in panchayats at the village, intermediate and district levels.
- Indirect elections to the post of chairperson of panchayats at the intermediate and district levels.
- Voting rights of the chairperson and other members of a panchayat elected directly or indirectly.
- 21 years to be the minimum age for contesting elections to panchayats.
- Reservation of seats (both members and chairpersons) for SCs and STs in panchayats at all three levels.

**Compulsory provision:**

- Reservation of one-third of seats (both members and chairpersons) for women in panchayats at all three levels.
- Fixing tenure of five years for panchayats at all levels and holding fresh elections within six months in the event of supersession of any panchayat.
- Establishment of a State Election Commission for conducting elections to the panchayats.
- 11. Constitution of a State Finance Commission every five years to review the financial position of the panchayats.

**Voluntary Provisions:**

1. Endowing the Gram Sabha with powers and functions at the village level.
2. Determining the manner of election of the chairperson of the village panchayat.
3. Giving representation to the chairpersons of the village panchayats in the intermediate panchayats or in the case of a state not having intermediate panchayats, in the district panchayats.
4. Giving representation to the chairpersons of the intermediate panchayats in the district panchayats.
5. Giving representation to members of the Parliament (both the Houses) and the state legislature (both the Houses) in the panchayats at different levels falling within their constituencies.
6. Providing reservation of seats (both members and chairpersons) for backward classes in panchayats at any level.

**Voluntary Provisions:**

7. Granting powers and authority to the panchayats to enable them to function as institutions of self-government (in brief, making them autonomous bodies).
8. Devolution of powers and responsibilities upon panchayats to prepare plans for economic development and social justice;

and to perform some or all of the 29 functions listed in the Eleventh Schedule of the Constitution.

9. Granting financial powers to the panchayats, that is, authorizing them to levy, collect and appropriate taxes, duties, tolls and fees.
10. Assigning to a panchayat the taxes, duties, tolls and fees levied and collected by the state government.
11. Making the grants-in-aid to the panchayats from the consolidated fund of the state.
12. Providing for the constitution of funds for crediting all money of the panchayats.

**5. The eleventh schedule contains the list of functional items that are placed within the purview of panchayats by the state legislature as provided under the 73rd constitutional amendment act. Which of the following items are the parts of it?**

1. Animal husbandry, dairying and poultry.
2. Small-scale industries, including food processing industries.
3. Social forestry and farm forestry.
4. Land improvement, implementation of land reforms.

**Select the correct code:**

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

**Answer : D**

**Explanation**

It contains the following 29 functional items placed within the purview of panchayats:

1. Agriculture, including agricultural extension
2. Land improvement, implementation of land reforms, land consolidation and soil conservation

3. Minor irrigation, water management and watershed development
4. Animal husbandry, dairying and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor forest produce
8. Small-scale industries, including food processing industries
9. Khadi, village and cottage industries
10. Rural housing

It contains the following 29 functional items placed within the purview of panchayats:

11. Drinking water
12. Fuel and fodder
13. Roads, culverts, bridges, ferries, waterways and other means of communication
14. Rural electrification, including distribution of electricity
15. Non-conventional energy sources
16. Poverty alleviation programme
17. Education, including primary and secondary schools
18. Technical training and vocational education
19. Adult and non-formal education
20. Libraries

It contains the following 29 functional items placed within the purview of panchayats:

21. Cultural activities
22. Markets and fairs
23. Health and sanitation including hospitals, primary health centres and dispensaries
24. Family welfare
25. Women and child development
26. Social welfare, including the welfare of the handicapped and mentally retarded



27. Welfare of the weaker sections, and in particular, of the scheduled castes and the scheduled tribes
  28. Public distribution system
  29. Maintenance of community assets.
-

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 17<sup>th</sup> January 2023**

**1. Which of the following are provided for by the Constitution (74th Amendment) Act in respect of planning of urban and rural local governments?**

1. Constitution of the District Planning Committee.
2. Not less than 2/3rd of the total members of the District Planning Committee should be elected by, from amongst, the elected members of district panchayats and municipalities.
3. All other details regarding the composition of the District Planning Committee are left to the State Legislatures.
4. Constitution of the Metropolitan Planning Committee.

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

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

**2. Article 141 of the Constitution lays down that the law declared by Supreme Court shall be binding on all courts within the territory of India. Therefore, the Supreme Court:**

- A. Is bound by its earlier decisions as the expression “all courts” include Supreme Court also.  
B. Is not bound by its own decisions and may reverse a previous decision.  
C. Can reverse a previous decision only when a new legislation is enacted having the effect of abrogating decision.  
D. Can reverse a previous decision only when that previous decision was given

as a result of overlooking another previous decision.

**3. Who among the following is a Constitutional authority for whose removal from office by the President a reference to the Supreme Court is necessary?**

- A. Chairman of the Union Public Service Commission  
B. Judge of the Supreme Court  
C. Comptroller and Auditor-General of India  
D. Chief Election Commissioner

**4. Consider the following statements regarding Cess and Surcharges**

1. They are not mentioned in the Constitution of India.
2. Their share in Centre's gross tax revenue has increased almost three fold since 2010-11.

**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. Over which of the following, the Lok Sabha and Rajya Sabha held joint sittings to resolve their differences?**

1. Dowry Prohibition Bill 1959
2. The Banking Service Commission Repeal Bill 1978
3. The Prevention of Terrorism Bill 2002
4. The Land Acquisition, Rehabilitation and Resettlement Act 2013

**Select the correct answer using the code given below:**

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

D. 2 and 4

## Answers with Explanations

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

**1. Which of the following are provided for by the Constitution (74th Amendment) Act in respect of planning of urban and rural local governments?**

1. Constitution of the District Planning Committee.
2. Not less than 2/3rd of the total members of the District Planning Committee should be elected by, from amongst, the elected members of district panchayats and municipalities.
3. All other details regarding the composition of the District Planning Committee are left to the State Legislatures.
4. Constitution of the Metropolitan Planning Committee.

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

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

**Answer : C**

### Explanation

As per Article 243 ZD of the constitution, Every state shall constitute at the district level, a district planning committee to consolidate the plans prepared by panchayats and municipalities in the district, and to prepare a draft development plan for the district as a whole.

The state legislature may make provisions with respect to the following:

1. The composition of such committees;

2. The manner of election of members of such committees;

3. The functions of such committees in relation to district planning; and

4. The manner of the election of the chairpersons of such committees.

The act lays down that **four-fifths** of the members of a district planning committee should be elected by the elected members of the district panchayat and municipalities in the district from amongst themselves.

- The representation of these members in the committee should be in proportion to the ratio between the rural and urban populations in the district.
- The chairperson of such committee shall forward the development plan to the state government.
- **Article 243ZE** states that Every metropolitan area shall have a metropolitan planning committee to prepare a draft development plan.

The state legislature may make provisions with respect to the following:

1. The composition of such committees;
2. The manner of election of members of such committees;
3. The representation in such committees of the Central government, state government and other organizations;
4. The functions of such committees in relation to planning and coordination for the metropolitan area; and
5. The manner of election of chairpersons of such committees.

**2. Article 141 of the Constitution lays down that the law declared by Supreme Court shall be binding on all courts within the territory of India. Therefore, the Supreme Court:**

- A. Is bound by its earlier decisions as the expression "all courts" include



Supreme Court also.

- B. **Is not bound by its own decisions and may reverse a previous decision.**
- C. Can reverse a previous decision only when a new legislation is enacted having the effect of abrogating decision.
- D. Can reverse a previous decision only when that previous decision was given as a result of overlooking another previous decision.

**Answer : B**

**Explanation**

- **Article 141 of the Constitution of India stipulates that the law declared by the Supreme Court shall be binding on all Courts within the territory of India.**
- **Thus, the general principles laid down, by the Supreme Court are binding on each individual including those who are not a party to an order.**
- The doctrine of Stare Decisis means that courts refer to the previous, similar legal issues to guide their decisions.
- Such previous decisions that courts refer to are known as “precedents”. Precedents are legal principles or rules that are created by the decisions given by courts.
- Article 141 of the Constitution of India, 1950 establishes that the ‘law declared’ by the Supreme Court of India is binding on all courts within the territory of India.
- The term ‘law declared’ implies the law-making role of the Supreme Court.
- However, the Supreme Court is not bound by its own decisions.
- **In Bengal Immunity Co. v. the State of Bihar (1955), the Apex Court held that there is nothing in the Indian**

Constitution that prevents the Supreme Court from departing from its own previously made decision if it is convinced of its error and the detrimental effect such decision might have on public interest.

**3. Who among the following is a Constitutional authority for whose removal from office by the President a reference to the Supreme Court is necessary?**

- A. **Chairman of the Union Public Service Commission**
- B. Judge of the Supreme Court
- C. Comptroller and Auditor-General of India
- D. Chief Election Commissioner

**Answer : A**

**Explanation**

The President can remove the chairman or any other member of UPSC from the office under the following circumstances:

- (a) If he is adjudged an insolvent (that is, has gone bankrupt);
- (b) If he engages, during his term of office, in any paid employment outside the duties of his office; or
- (c) If he is, in the opinion of the president, unfit to continue in office by reason of infirmity of mind or body.

- In addition to these, the president can also remove the chairman or any other member of UPSC for **misbehavior**. However, in this case, the president has to refer the matter to the **Supreme Court** for an enquiry.
- If the Supreme Court, after the enquiry, upholds the cause of removal and advises so, the president can remove the chairman or a member.
- Under the provisions of the Constitution, the advise tendered by

the Supreme Court in this regard is **binding** on the president.

- The chief election commissioner is provided with the security of tenure.
- He cannot be removed from his office except in same manner and on the same grounds as a judge of the Supreme Court.
- Any other election commissioner or a regional commissioner cannot be removed from office except on the recommendation of the chief election commissioner.

### CAG

- The CAG is appointed by the president of India by a warrant under his hand and seal
- He can also be removed by the president on same grounds and in the same manner as a judge of the Supreme Court.
- In other words, he can be removed by the president on the basis of a resolution passed to that effect by both the Houses of Parliament with special majority, either on the ground of proved misbehavior or incapacity.

### 4. Consider the following statements regarding Cess and Surcharges

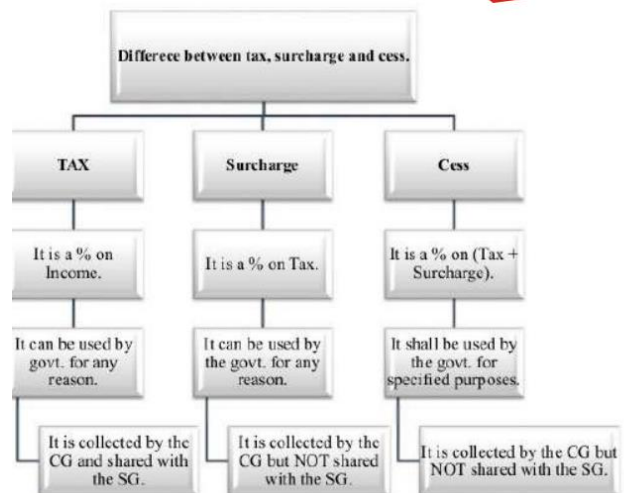
1. They are not mentioned in the Constitution of India.
2. Their share in Centre's gross tax revenue has increased almost three fold since 2010-11.

### 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 : B**

### Explanation



- Article 270 of the Constitution allows cess to be excluded from the purview of the divisible pool of taxes that the Union government must share with the States.
- A surcharge is discussed under Article 270 and 271 of the Indian Constitution.
- Unlike a cess, which is meant to raise revenue for a temporary need, surcharge is usually permanent in nature.
- The finance minister informed that the share of surcharges and cesses in the Centre's gross revenue has gone up from 8.6% in 2010-11 to 28% in 2021-22.

### 5. Over which of the following, the Lok Sabha and Rajya Sabha held joint sittings to resolve their differences?

1. Dowry Prohibition Bill 1959
2. The Banking Service Commission Repeal Bill 1978
3. The Prevention of Terrorism Bill 2002
4. The Land Acquisition , Rehabilitation and Resettlement Act 2013

**Select the correct answer using the code given below:**

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

C. 1, 2 and 3

D. 2 and 4

**Answer : C**

**Explanation**

Under the constitution, joint sitting takes place when there is a deadlock between the two houses over the passage of an ordinary bill

**Deadlock means:**

1. If the other house rejects the bill or
2. The houses have disagreed for the amendments suggested by the other
3. More than 6 months have elapsed from the date of receipt of the bill

This provision has been invoked only thrice

1. **1961-** Dowry Prohibition Bill 1960 which was passed as Dowry prohibition Act 1961
2. **1978-** Banking Service Commission Repeal Bill 1978
3. **2002** – Prevention of Terrorism Bill 2002

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 23<sup>rd</sup> January 2023**

**1. What is the correct chronological order in which the following States of the Indian Union were created or granted full statehood?**

1. Andhra Pradesh
2. Nagaland
3. Maharashtra
4. Haryana

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

- A. 1-3-4-2
- B. 3-1-2-4
- C. 1-3-2-4
- D. 3-1-4-2

**2. With reference to the Representation of People Act 1951, consider the following statements.**

1. A person to be elected to the legislative council may not be an elector for an assembly constituency in the concerned state.
2. A person to be elected to the legislative assembly must be an elector for an assembly constituency in the concerned state.

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

1. 42<sup>nd</sup> Amendment to the Constitution of India gave primacy to Directive Principles over Fundamental Rights.

2. Minerva Mills case ruled that there has to be a balance between Part III and Part IV of the Constitution.
3. National Commission for Review of the Working of the Constitution has recommended that Directive Principles be made justiciable.

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

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

**4. Consider the following statements**

1. The maximum number of seats in the legislative assembly of a state is mentioned in the Constitution of India.
2. Participation of workers in management of local self governments is a directive principle of state policy.

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

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

**5. Consider the following statements regarding Social Progress Index**

1. It is released by Niti Aayog
2. All three best performing districts are from Himachal Pradesh

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

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

## Answers with Explanations

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

1. What is the correct chronological order in which the following States of the Indian Union were

created or granted full statehood?

1. Andhra Pradesh
2. Nagaland
3. Maharashtra
4. Haryana

Select the correct answer using the codes given below:

- A. 1-3-4-2
- B. 3-1-2-4
- C. 1-3-2-4
- D. 3-1-4-2

**Answer : C**

2. With reference to the Representation of People Act 1951, consider the following statements.

1. A person to be elected to the legislative council may not be an elector for an assembly constituency in the concerned state.
2. A person to be elected to the legislative assembly must be an elector for an assembly constituency in the concerned state.

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 : B**

**Explanation**

**Statement 1 is incorrect.** A person to be elected to the legislative council must be an

elector for an assembly constituency in the concerned state.

**Statement 2 is correct.** A person to be elected to the legislative assembly must be an elector for an assembly constituency in the concerned state.

6. Qualification for membership of a Legislative Council.—(1) A person shall not be qualified to be chosen to fill a seat in the Legislative Council of a State to be filled by election unless he is an elector for any Assembly constituency in that State.

(2) A person shall not be qualified to be chosen to fill a seat in the Legislative Council of a State to be filled by nomination by the Governor <sup>1</sup>\* \* unless he is ordinarily resident in the State.

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

1. 42<sup>nd</sup> Amendment to the Constitution of India gave primacy to Directive Principles over Fundamental Rights.
2. Minerva Mills case ruled that there has to be a balance between Part III and Part IV of the Constitution.
3. National Commission for Review of the Working of the Constitution has recommended that Directive Principles be made justiciable.

Select the correct answer using the codes given below:

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

**Answer : A**

**Explanation**

**Statement 1 is correct**

- 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.(Article 31 C)

**Statement 2 is correct**

- However, this extension was declared as unconstitutional and invalid by the



Supreme Court in the Minerva Mills case (1980).

- It means that the Directive Principles were once again made subordinate to the Fundamental Rights. But the Fundamental Rights conferred by Article 14 and Article 19 were accepted as subordinate to the Directive Principles specified in Article 39 (b) and (c).
- In the Minerva Mills case (1980), the Supreme Court also held that 'the Indian Constitution is founded on the bedrock of the balance between the Fundamental Rights and the Directive Principles

**Statement 3 is incorrect**

- The National Commission to Review the Working of the Constitution (NCRWC) was set up by a resolution of the Government of India in 2000.
- The 11-member Commission was headed by M.N. Venkatachaliah, the former Chief Justice of India.
- It submitted its report in 2002 .

1. The heading of Part-IV of the Constitution should be amended to read as 'Directive Principles of State Policy and Action'.

2. A new Directive Principle on control of population should be added.

3. An independent National Education Commission should be set-up every five years.

4. An Inter-Faith Commission should be established to promote interreligious harmony and social solidarity.

5. There must be a body of high status to review the level of implementation of the Directive Principles.

6. A strategic Plan of Action should be initiated to create a large number of employment opportunities in five years.

7. Implementation of the recommendations contained in the Report of the National Statistical Commission (2001).

**4. Consider the following statements**

1. The maximum number of seats in the legislative assembly of a state is mentioned in the Constitution of India.
2. Participation of workers in management of local self governments is a directive principle of state policy.

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

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

**Answer : B**

**Explanation**

<sup>1</sup>[170. **Composition of the Legislative Assemblies.**—(1) Subject to the provisions of article 333, the Legislative Assembly of each State shall consist of not more than five hundred, and not less than sixty, members chosen by direct election from territorial constituencies in the State.

<sup>3</sup>[43A. **Participation of workers in management of industries.**—The State shall take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry.]

**5. Consider the following statements regarding Social Progress Index**

1. It is released by Niti Aayog
2. All three best performing districts are from Himachal Pradesh

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

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

**Answer : D**

**Explanation**



**Social Progress Index (SPI):** States and Districts of India prepared by the Institute for Competitiveness and Social Progress Imperative was submitted to Economic Advisory Council- Prime Minister.

**Social Progress Index:**

- Assesses states and districts based on 12 components across three critical dimensions of social progress - Basic Human Needs, Foundations of well-being, and Opportunity.
- Based on the SPI scores, states and districts have been ranked under six tiers of social progress.

**The tiers are**

Tier 1: Very High Social Progress;

Tier 2: High Social Progress;

Tier 3: Upper Middle Social Progress;

Tier 4: Lower Middle Social Progress;

Tier 5: Low Social Progress;

Tier 6: Very Low Social Progress.

- The report also dwells on India's performance based on Global SPI.
- In the September 2022 report, India is ranked 110th out of 169 nations.

**Report findings:**

- Puducherry has the highest SPI score of 65.99 in the country, attributable to its remarkable performance across components like Personal Freedom and Choice, Shelter, and Water and Sanitation.
- Lakshadweep and Goa closely follow it with scores of 65.89 and 65.53, respectively.

Jharkhand and Bihar scored the lowest, 43.95 and 44.47, respectively

Aizwal (Mizoram), Solan (HP) and Shimla (HP) - top 3 best performing districts.

**Basic Human Needs** assess the performance of states and districts in terms of Nutrition and Basic Medical Care, Water and Sanitation, Personal Safety and Shelter.

**Foundations of Wellbeing** evaluates the progress made by the country across the components of Access to Basic Knowledge, Access to Information and Communication, Health and Wellness, and Environmental Quality.

**Opportunity** focuses on Personal Rights, Personal Freedom and Choice, Inclusiveness, and Access to Advanced Education.

## Pre-Mix – 5 MCQs for Prelims

### Subject – Polity & Governance

Date – 31<sup>st</sup> January 2023

**1. Consider the following statements regarding Indian Councils Act of 1909?**

1. It raised the number of members of Central Legislative Assembly to 60.
2. It introduced for the first time association of Indians in Viceroy's Legislative Council.

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

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

**2. Which of the following statements regarding the Preamble is correct?**

1. It cannot act as a prohibition upon the powers of legislature.
2. India follows a brand of communistic socialism rather than democratic socialism.

**Select the correct option using the code given below:**

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

**3. 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 current option using the code given below:**

- 2 and 4 only
- 2 and 5 only
- 1, 2 and 3 only
- 1, 2, 3 and 5 only

**4. The demand for the Constituent Assembly was accepted for the first time by the British Government in which of the following ?**

- August Offer
- Cabinet Mission
- Cripps Mission
- Morley Minto Reforms

**5. Consider the following statements:**

1. Attorney General of India and Solicitor General of India are the only officers of the Government who are allowed to participate in the meetings of the Parliament of India.
2. According to the Constitution of India, the Attorney General of India submits his resignation when the Government which appointed him resigns.

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

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

## Answers with Explanations

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

**1. Consider the following statements regarding Indian Councils Act of 1909?**

1. It raised the number of members of Central Legislative Assembly to 60.
2. It introduced for the first time



association of Indians in Viceroy's Legislative Council.

Which of the above statements is/are incorrect?

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

**Answer : B**

**Explanation**

Act	Provisions:
<b>Indian Councils Act of 1909</b>	<ul style="list-style-type: none"> <li>increased the size of the legislative councils, both Central and provincial. The number of members in the Central legislative council was raised from 16 to 60.</li> <li>retained official majority in the Central legislative council, but allowed the provincial legislative councils to have non-official majority.</li> <li>enlarged the deliberative functions of the legislative councils at both the levels.</li> <li>provided (for the first time) for the association of Indians with the executive councils of the Viceroy and Governors. Satyendra Prasad Sinha became the first Indian to join the Viceroy's executive council.</li> <li>Introduced a system of communal representation for Muslims by accepting the concept of 'separate electorate'. Thus, the Act</li> </ul>

'legalised communalism' and Lord Minto came to be known as the Father of Communal Electorate.

- also provided for the separate representation of presidency corporations, chambers of commerce, universities and zamindars.

2. Which of the following statements regarding the Preamble is correct?

- It cannot act as a prohibition upon the powers of legislature.
- India follows a brand of communistic socialism rather than democratic socialism.

Select the correct option using the code given below:

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

**Answer : A**

**Explanation**

**SOCIALIST**

- The socialist nature preceded the 42<sup>nd</sup> Constitutional Amendment as it was evident in the Directive Principles of State Policy.
- Indian brand of socialism is democratic socialism rather than communistic socialism.
- It holds faith in mixed economy where both public and private sectors co exist side by side.
- As per Supreme Court , " Indian socialism is a blend of Marxism and Gandhism, leaning heavily towards Gandhian Socialism.

3. 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 current option using the code given below:

- A. 2 and 4 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 had 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.

4. The demand for the Constituent Assembly was accepted for the first time by the British Government in which of the following ?

- A. August Offer
- B. Cabinet Mission
- C. Cripps Mission
- D. Morley Minto Reforms

**Answer : A**

**Explanation**

The demand of Constituent Assembly starting to be raised by Indians and in 1935-1936 this demand was officially raised before British Government by the Indian National Congress. Consequently, the demand was accepted by the British Government which sought the support of Indians in the War. The British Government proposed "August Offer" in 1940 accepting the demand conditionally and promising the formation of "Constitution-making body" after the war. The offer, however, was rejected by the Congress.

**Additional Info**

- On 8 August 1940, Viceroy of India Lord Linlithgow made a statement of behalf of British parliament which came to be known as the 'August Offer', which:
  - Proposed Dominion status as the objective for India
  - Promised that a Constituent Assembly would be set up after the war to determine India's constitutional future with a caveat: no future system of government would be instituted that did not have the support of minority political and religious groups
  - Proposed to expand the Viceroy's council to include a certain number of Indian political representatives, as a

token towards Indian  
Self-Government

**5. Consider the following statements:**

1. Attorney General of India and Solicitor General of India are the only officers of the Government who are allowed to participate in the meetings of the Parliament of India.
2. According to the Constitution of India, the Attorney General of India submits his resignation when the Government which appointed him resigns.

**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**

- Solicitor General does not participate in meetings of the parliament.

**Statement 2 is INCORRECT**

- Since he/she is appointed by the president on the advice of the Council of Ministers, conventionally he resigns when the council is dissolved. But there is no mandatory provision to that effect.

**Article 76 (1)**

- President shall appoint a person who is qualified to be appointed Judge of Supreme Court to be Attorney General of India
- AG has right to speak and take part in proceedings of both houses of parliament or their joint sitting or any

committee meeting but without right to vote.

- AG shall hold office during the pleasure of the President.
- Only the office of AG is created by the Constitution.
- But in addition to AG, there are other law officers of the Government of India, called Solicitor General and Additional Solicitor General.

**Pre-Mix - 5 MCQs for Prelims****Subject - Polity & Governance****Date - 08<sup>th</sup> February 2023****Questions from Crash Course****1. Consider the following statements:**

1. The citizenship act has been amended only twice since 1955.
2. Illegal immigrants in India can never apply for citizenship under any clause/act.

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

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

**2. Which of the following pairs is/are correctly matched?**

<b>Constitutional Amendment</b>	<b>Provision</b>
---------------------------------	------------------

1. First Constitutional Amendment Act - Provided for saving of laws providing for acquisition of estates
2. 25<sup>th</sup> Constitutional Amendment Act - Provided immunity to laws for implementation of DPSP from all fundamental rights
3. 24<sup>th</sup> Constitutional Amendment Act - Made it compulsory for President to give his assent to a Constitutional Amendment Bill.

- A. Only one is correctly matched
- B. Only two are correctly matched
- C. Only three are correctly matched
- D. None of the above are correctly matched

**Questions from Test Series (Polity and Governance )****3. Which of the following is not an effect of Financial Emergency?**

- A. Extension of the executive authority of the Union over the financial matters of the States.
- B. Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State.
- C. Direction from the President for the reduction of salaries and allowances of the judges of the Supreme Court and the High Courts.
- D. None of the above.

**4. Which of the following amendments made the satisfaction of the President in invoking Article 356 final and conclusive which would not be challenged in any court on any ground?**

- A. 36th Amendment Act
- B. 38th Amendment Act
- C. 42nd Amendment Act
- D. 44th Amendment Act

**UPSC Previous Year Question 2021****5. With reference to India, consider the following statements:**

1. When a prisoner makes out a sufficient case, parole cannot be denied to such prisoner because it becomes a matter of his/her right.
2. State Governments have their own Prisoners Release on Parole Rules.

**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

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

### Questions from Crash Course

#### 1. Consider the following statements:

1. The citizenship act has been amended only twice since 1955.
2. Illegal immigrants in India can never apply for citizenship under any clause/act.

Which of the above statements is/are correct?

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

**Answer : D**

#### Explanation

##### Article 11

Parliament shall have the power to make any provision with respect to the acquisition and termination of citizenship and all other matters relating to citizenship.

- Accordingly, the Parliament has enacted the Citizenship Act, 1955, which has been amended in 1957, 1960, 1985, 1986, 1992, 2003, 2005, 2015 and 2019.
- The Citizenship Act 1955 provides for the acquisition of citizenship in five ways: by birth, descent, registration, naturalisation, and the incorporation of territory.
- After the Assam Accord in 1985, an amendment was made in 1986, which inserted Section 6A, making way for a sixth way.

2. Which of the following pairs is/are correctly matched?

Constitutional Amendment	Provision
--------------------------	-----------

1. First Constitutional Amendment Act - Provided for saving of laws providing for acquisition of estates
  2. 25<sup>th</sup> Constitutional Amendment Act - Provided immunity to laws for implementation of DPSP from all fundamental rights
  3. 24<sup>th</sup> Constitutional Amendment Act - Made it compulsory for President to give his assent to a Constitutional Amendment Bill.
- A. Only one is correctly matched
  - B. Only two are correctly matched
  - C. Only three are correctly matched
  - D. None of the above are correctly matched

**Answer : B**

#### Explanation

##### 1<sup>st</sup> Constitutional Amendment Act 1951

- The Supreme Court agreed to examine a plea challenging the expansion of restrictions to the fundamental right to freedom of speech and expression that was made by the first amendment to the Constitution.
- The petitioner, who has challenged the law nearly seven decades after it came into force, argued that the amendment damages the basic structure doctrine.

##### 24<sup>th</sup> Constitutional Amendment Act 1971

- Affirmed the power of Parliament to amend any part of the Constitution including fundamental rights.
- Made it compulsory for the president to give his assent to a Constitutional Amendment Bill.

##### 25<sup>th</sup> Constitutional Amendment Act 1971

- Curtailed the fundamental right to property.
- Provided that any law made to give effect to the Directive Principles contained in Article 39 (b)

or (c) cannot be challenged on the ground of violation of the rights guaranteed by Articles 14, 19 and 31.

### Questions from Test Series (Polity and Governance)

#### 3. Which of the following is not an effect of Financial Emergency?

- A. Extension of the executive authority of the Union over the financial matters of the States.
- B. Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State.
- C. Direction from the President for the reduction of salaries and allowances of the judges of the Supreme Court and the High Courts.
- D. None of the above.

**Answer : D**

#### Explanation

#### Financial Emergency

- **Grounds of declaration:** Article 360 empowers the president to proclaim a Financial Emergency if he is satisfied that a situation has arisen due to which the financial stability or credit of India or any part of its territory is threatened.
- **Parliamentary approval and duration:** A proclamation declaring financial emergency must be approved by both the Houses of Parliament within two months from the date of its issue.
  - However, if the proclamation of Financial Emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of two months without approving the proclamation, then the proclamation survives until 30

days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it.

- Once approved by both the houses of Parliament, the Financial Emergency continues indefinitely till it is revoked.

#### Effects of Financial Emergency

- Extension of the executive authority of the Union over the financial matters of the States.
- Reduction of salaries and allowances of all or any class of persons serving in the State.
- Reservation of all money bills or other financial bills for the consideration of the President after they are passed by the legislature of the State.
- Direction from the President for the reduction of salaries and allowances of all or any class of persons serving the Union; and the judges of the Supreme Court and the High Courts.

#### 4. Which of the following amendments made the satisfaction of the President in invoking Article 356 final and conclusive which would not be challenged in any court on any ground?

- A. 36<sup>th</sup> Amendment Act
- B. 38<sup>th</sup> Amendment Act
- C. 42<sup>nd</sup> Amendment Act
- D. 44<sup>th</sup> Amendment Act

**Answer : B**

#### Explanation

- The 38<sup>th</sup> Amendment act of 1975 made the satisfaction of the President in invoking Article 356 final and conclusive which would not be challenged in any court on any ground.

- But, this provision was subsequently deleted by the 44th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.

### UPSC Previous Year Question 2021

5. With reference to India, consider the following statements:

1. When a prisoner makes out a sufficient case, parole cannot be denied to such prisoner because it becomes a matter of his/her right.
2. State Governments have their own Prisoners Release on Parole Rules.

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.** Parole is a system of releasing a prisoner with suspension of the sentence. Parole cannot be claimed as a matter of right. Parole may be denied to a prisoner even when he makes out sufficient cause for release on parole.
- Parole is to be granted only on a sufficient cause such as cases of severe illness or death of any member of the prisoner's family. The granting authority for parole is the deputy home secretary of the state government.
- On the other hand, Furlough is seen as a matter of right for a prisoner, to be granted periodically irrespective of any reason. It is granted merely to enable the prisoner to retain family and social

ties, and to counter the ill-effects of prolonged time spent in prison.

- Both Parole and Furlough can be denied if the competent authority is of the opinion that releasing the inmate would not be in the interest of society.
- **State governments have their own Prisoner Release on Parole Rules.** 'Prisons' is a State subject under the State List of the Seventh Schedule of the Constitution.

## Pre-Mix - 5 MCQs for Prelims

### Subject - Polity & Governance

Date - 14<sup>th</sup> February 2023

#### Questions from Crash Course

##### 1. Consider the following statements:

1. A Finance Bill under Article 117 (1) does not need prior recommendation of President before introduction.
2. Constitutional Amendment Bills need to have prior recommendation of President before introduction in the Parliament.

Which of the above statements is/are incorrect?

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

##### 2. Consider the following with regard to Budget in the parliament

1. Charged expenditure cannot be discussed and voted upon.
2. A bill to amend the strength of Supreme Court does not lie within the ambit of Article 368.

Which of the above statements is/are correct?

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

#### Questions from Test Series

##### (Polity and Governance)

##### 3. Consider the following statements with reference to the Parliament of India:

1. Bills passed by Lok Sabha and pending before Rajya Sabha do not lapse after

dissolution of Lok Sabha.

2. Bills originating in Rajya Sabha and pending before Lok Sabha lapse after dissolution of Lok Sabha.

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

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

##### 4. What is the importance of whips in our political system?

1. Whips summon Parliamentary sittings once they have been adjourned by the Speaker.
2. Whips are 'Floor managers' of the parties within the legislatures.
3. Private member bills can be introduced only through Whips.

Select the Solution using the codes below:

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

#### UPSC Previous Year Question 2015

##### 5. Consider the following statements: (UPSC 2015)

1. The Rajya Sabha has no power either to reject or to amend a Money Bill.
2. The Rajya Sabha cannot vote on the Demands for Grants.
3. The Rajya Sabha cannot discuss the Annual Financial Statement.

Which of the statements given above is/are correct?

- A. 1 only

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

## Answers with Explanations

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

### Questions from Crash Course

#### 1. Consider the following statements:

1. A Finance Bill under Article 117 (1) does not need prior recommendation of President before introduction.
2. Constitutional Amendment Bills need to have prior recommendation of President before introduction in the Parliament.

Which of the above statements is/are incorrect?

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

**Answer : C**

### Explanation

#### Financial Bills (I)

- It is a bill that contains not only any or all the matters mentioned in Article 110, but also other matters of general legislation. For instance, a bill that contains a borrowing clause, but does not exclusively deal with borrowing.
- In two respects, a financial bill (I) is similar to a money bill—(a) both of them can be introduced only in the Lok Sabha and not in the Rajya Sabha, and (b) both of them can be introduced only on the recommendation of the President.

- In all other respects, a financial bill (I) is governed by the same legislative procedure applicable to an ordinary bill.

#### Financial Bills (II)

- It contains provisions involving expenditure from the Consolidated Fund of India, but does not include any of the matters mentioned in Article 110.
- It is treated as an ordinary bill and in all respects, it is governed by the same legislative procedure which is applicable to an ordinary bill. The only special feature of this bill is that it cannot be passed by either House of Parliament unless the President has recommended to that House the consideration of the bill.
- An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament either by a minister or by a private member and does not require prior permission of the President. .
- The House in which the Bill is introduced must pass it by a special majority, that is, a majority (that is, more than 50 per cent) of the total membership of the House and a majority of two-thirds of the members of the House present and voting.. It is then sent to second House.
- The second House also needs to pass the bill by special majority. Both Lok Sabha and Rajya Sabha enjoy equal powers in this regard and there is no provision for joint sitting for constitution amendment bill.



- If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority. It is presented to the President for assent.
- The President must give his assent to the bill. He can neither withhold his assent nor return the bill for reconsideration. After the assent, bill becomes an Act (i.e., a constitutional amendment act) .
- Election of the President and its manner.
- Extent of the executive and legislative powers of the Union and the states.
- Lists in VII Schedule
- Supreme Court and High Courts.
- Extent of the executive power of the Union and the states.
- Article 368 itself.
- GST Council

## 2. Consider the following with regard to Budget in the parliament

1. Charged expenditure cannot be discussed and voted upon.
2. A bill to amend the strength of Supreme Court does not lie within the ambit of Article 368.

### 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 : B**

### Explanation

#### What is Charged Expenditure?

- The budget consists of two types of expenditure – the expenditure ‘charged’ upon the Consolidated Fund of India and the expenditure ‘made’ from the Consolidated Fund of India. The charged expenditure is non-votable by the Parliament, that is, it can only be discussed by the Parliament, while the other type has to be voted by the Parliament. The list of the charged expenditure is as follows:
  1. Emoluments and allowances of the President and other expenditure relating to his office.
  2. Salaries and allowances of the Chairman and the Deputy Chairman of the Rajya Sabha and the Speaker and the Deputy Speaker of the Lok Sabha.
  3. Salaries, allowances and pensions of the judges of the Supreme Court.
  4. Pensions of the judges of high courts.
  5. Salary, allowances and pension of the Comptroller and Auditor General, chair and members of UPSC.
  6. Administrative expenses of the Supreme Court, the office of the Comptroller and Auditor General of India and the Union Public Service Commission including the salaries, allowances and pensions of the persons serving in these offices.
  7. The debt charges for which the Government of India is liable, including interest, sinking fund charges and redemption charges and other expenditure relating to the raising of loans and the service and redemption of debt.
  8. Any sum required to satisfy any judgement, decree or award of any court or arbitral tribunal.



9. Any other expenditure declared by the Parliament to be so charged.

### Amendment Outside the Scope of Article 368

1. Admission or establishment of new states.
2. Formation of new states and alteration of areas, boundaries or names of existing states.
3. Abolition or creation of legislative councils in states.
4. Second Schedule—emoluments, allowances, privileges and so on of the president, the governors, the Speakers, judges, etc.
5. Quorum in Parliament.
6. Salaries and allowances of the members of Parliament.
7. Rules of procedure in Parliament.
8. Privileges of the Parliament, its members and its committees.
9. Use of English language in Parliament.
10. Number of puisne judges in the Supreme Court.
11. Conferment of more jurisdiction on the Supreme Court.
12. Use of official language.
13. Citizenship—acquisition and termination.

### Questions from Test Series

#### (Polity and Governance)

**3. Consider the following statements with reference to the Parliament of India:**

1. Bills passed by Lok Sabha and pending before Rajya Sabha do not lapse after dissolution of Lok Sabha.
2. Bills originating in Rajya Sabha and pending before Lok Sabha lapse after dissolution of Lok Sabha.

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

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

**Answer : B**

#### Explanation

- Statement 1 is incorrect. Bill passed by Lok Sabha and pending before Rajya Sabha lapses on dissolution of Lok Sabha.
- Statement 2 is correct. Bill originating in Rajya Sabha and pending before Lok Sabha lapses after dissolution of Lok Sabha.
- When the Lok Sabha is dissolved, all business including bills, motions, resolutions, notices, petitions and so on pending before it or its committees lapse. However, some pending bills and all pending assurances that are to be examined by the Committee on Government Assurances do not lapse on the dissolution of the Lok Sabha.

#### Bills that lapse:

- A bill pending in the Lok Sabha lapses (whether originating in the Lok Sabha or transmitted to it by the Rajya Sabha).
- A bill passed by the Lok Sabha but pending in the Rajya Sabha lapses.

#### Bills that don't lapse:

- A bill not passed by the two Houses due to disagreement and if the president has notified the holding of a joint sitting before the dissolution of Lok Sabha, does not lapse.
- A bill pending in the Rajya Sabha but not passed by the Lok Sabha does not lapse.

- A bill passed by both Houses but pending assent of the president does not lapse.
- A bill passed by both Houses but returned by the president for reconsideration of Houses does not lapse.

**Lame Duck Session** refers to the last session of the existing Lok Sabha, after a new Lok Sabha has been elected. Those members of the existing Lok Sabha who could not get re-elected to the new Lok Sabha are called lame-ducks.

#### 4. What is the importance of whips in our political system?

1. Whips summon Parliamentary sittings once they have been adjourned by the Speaker.
2. Whips are 'Floor managers' of the parties within the legislatures.
3. Private member bills can be introduced only through Whips.

**Select the Solution using the codes below:**

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

**Answer : C**

**Explanation**

**Statement 2 is correct:**

- In the parliamentary form of Government, Whips of various political parties are the vital links of the internal organization of parties, inside the legislatures.
- A whip is an important member of a political party's parliamentary body, having a central role in 'Floor Management' in both the Houses of

Parliament and is responsible for discipline within the party.

- Their main job is ensuring that their members in Parliament and legislature vote in line with the party's official policy on important issues and make sure that the members turn out for important votes.
- The efficient and smooth functioning of Parliament and State Legislatures depends, to a considerable extent, upon the office of the Whip.
- The Whips can be rightly said to be the managers of the parties within the legislatures.
- Organizing the All India Whips Conference is one of the functions assigned to the Ministry of Parliamentary affairs, under Government of India (Allocation of Business) Rules, 1961 made under article 77(3) of the Constitution.

**UPSC Previous Year Question 2015**

**5.Consider the following statements: (UPSC 2015)**

1. The Rajya Sabha has no power either to reject or to amend a Money Bill.
2. The Rajya Sabha cannot vote on the Demands for Grants.
3. The Rajya Sabha cannot discuss the Annual Financial Statement.

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

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

**Answer : B**

**Explanation**

<b>Equal Status of Rajya Sabha</b>	<b>Unequal Status of Rajya Sabha</b>
<b>Ordinary Bills, Constitutional Amendment Bills introduction</b>	<b>Money Bill</b>
<b>Election and impeachment of President, Election of Vice President</b>	<b>Finance bill Type 1</b>
<b>Removal of Judges of Supreme Court and High Court</b>	<b>Joint Sitting</b>
<b>Approval of ordinances</b>	<b>Discontinuance of National Emergency</b>
<b>Approval of emergency declaration by President</b>	<b>No Confidence Motion, Censure Motion, Adjournment Motion</b>
<b>Selection of ministers and consideration of reports of Finance Commission, UPSC etc.</b>	<b>Parliamentary Law on state subject (249)</b>
<b>Enlargement of jurisdiction of Supreme Court</b>	<b>Creation of New All India Services (312)</b>
<b>Equal Status of Rajya Sabha</b>	<b>Unequal Status of Rajya Sabha</b>

	<b>Initiate removal of Vice President (67)</b>
	<b>Approval of National Emergency if Lok Sabha is dissolved</b>

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 21<sup>st</sup> February 2023****Current Affairs Special****May 2022****1. Consider the following statements**

1. Contributions to political parties under Section 29 C of RPA are exempted from income tax.
2. A party is recognized as a national party if it gets the state party status in 3 or more states.

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

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

**June 2022****2. With regards to the recently released, performance grading index for districts (PGI-D) assessment of the school education system, consider the following statements:**

1. It is the first ever such report.
2. None of the districts figured in the highest 'Daksh' grade
3. Only one district made a substantial improvement of over 20% in the outcomes category during 2019-20 as compared to 2018-19

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

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

**July 2022****3. Consider the following statements :**

1. Both Central and State governments have the power to issue directions for blocking of content under Information Technology Act 2000.
2. The terms “ Critical Information Infrastructure” has been mentioned but not defined by the Information Technology Act 2000.

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

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

**August 2022****4. Which of the following statements is correct ?**

1. Assam is the only state in India where National Register of Citizens has been updated post 1951.
2. The ILP system is in operation in all the states of North-East.

**Select the correct options:**

- A. 1 only
- B. 2 only
- C. Both 1 & 2
- D. Neither 1 or 2

**UPSC Previous Year Question 2020****5. Consider the following statements: (2020)**

1. According to the Constitution of India a person who is eligible to vote can be made a minister in a State for six months even if he/she is not a member of the Legislature of that State.
2. According to the Representation of People Act, 1951, a person convicted of a criminal

offence and sentenced to imprisonment for five years is permanently disqualified from contesting an election even after his release from prison.

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

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

Current Affairs Special

May 2022

1. Consider the following statements

1. Contributions to political parties under Section 29 C of RPA are exempted from income tax.
2. A party is recognized as a national party if it gets the state party status in 3 or more states.

Which of the above statements is/are incorrect?

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

Answer : B

Explanation

**Obligations of the Registered Political Parties**

- Under Section 29 C of the RP Act the registered parties are required to furnish a contribution report. Such contributions are 100% exempted from income tax as an incentive to the parties for strengthening the electoral democracy.

- Section 29A (9) of the Act mandates every political party to communicate any change in its name, head office, office bearers, address, PAN to the Commission without delay. They also have to submit audited annual statements and a return of income for each assessment year to be eligible for exemption from income tax.
- The parties need to include in their constitution that they must contest an election conducted by the ECI within five years of registration.
- Upon participation in an election, they have to furnish their election expenditure statement within 75 days in case of Assembly polls and within 90 days in case of Lok Sabha election.
- Any aggrieved party can approach the Chief Electoral Officer concerned with full facts within 30 days of the ECI order, along with all the evidence, to seek remedial action.

**Conditions for Recognition as a National Party**

- At present (2019), a party is recognised as a national party if any of the following conditions is fulfilled :
- If it secures six per cent of valid votes polled in any four or more states at a general election to the Lok Sabha or to the legislative assembly; and, in addition, it wins four seats in the Lok Sabha from any state or states; or
- If it wins two per cent of seats in the Lok Sabha at a general election; and these candidates are elected from three states; or
- If it is recognised as a state party in four states.

June 2022

2. With regards to the recently released, performance grading index for districts (PGI-D) assessment of the school education system, consider the following statements:

1. It is the first ever such report.
2. None of the districts figured in the highest 'Daksh' grade
3. Only one district made a substantial improvement of over 20% in the outcomes category during 2019-20 as compared to 2018-19

Which of the statements given above is/are correct?

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

Answer : A

Explanation

Context

- Ministry of Education recently (27 June 2022) released the Performance Grading Index for Districts (PGI-D) for 2018-19 and 2019-20 for the first time ever.
- Released by: The Department of School Education and Literacy (DoSE&L), under MOE.
- PGI-D assesses the performance of the school education system at the District level by creating an index for comprehensive analysis.

6 categories

- Outcomes
- Effective Classroom Transaction
- Infrastructure Facilities & Student's Entitlements
- School Safety & Child Protection

- Digital Learning
- Governance Process.

10 grades

The highest achievable grade is 'Daksh', which is for districts scoring more than 90% of the total points in that category or overall.

- 'Utkarsh' (81% to 90%)
- 'Ati Uttam' (71% to 80%)
- 'Uttam' (61% to 70%)
- 'Pracheta-1' (51% to 60%)
- 'Pracheta-2' (41% to 50%).
- The lowest grade in PGI-D is 'Akanshi-3' which is for scores upto 10% of the total points.

None of the districts figured in the highest 'Daksh' grade in both these years.

Ati Uttam - Rajasthan has the highest 24 districts in this grade, followed by Punjab (14), Gujarat (13), and Kerala (13).

July 2022

3. Consider the following statements :

1. Both Central and State governments have the power to issue directions for blocking of content under Information Technology Act 2000.
2. The terms " Critical Information Infrastructure" has been mentioned but not defined by the Information Technology Act 2000.

Which of the above statements is/are correct?

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



**Answer : D**

### Explanation

69A. Power to issue directions for blocking for public access of any information through any computer resource.—(1) Where the Central Government or any of its officers specially authorised by it in this behalf is satisfied that it is necessary or expedient so to do, in the interest of sovereignty and integrity of India, defence of India, security of the State, friendly relations with foreign States or public order or for preventing incitement to the commission of any cognizable offence relating to above, it may subject to the provisions of sub-section (2), for reasons to be recorded in writing, by order, direct any agency of the Government or intermediary to block for access by the public or cause to be blocked for access by the public any information generated, transmitted, received, stored or hosted in any computer resource.

### Section 70. Protected system.

[(1) The appropriate Government may, by notification in the Official Gazette, declare any computer resource which directly or indirectly affects the facility of Critical Information Infrastructure, to be a protected system.

Explanation.—For the purposes of this section, —Critical Information Infrastructure means the

computer resource, the incapacitation or destruction of which, shall have debilitating impact on national

security, economy, public health or safety.]

**August 2022**

#### 4. Which of the following statements is correct ?

1. Assam is the only state in India where National Register of Citizens has been updated post 1951.
2. The ILP system is in operation in all the states of North-East.

**Select the correct options:**

- A. 1 only
- B. 2 only
- C. Both 1 & 2
- D. Neither 1 or 2

**Answer : A**


### Explanation

**Constitutional Framework (6<sup>th</sup> August to 12<sup>th</sup> August)**  
**Manipur assembly passes a resolution to implement NRC**

**About the News**

- The Manipur assembly has passed a resolution to implement **National Register of Citizen (NRC)** in the state. It has also resolved to establish a **State Population Commission**.
- The demand for NRC has been generated by more than two dozen organizations including tribal organizations, to protect the indigenous people from perceived invasion by 'non-local residents'.

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**What is NRC?**

- The National Register of Citizens (NRC) is an official record of those who are official Indian citizens.
- It records the demographic information of all the persons who qualify to be Indian citizens as per the Citizenship Act, 1955.
- NRC is collated from the census data by marking the persons who are citizens.
- The issue of NRC is significant in case of Assam. Assam having a boundary with Bangladesh witnessed large scale inflow of persons from across the boundary.
- This threatened the demography of the region and generated widespread discontent and agitation. The Assam movement aroused in this context forced the centre to safeguard the state from such infiltration of illegal immigrants.

- The Manipur assembly has passed a resolution to implement National Register of Citizen (NRC) in the state. It has also resolved to establish a State Population Commission.
- The demand for NRC has been generated by more than two dozen organizations including tribal organizations, to protect the indigenous people from perceived invasion by 'non-local residents'.

#### What is NRC?

- The National Register of Citizens (NRC) is an official record of those who are official Indian citizens.
- It records the demographic information of all the persons who qualify to be Indian citizens as per the Citizenship Act, 1955.
- NRC is collated from the census data by marking the persons who are citizens.
- The issue of NRC is significant in case of Assam. Assam having a boundary with Bangladesh witnessed large scale inflow of persons from across the boundary.

#### ILP

- In December 2019, **Manipur** became the fourth northeastern State to be brought under the Inner-Line Permit (ILP) system after **Arunachal Pradesh, Mizoram and Nagaland**.

- The ILP - a temporary official travel document to allow inward travel of an Indian citizen into a protected area, was implemented under the British-era Bengal Eastern Frontier Regulation.

### UPSC Previous Year Question 2020

#### 5. Consider the following statements: (2020)

1. According to the Constitution of India a person who is eligible to vote can be made a minister in a State for six months even if he/she is not a member of the Legislature of that State.
2. According to the Representation of People Act, 1951, a person convicted of a criminal offence and sentenced to imprisonment for five years is permanently disqualified from contesting an election even after his release from prison.

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

**Article 75(5) :** A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period cease

to be a Minister.

#### Article 326 :

**326. Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.**—The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage; that is to say, every person who is a citizen of India and who is not less than <sup>2</sup>[eighteen years] of age on such date as may be fixed in that behalf by or under any law made by the appropriate Legislature and is not otherwise disqualified under this Constitution or any law made by the appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election.

- Section 8. Disqualification on conviction for certain offences.

- A person convicted of any offence and sentenced to imprisonment for **not less than two years** (other than any offence referred to in sub-section (1) or sub-section (2)) shall be disqualified from the date of such conviction and shall continue to be disqualified for a **further period of six years since his release.**

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 01<sup>st</sup> March 2023****Questions from Crash Course**

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

1. The President of India is empowered to direct that an act of parliament does not apply to fifth schedule areas.
2. Governor of Assam can direct that an act of parliament does not apply to a tribal area under sixth schedule.

Which of the above statements is/are incorrect?

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

2. Which of the following statements is incorrect?

- A. The President can modify the constitutional distribution of revenues between the centre and the states during a National Emergency.
- B. The time period for approval of proclamation of National Emergency was increased to two months by the 42<sup>nd</sup> Constitutional Amendment Act of 1976.
- C. Fundamental rights under Article 19 can only be suspended in case of National emergency declared on grounds of war or external aggression.
- D. In case of a State emergency, Legislative assembly can only be dissolved after parliament has approved the presidential proclamation.

3. A resolution that authorizes Parliament to enact laws on a subject on the State List may be passed by the Rajya Sabha. Consider the following statements regarding this :

1. An absolute majority is required to approve such a resolution.
2. Until the State demands its withdrawal, the resolution is in effect indefinitely.

Which of the aforementioned statements is true?

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

4. Which of the following statements is incorrect?

1. A person elected to both houses of parliament, who does not intimate his preference of seat, is allocated his/her Rajya Sabha seat.
2. If a sitting member of a house is elected to the other house, his/her seat in first house becomes vacant.
3. If a person is elected to both seats in a house, he should exercise his option for one, otherwise he will be allocated seat with his / her domicile.
4. If an MLA becomes an MP, his seat in legislature becomes vacant if he does not decide which seat he prefers.

- A. Only 1 statement is incorrect
- B. Only 2 statements are incorrect
- C. Only 3 statements are incorrect
- D. All statements are incorrect

**UPSC Previous Year Question 2019**

5. Consider the following statements:

- The 44<sup>th</sup> Amendment to the Constitution of India introduced an Article placing the election of the Prime Minister beyond judicial review.

- The Supreme Court of India struck down the 99<sup>th</sup> Amendment to the Constitution of India as being violative of the independence of judiciary.

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

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

Questions from Crash Course

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

1. The President of India is empowered to direct that an act of parliament does not apply to fifth schedule areas.
2. Governor of Assam can direct that an act of parliament does not apply to a tribal area under sixth schedule.

Which of the above statements is/are incorrect?

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

Answer : A

Explanation

Exceptions to the territorial application of laws of Parliament

- The President can make regulations for the peace, progress and good government of the four Union Territories having the same effect as law of Parliament-

- Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli and Daman and Diu.
- He/she may also repeal or amend any act of Parliament in relation to these union territories.
- The governor is empowered to direct that an act of Parliament does not apply to a scheduled area in the state or apply with specified modifications and exceptions.
- The Governor of Assam may likewise direct that an act of Parliament does not apply to a tribal area (autonomous district) in the state or apply with specified modifications and exceptions. The President enjoys the same power with respect to tribal areas (autonomous districts) in Meghalaya, Tripura and Mizoram.

2. Which of the following statements is incorrect?

- A. The President can modify the constitutional distribution of revenues between the centre and the states during a National Emergency.
- B. The time period for approval of proclamation of National Emergency was increased to two months by the 42<sup>nd</sup> Constitutional Amendment Act of 1976.
- C. Fundamental rights under Article 19 can only be suspended in case of National emergency declared on grounds of war or external aggression.
- D. In case of a State emergency, Legislative assembly can only be dissolved after parliament has approved the presidential proclamation.

**Answer : B**

### Explanation

Impact of emergencies in Financial Relations:

#### National Emergency:

- The President can modify the constitutional distribution of revenues between the Centre and the states.
- Such modification continues till the end of the financial year in which the emergency ceases to operate.

#### Financial Emergency:

Centre can give directions to the states:

- to observe the specified canons of financial propriety;
- to reduce the salaries and allowances of all class of persons serving in the state;
- to reserve all money bills and other financial bills for the consideration of the President.

#### Parliamentary Approval and Duration:

- The proclamation of Emergency must be approved by both the Houses of Parliament within one month from the date of its issue.
- Originally, the period allowed for approval by the Parliament was two months, but was reduced by the 44th Amendment Act of 1978.
- However, if the proclamation of emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of one month without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok Sabha after its reconstitution, provided the Rajya Sabha has in the meantime approved it.

#### Impact on Fundamental Rights- Article 358

- When a proclamation of national emergency is made, the six Fundamental Rights under Article 19 are automatically suspended. No separate order for their suspension is

required.

- The state can make any law or can take any executive action abridging or taking away the six Fundamental Rights guaranteed by Article 19.
- Any such law or executive action cannot be challenged on the ground that they are inconsistent with the six Fundamental Rights guaranteed by Article 19. When the National Emergency ceases to operate, Article 19 automatically revives.
- Any law made during Emergency, to the extent of inconsistency with Article 19, ceases to have effect. However, no remedy lies for anything done during the Emergency

The 44th Amendment Act of 1978 restricted the scope of Article 358 in two ways:

- 1. Firstly, the six Fundamental Rights under Article 19 can be suspended only when the National Emergency is declared on the ground of war or external aggression and not on the ground of armed rebellion.
- 2. Secondly, only those laws which are related with the Emergency are protected from being challenged and not other laws. Also, the executive action taken only under such a law is protected.
- A nine-judge Constitution Bench of the court in the Bommai case, laid down certain propositions for President's rule:
- Firstly, Governor's recommendation should be based on "objective material" and not on a political whim or fancy.



- The presidential proclamation imposing President's Rule is subject to judicial review. Burden lies on the Centre to prove that relevant material exist to justify the imposition of the President's Rule.
- The court cannot go into the correctness of the material or its adequacy but it can see whether it is relevant to the action.
- If the court holds the presidential proclamation to be unconstitutional and invalid, it has power to restore the dismissed state government and revive the state legislative assembly if it was suspended or dissolved.
- The state legislative assembly should be dissolved only after the Parliament has approved the presidential proclamation. Until such approval is given, the president can only suspend the assembly. In case the Parliament fails to approve the proclamation, the assembly would get reactivated.
- The power under Article 356 is an exceptional power to be used sparingly for specific occasions.

**3. A resolution that authorizes Parliament to enact laws on a subject on the State List may be passed by the Rajya Sabha. Consider the following statements regarding this :**

1. An absolute majority is required to approve such a resolution.
2. Until the State demands its withdrawal, the resolution is in effect indefinitely.

**Which of the aforementioned statements is true?**

- A. 1 only
- B. 2 only

- C. Both 1 and 2
- D. Neither 1 nor 2

**Answer : D**

**Explanation**

- The Rajya Sabha has the authority to declare that it is in the public interest for the Parliament to pass legislation on a State List item if it deems that to be required.
- Two-thirds of the members present and voting must back such a resolution (a case of special majority).
- Resolution remains in force for one year at a time.
- When six months have passed since the resolution's expiration date, the laws are no longer in force.
- The ability of a state legislature to enact laws on the same subject is not limited by this clause.
- But, if there is a conflict between a parliamentary law and a state law, the former is to take precedence.

**4. Which of the following statements is incorrect?**

1. A person elected to both houses of parliament , who does not intimate his preference of seat, is allocated his/her Rajya Sabha seat.
2. If a sitting member of a house is elected to the other house, his/her seat in first house becomes vacant.
3. If a person is elected to both seats in a house, he should exercise his option for one, otherwise he will be allocated seat with his / her domicile.
4. If an MLA becomes an MP, his seat in legislature becomes vacant if he does not decide which seat he prefers.

- A. Only 1 statement is incorrect
- B. Only 2 statements are incorrect
- C. Only 3 statements are incorrect



D. All statements are incorrect

**Answer : B**

**Explanation**

Vacancy of Seats:

**Double Membership:** A person cannot be a member of both Houses of Parliament at the same time. Thus RPA 1951 requires:

- If a person is elected to both the Houses of Parliament, he must intimate within 10 days in which House he desires to serve. In default of such intimation, his seat in the Rajya Sabha becomes vacant.
- If a sitting member of one House is also elected to the other House, his seat in the first House becomes vacant.
- If a person is elected to two seats in a House, he should exercise his option for one. Otherwise, both seats become vacant.
- If an MLA becomes MP, his seat in Parliament becomes vacant if he does not resign his seat in the state legislature within 14 days.

**Disqualification:** If a member of Parliament becomes subject to any of the disqualifications specified in the Constitution, his seat becomes vacant.

**Resignation:** A member may resign his seat by writing to the Chairman of Rajya Sabha or Speaker of Lok Sabha, as the case may be.

**Absence:** A House can declare the seat of a member vacant if he is absent from all its meetings for a period of sixty days without its permission. In computing the period of sixty days, no account shall be taken of any period during which the House is prorogued or adjourned for more than four consecutive days.

**Other cases:** A member has to vacate his seat in the Parliament: (a) if his election is declared void by the

court; (b) if he is expelled by the House; (c) if he is elected to the office of President or Vice-President; and (d) if he is appointed to the office of governor of a state.

**UPSC Previous Year Question 2019**

**5. Consider the following statements:**

1. The 44<sup>th</sup> Amendment to the Constitution of India introduced an Article placing the election of the Prime Minister beyond judicial review.
2. The Supreme Court of India struck down the 99<sup>th</sup> Amendment to the Constitution of India as being violative of the independence of judiciary.

**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**

- 39<sup>TH</sup> constitutional amendment Act 1975 placed the election of the office of President, Vice President, Prime Minister and the Speaker of the Lok Sabha beyond the judicial review.
- Instead, a body constituted by the parliament would be vested with the power to resolve such election disputes.

**Statement 2 is CORRECT.**

- The 99<sup>th</sup> Constitutional Amendment Act 2014 amended Article 124 of the Constitution to change the collegium system of appointments and provide for a National Judicial Appointments

Commission.

- NJAC would have been responsible for the recruitment, appointment and transfer of Judges of Higher Judiciary
- Constitution (99th Amendment) Act, introduced three key Articles- 124 A, B, and C and amended clause 2 of Article 124.
  - Article 124A created the National Judicial Appointments Commission (NJAC), a constitutional body to replace the collegium system
  - Article 124B vested in this NJAC the power to make appointments to both the Supreme Court and the various high courts
  - Article 124C accorded express authority to Parliament to make laws regulating the the NJAC's functioning.
- The NJAC was to be composed of:
  - The Chief Justice of India as the *ex officio* Chairperson
  - Two senior-most Supreme Court Judges as *ex officio* members
  - The Union Minister of Law and Justice as *ex officio* member
  - Two eminent persons from civil society (to be nominated by a committee consisting of the Chief Justice of India, Prime Minister of India and the Leader of Opposition in the Lok Sabha; one of the eminent persons to be nominated from SC/ST/OBC/minorities or women)

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 07<sup>th</sup> March 2023****1. Consider the following statements regarding the Delimitation Commission.**

1. It is to be constituted under parliamentary law.
2. Its orders cannot be challenged in the court of law
3. The last delimitation exercise in Assam was held after Assam Accord was signed in 1985.

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

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

**2. Which of the following judicial pronouncements did not have a direct impact on the concept of Public Interest Litigation in India**

1. SP Gupta versus Union of India 1981
2. M.C Mehta versus Union of India 1987
3. Berubari Union Case 1960
4. Hussainara Khatoon versus State of Bihar 1979

**Choose the correct answer:**

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

**3. Consider the following statements regarding sedition law provisions in India:**

1. In 2018, Law commission of India recommended the repeal of Section 124 A of IPC.

2. Sedition was made a cognizable offence under the prime ministership of Jawaharlal Nehru.

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

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

**4. Consider the following statements:**

1. As per Article 246 A, the Parliament and the Legislature of every State, has power to make laws with respect to the goods and services tax (GST).
2. Integrated Goods and Services Tax (IGST) is in the legislative domain of the Union government.

**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. Art 19 (2) places restrictions on freedom of speech and expression on account of which of the following?**

1. Public Order
2. Decency or morality
3. Public Health
4. Defamation
5. Other Fundamental Rights

**Select the correct option:**

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

## Answers with Explanations

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

1. Consider the following statements regarding the Delimitation Commission.

1. It is to be constituted under parliamentary law.
2. Its orders cannot be challenged in the court of law
3. The last delimitation exercise in Assam was held after Assam Accord was signed in 1985.

Which of the above statements is/are correct?

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

**Answer : B**

**Explanation**

- Article 82. Readjustment after each census.—Upon the completion of each census, the allocation of seats in the House of the People to the States and the division of each State into territorial constituencies shall be readjusted by such authority and in such manner as Parliament may by law determine.
- Composition as per Delimitation Commission act 2002
  1. Chairperson- Present or former Judge of Supreme Court
  2. CEC or Election Commissioner
  3. State Election Commissioner of the state concerned
    - Upon publication in the Gazette of India, every such order shall have the force of law and shall not be called in question in any court.

<sup>4</sup>[8A. Delimitation of Parliamentary and Assembly Constituencies in the States of Arunachal Pradesh, Assam, Manipur or Nagaland.— (1) If the President is satisfied that the situation and the conditions prevailing in the States of Arunachal Pradesh, Assam, Manipur or Nagaland are conducive for the conduct of delimitation exercise, he may, by order, rescind the deferment order issued under the provisions of section 10A of the Delimitation Act, 2002 (33 of 2002) in relation to that State, and provide for the conduct of delimitation exercise in the State by the Election Commission.

2. Which of the following judicial pronouncements did not have a direct impact on the concept of Public Interest Litigation in India

1. SP Gupta versus Union of India 1981
2. M.C Mehta versus Union of India 1987
3. Berubari Union Case 1960
4. Hussainara Khatoon versus State of Bihar 1979

Choose the correct answer:

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

**Answer : A**

**Explanation**

**Statement 1 is correct**

SP Gupta v Union of India, also known as the First Judges Case the case also served as a milestone for the PILs in the country. Earlier, a person who suffered any kind of injury or loss had the right to file a PIL in court. But in this case, the Court widened the scope and ambit of PIL and held that even a person other than the one who suffered injury or loss can file a PIL in the public interest.

**Statement 2 is Correct**

M.C Mehta versus Union of India is a landmark judgement for environmental litigation and public interest litigation as it also paved the way for absolute liability principle.

**Statement 4 is correct**

Hussainara Khatoon Case 1979 focused on inhuman conditions of prisons and undertrials.

Advocate Pushpa Kapila Hingorani moved to the court by filing the issue of writ of habeas corpus the petitioners stated that a large number of men and

women including children were in jail for years awaiting trial in the court of law and that the offence even if proved, would not warrant a punishment for more than a few months.

### Statement 3 is incorrect

Berubari Union Case 1960

Presidential reference under Article 143.

### Berubari Union Case 1960

#### Supreme Court Judgement

1. Disagreed with the contention that the agreement is no more than ascertainment and delineation of the boundaries in the light of the award.
2. Held that PREAMBLE IS NOT PART OF THE CONSTITUTION.
3. Article 1 (3) (C) does not confer the power or authority on India to acquire territories. The power to acquire a foreign territory and power to cede a part of the national territory are essential attributes of sovereignty.
4. Supreme Court concluded that it would not be competent to parliament to make a law under Article 3 for the purpose of implementing the agreement. Thus to implement the agreement, constitutional amendment under Article 368 will have to be passed.

### 3. Consider the following statements regarding sedition law provisions in India:

1. In 2018, Law commission of India recommended the repeal of Section 124 A of IPC.
2. Sedition was made a cognizable offence under the prime ministership of Jawaharlal Nehru.

### 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 : A**

#### Explanation

**1870 - Section 124 A** inserted in IPC by an amendment introduced by Sir James Stephen when it felt the need for a specific section to deal with offence.

Jogesh Chandra Bose, Bal Gangadhar Tilak, Mahatma Gandhi, Annie Besant were all convicted of this offence.

**1974 -** It was made cognizable offence that authorizes police to make arrests without a warrant.

### 4. Consider the following statements:

1. As per Article 246 A, the Parliament and the Legislature of every State, has power to make laws with respect to the goods and services tax (GST).
2. Integrated Goods and Services Tax (IGST) is in the legislative domain of the Union government.

### 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

**246A - (1)** Notwithstanding anything contained in articles 246 and 254, Parliament, and, subject to clause (2), the Legislature of every State, have power to make laws with respect to goods and services tax imposed by the Union or by such State.

**(2)** Parliament has exclusive power to make laws with respect to goods and services tax where the supply of goods, or of services, or both takes place in the course of inter-State trade or commerce.

**5. Art 19 (2) places restrictions on freedom of speech and expression on account of which of the following?**

1. Public Order

2. Decency or morality
3. Public Health
4. Defamation
5. Other Fundamental Rights

**Select the correct option:**

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

**Answer : B**

### **Explanation**

business.

<sup>3</sup>[(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of <sup>4</sup>[the sovereignty and integrity of India], the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.]



**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 14<sup>th</sup> March 2023**

**1. Consider the following statements with reference to Memorandum of Procedure of Appointment of Supreme Court Judges:**

1. According to it the appointment to the office of the Chief Justice of India should be of the senior most Judge of the Supreme Court considered fit to hold the office
2. The process begins with the Union Law Minister seeking the recommendation of the outgoing CJI about the next appointment.
3. The Minister has to seek the CJI's recommendation "at the appropriate time"
4. The timeline for the entire process is 60 days

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

- A. 1 only
  - B. 2 and 3 only
  - C. 4 only
  - D. 1, 2 and 3 only
- 2. Which of the following statements is incorrect with reference to the Forty Second Amendment Act, 1976?**
- A. Made the president bound by the advice of the cabinet.
  - B. Provided for administrative tribunals and tribunals for other matters
  - C. Curtailed the power of judicial review and writ jurisdiction of the Supreme Court and high courts.
  - D. None of the above.

**3. Consider the following statements:**

1. Anticipatory Bail is issued only by the Sessions Court and High Court
2. Regular Bail is a direction given by the Court to release a person who is already under arrest and kept in police custody

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

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

**4. Which of the following statutory provisions makes mediation a compulsory prerequisite to filing a suit in court?**

1. Industrial Disputes Act, 1947
2. Companies Act, 2013
3. Micro, Small and Medium Enterprises Development Act, 2006
4. Development Act, 2006
5. Hindu Marriage Act, 1955
6. Special Marriage Act, 1954

**Select the correct code:**

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

**5. Consider the following statements with reference to the Press Council of India:**

1. The Press Council of India jurisdiction is only limited to print media.
2. The Press Council of India is to preserve the freedom of the press and to maintain and improve the standards of the press in India.
3. The Chairman of the commission is nominated by a committee consisting

of the President, Leader of Opposition in Lok Sabha and Lok Sabha Speaker.

Which of the statements given above is/are correct?

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

### Answers with Explanations

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

1. Consider the following statements with reference to Memorandum of Procedure of Appointment of Supreme Court Judges:

1. According to it the appointment to the office of the Chief Justice of India should be of the senior most Judge of the Supreme Court considered fit to hold the office
2. The process begins with the Union Law Minister seeking the recommendation of the outgoing CJI about the next appointment.
3. The Minister has to seek the CJI's recommendation "at the appropriate time"
4. The timeline for the entire process is 60 days

Which of the statements given above is/are correct?

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

Answer : D

Explanation

- **Statement 1 is correct:** According to it the appointment to the office of the Chief Justice of India should be of the senior most Judge of the Supreme Court considered fit to hold the office.
- **Statement 2 is correct:** The process begins with the Union Law Minister seeking the recommendation of the outgoing CJI about the next appointment.
- **Statement 3 is correct:** The Minister has to seek the CJI's recommendation "at the appropriate time".
- **Statement 4 is incorrect:** The Memorandum does not elaborate or specify a timeline.

2. Which of the following statements is incorrect with reference to the Forty Second Amendment Act, 1976?

- A. Made the president bound by the advice of the cabinet.
- B. Provided for administrative tribunals and tribunals for other matters
- C. Curtailed the power of judicial review and writ jurisdiction of the Supreme Court and high courts.
- D. None of the above.

Answer : D

Explanation

- **Statement 1 is correct:** Made the president bound by the advice of the cabinet.
- **Statement 2 is correct:** Provided for administrative tribunals and tribunals for other matters
- **Statement 3 is correct:** Curtailed the power of judicial review and writ jurisdiction of the Supreme Court and

high courts.

## Additional Information

### Forty Second Amendment Act, 1976

- **Amendments:**

- Added three new words (i.e., socialist, secular and integrity) in the Preamble.
- Added Fundamental Duties by the citizens (new Part IV A).
- Made the president bound by the advice of the cabinet.
- Provided for administrative tribunals and tribunals for other matters (Added Part XIV A).
- Facilitated the proclamation of national emergency in a part of the territory of India.
- Extended the one-time duration of the President's rule in a state from 6 months to one year.
- Empowered the Centre to deploy its armed forces in any state to deal with a grave situation of law and order.
- 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.
- Did away with the requirement of quorum in the Parliament and the state legislatures.
- Made the constitutional amendments beyond judicial scrutiny.
- Curtailed the power of judicial review and writ jurisdiction of the Supreme Court and high courts.



T.me/Sleepy Classes

- Raised the tenure of Lok Sabha and state legislative assemblies from 5 to 6 years.
- 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.
- Empowered the Parliament to make laws to deal with anti-national activities and such laws are to take precedence over Fundamental Rights.
- Added three new Directive Principles viz., equal justice and free legal aid, the participation of workers in the management of industries and protection of the environment, forests, and wildlife.
- Empowered the Parliament to decide from time to time the rights and privileges of its members and committees.
- Provided for the creation of the All-India Judicial Service.
- Shortened the procedure for disciplinary action by taking away the right of a civil servant to make representation at the second stage after the inquiry (i.e., on the penalty proposed).

### 3. Consider the following statements:

1. Anticipatory Bail is issued only by the Sessions Court and High Court
2. Regular Bail is a direction given by the Court to release a person who is already under arrest and kept in police custody

**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

**Statement 1 is correct:** Anticipatory Bail is issued only by the Sessions Court and High Court.

**Statement 2 is correct:** Regular Bail is a direction given by the Court to release a person who is already under arrest and kept in police custody.

- Bail is the conditional/provisional release of a person held under legal custody (in matters which are yet to be pronounced by the Court), by undertaking a promise to appear in the Court as and when required.
- It signifies a security/collateral deposited before the Court for release.
- The term "bail" is not defined in India's Criminal Procedure Code, 1973 (CrPC).
- Section 2(a) only defines the terms "Bailable Offence" and "Non-Bailable Offence".

### Types of Bail in India

#### Regular Bail

- It is a direction given by the Court (any Court within the country) to release a person who is already under arrest and kept in police custody.
- For such Bail, a person can file an application under Section 437 and 439 of the CrPC.

#### Interim Bail

- Bail granted for a temporary and short period by the Court till the application seeking Anticipatory Bail or Regular Bail is pending before a Court.

### Anticipatory Bail

- A direction issued to release a person on Bail even before the person is arrested.
- In this situation, there is apprehension of arrest and the person is not arrested before the Bail is granted.
- For such Bail, a person can file an application under Sec. 438 of the Code of Criminal Procedure (CrPC).
- It is issued only by the Sessions Court and High Court.

**4. Which of the following statutory provisions makes mediation a compulsory prerequisite to filing a suit in court?**

1. Industrial Disputes Act, 1947
2. Companies Act, 2013
3. Micro, Small and Medium Enterprises
4. Development Act, 2006
5. Hindu Marriage Act, 1955
6. Special Marriage Act, 1954

**Select the correct code:**

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

**Answer : D**

### Explanation

**What are the Legal Provisions Related to Mediation?**

- Mediation in India is primarily governed by two legislative acts viz. the CPC 1908 and the Arbitration and Conciliation Act, 1996 (ACA).
- There are many other statutory provisions that make mediation a compulsory prerequisite to filing a suit in court. Some of these statutes are:

- Industrial Disputes Act, 1947
- Companies Act, 2013
- Micro, Small and Medium
- Enterprises Development Act, 2006
- Hindu Marriage Act, 1955
- Special Marriage Act, 1954
- Real Estate (Regulation and
- Development) Act, 2016
- Commercial Courts Act, 2015
- Consumer Protection Act, 2019

**5. Consider the following statements with reference to the Press Council of India:**

1. The Press Council of India jurisdiction is only limited to print media.
2. The Press Council of India is to preserve the freedom of the press and to maintain and improve the standards of the press in India.
3. The Chairman of the commission is nominated by a committee consisting of the President, Leader of Opposition in Lok Sabha and Lok Sabha Speaker.

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

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

**Answer : B**

**Explanation**

**Statement 1 is correct:** The Press Council of India is a statutory body created by the Press Council Act of 1978. It is the apex body for the regulation of the Press in India. It enjoys independence from the government. It acts as the regulator that defines and discharges professional standards for the print media in India.

**Statement 2 is correct:** It is considered the most important body that sustains democracy and ensures freedom of speech. The objective of the Press Council of India is to preserve the freedom of the press and of maintaining and improving the standards of the press in India. It arbitrates the complaints against and by the press for violation of ethics for violation of the freedom of the press respectively.

**Statement 3 is not correct:** The Council shall consist of a Chairman and twenty-eight other members. The Chairman shall be a person nominated by a committee consisting of the Chairman of the Council of States (Rajya Sabha), the Speaker of the House of the People (Lok Sabha), and a person elected by the members of the Press Council.



## Pre-Mix – 5 MCQs for Prelims

### Subject – Polity & Governance

Date – 21<sup>st</sup> March 2023

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

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

Which of the statements given above is/are correct?

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

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

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

3. Consider the following statements :

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

Which of the above statements is/are incorrect?

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

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

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

Select the correct answer using the codes given below:

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

5. Consider the following statements

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

Which of the above statements is/are correct?

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

## Answers with Explanations

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

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

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



Which of the statements given above is/are correct?

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

**Answer : A**

**Explanation**

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

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

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

**Answer : A**

**Explanation**

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

**3. Consider the following statements :**

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

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

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

**Answer : C**

**Explanation**

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

- (a) On any question of law or fact of public importance which has arisen or which is likely to arise.
- (b) On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, Sanad or other similar instruments.

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

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

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

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

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

Select the correct answer using the codes given below:

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

**Answer : D**

#### **Explanation**

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

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

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

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

#### **5. Consider the following statements**

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

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

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

**Answer : D**

**Explanation**

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

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 30<sup>th</sup> March 2023**

**1. Which of the following is/are compulsory provisions of the Part IX of the constitution:**

1. Providing for constitution of funds for crediting all money of the panchayats.
2. Twenty- one years to be Minimum age for consenting elections to panchayat.
3. Reservation of one- third seat for women in panchayat at all three levels.
4. Determining the manner of election of the chairperson of the village panchayat.

**Select the correct answer using the code given below:**

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

**2. Which of the following provided for non official majority in provincial legislative councils for the very first time?**

- A. Indian Councils Act 1909
- B. Indian Councils Act of 1892
- C. Government of India Act of 1919
- D. Indian Councils Act 1861

**3. With reference to the Parliamentary Committees (PC), consider the following statements:**

1. It is a panel of MPs that is appointed or elected by House or nominated by Speaker.
2. There is no mention of them in the Constitution.
3. They have their origins in British

Parliament.

**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

**4. Consider the following statements regarding death sentence :**

1. If an offence is punishable with life sentence or death penalty, judgement will require to state reasons for awarding the sentence.
2. As per the Criminal Procedure Code 1973, conviction and sentencing hearings must be held on separate days.

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

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

**5. Consider the following statements regarding observations of NFHS 5 report.**

1. Rate of full immunization among kids aged 12-23 months has exceeded 90% for the first time.
2. Total Fertility rate has gone below replacement level at the National Level.
3. The levels of stunting, wasting and underweight have all seen a decrease in comparison to previous round.

**Select the correct answer using the code given below :**

- A. Only one statement is correct
- B. Two statements are correct
- C. All Three statements are correct
- D. No statement is correct

## Answers with Explanations

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

**1. Which of the following is/are compulsory provisions of the Part IX of the constitution:**

1. Providing for constitution of funds for crediting all money of the panchayats.
2. Twenty- one years to be Minimum age for consenting elections to panchayat.
3. Reservation of one- third seat for women in panchayat at all three levels.
4. Determining the manner of election of the chairperson of the village panchayat.

**Select the correct answer using the code given below:**

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

**Answer : C**

### Explanation

The compulsory (obligatory or mandatory) and voluntary (discretionary or optional) provisions (features) of the 73rd Constitutional Amendment Act (1992) or the Part IX of the Constitution:

### Compulsory Provisions:

- Organisation of Gram Sabha in a village or group of villages.
- Establishment of panchayats at the village, intermediate and district levels.
- Direct elections to all seats in panchayats at the village, intermediate and district levels.
- Indirect elections to the post of chairperson of panchayats at the intermediate and district levels.

Voting rights of the chairperson and other members of a panchayat elected directly or indirectly.

- 21 years to be the minimum age for contesting elections to panchayats.

- Reservation of seats (both members and chairpersons) for SCS and STS in panchayats at all the three levels.

- Reservation of one-third seats (both members and chairpersons) for women in panchayats at all the three levels.

- Fixing tenure of five years for panchayats at all levels and holding fresh elections within six months in the event of supersession of any panchayat.

- Establishment of a State Election Commission for conducting elections to the panchayats.

Voting rights of the chairperson and other members of a panchayat elected directly or indirectly.

- 21 years to be the minimum age for contesting elections to panchayats.

- Reservation of seats (both members and chairpersons) for SCS and STS in panchayats at all the three levels.

- Reservation of one-third seats (both members and chairpersons) for women in panchayats at all the three levels.

- Fixing tenure of five years for panchayats at all levels and holding fresh elections within six months in the event of supersession of any panchayat.

- Establishment of a State Election Commission for conducting elections to the panchayats.

Constitution of a State Finance Commission after every five years to review the financial position of the panchayats.

**2. Which of the following provided for non official majority in provincial legislative councils for the very first time?**

- A. Indian Councils Act 1909
- B. Indian Councils Act of 1892
- C. Government of India Act of 1919
- D. Indian Councils Act 1861

**Answer : A**



3. With reference to the Parliamentary Committees (PC), consider the following statements:

1. It is a panel of MPs that is appointed or elected by House or nominated by Speaker.
2. There is no mention of them in the Constitution.
3. They have their origins in British Parliament.

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 : C**

**Explanation**

**Parliamentary Committees**

**What is a PC**

- It is a Committee which is
  - appointed or elected by the House or nominated by the Speaker
  - works under the **direction of the Speaker**
  - presents its **report to the House or to the Speaker**
  - **Has a secretariat** provided by the Lok Sabha/Rajya Sabha
- **Need of PC when we already have LS/RS to execute work of Parliament**
- Work done by the Parliament in modern times is not only **varied and complex in nature but also considerable in volume.**
- The **time at its disposal is limited.**
- It cannot, therefore, give close consideration to all the legislative and other matters that come up before it.

- Therefore, it is assisted by several committees in the discharge of its duties.

**Mention in the constitution of India**

- Parliamentary committees draw their authority from **Article 105** (on privileges of Parliament members) and **Article 118** (on Parliament's authority to make rules for regulating its procedure and conduct of business).
- However, the constitution does not **make any specific provisions regarding their composition, tenure, functions, etc.**
- All these matters are dealt with by the **rules of two Houses respectively.**

4. Consider the following statements regarding death sentence :

1. If an offence is punishable with life sentence or death penalty, judgement will require to state reasons for awarding the sentence.
2. As per the Criminal Procedure Code 1973, conviction and sentencing hearings must be held on separate days.

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

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

**Answer : B**

**Explanation**

- On September 19th, 2022, a 3-judge bench of the Supreme Court referred certain issues of death penalty sentencing to a larger 5 judge constitutional bench.
- One of these issues relates to the amount of time required to collect and present mitigation evidence at the stage of sentencing.
- **S. 235(2)**, Code of Criminal Procedure (CrPC) divides criminal trials into two

stages: a hearing on conviction and a separate hearing on sentencing.

- This bifurcated trial was not prescribed by the old 1898 CrPC. It was introduced after the 48th Law Commission of India (1971) recommended.
- But there is no explicit mention of hearing being on different dates.
- In death penalty cases, S. 354(3), CrPC requires that judges give special reasons before imposing a death sentence.

Wasting : 19% (21%)

Underweight : 32.1% (35.8%)

**5. Consider the following statements regarding observations of NFHS 5 report.**

1. Rate of full immunization among kids aged 12-23 months has exceeded 90% for the first time.
2. Total Fertility rate has gone below replacement level at the National Level.
3. The levels of stunting, wasting and underweight have all seen a decrease in comparison to previous round.

**Select the correct answer using the code given below :**

- A. Only one statement is correct
- B. Two statements are correct
- C. All Three statements are correct
- D. No statement is correct

**Answer : B**

**Explanation**

**Statement 1 : Incorrect -**

Full immunization in kids aged 12-23 months- 76%

**Statement 2 : Correct**

Total Fertility Rate

National Level : 2.0

Highest : Bihar 3.0

Lowest : Sikkim 1.1

**Statement 3 : Correct**

Stunting : 36%(38%)

## Pre-Mix - 5 MCQs for Prelims

### Subject - Polity & Governance

Date - 04<sup>th</sup> April 2023

1. Consider the following statement with reference to Fundamental rights:

1. Doctrine of Separability is mentioned in Article 13
2. Doctrine of Eclipse applies only to pre-constitutional laws

Which of the statements given above is/are correct?

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

2. Which of the following features of the Indian constitution are correctly matched with their sources of inspiration/borrowing?

Feature	Source
1. Parliamentary Privileges	Canada
2. Procedure Established by law	Japan
3. Concurrent list and freedom of trade	Australia
4. Suspension of Fundamental rights during emergency	Soviet Union

- A. Only 1 pair is correctly matched
- B. Only 2 pairs are correctly matched
- C. Only three pairs are correctly matched
- D. All pairs are correctly matched

3. Which of the following statements about functions of the speaker of the state legislative assembly is/are correct?

1. Speaker Adjourns the assembly or

suspends it during the absence of a quorum.

2. The Speaker has to maintain order and decorum so that the House can function smoothly.
3. He is empowered for revocation of suspension of a member.

Select the correct answer using the code given below:

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

4. 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

5. The Namsai declaration has been signed by which two states to resolve the border dispute among themselves.

- A. Assam and Meghalaya
- B. Manipur and Meghalaya
- C. Assam and Arunachal Pradesh
- D. Arunachal Pradesh and Nagaland

### Answers with Explanations

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

1. Consider the following statement with reference to Fundamental rights:

1. Doctrine of Separability is mentioned

in Article 13

2. Doctrine of Eclipse applies only to pre-constitutional laws

**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 : C**

**Explanation**

- **Statement 1 is correct:** Doctrine of Severability is a doctrine that protects the fundamental rights enshrined in the Constitution.
- It is also known as the Doctrine of Separability.
- It is mentioned in Article 13, according to which all laws that were enforced in India before the commencement of the Constitution, inconsistent with the provisions of fundamental rights shall to the extent of that inconsistency be void.
- This implies that only the parts of the statute that is inconsistent shall be deemed void and not the whole statute.
- Only those provisions which are inconsistent with fundamental rights shall be void.

**Statement 2 is correct:**

- Doctrine of Eclipse states that any law that violates fundamental rights is not null or void ab initio, but is only non-enforceable, i.e., it is not dead but inactive.
- This implies that whenever that fundamental right (which was violated by the law) is struck down, the law becomes active again (is revived).
- Another point to note is that the doctrine of eclipse applies only to pre-constitutional

laws (laws that were enacted before the Constitution came into force) and not to post-constitutional laws.

- This means that any post-constitutional law which is violative of a fundamental right is void ab initio.

**2. Which of the following features of the Indian constitution are correctly matched with their sources of inspiration/borrowing?**

Feature	Source
1. Parliamentary Privileges	Canada
2. Procedure Established by law	Japan
3. Concurrent list and freedom of trade	Australia
4. Suspension of Fundamental rights during emergency	Soviet Union
A. Only 1 pair is correctly matched	
B. Only 2 pairs are correctly matched	
C. Only three pairs are correctly matched	
D. All pairs are correctly matched	

**Answer : B**

**Explanation**

**Canadian Constitution**

- Federation with a strong centre
- Vesting of residuary powers in the Centre
- Appointment of state governors by the Centre
- Advisory jurisdiction of the Supreme Court

**Japanese Constitution**

- Procedure Established by law

**Soviet Union (USSR) (now, Russia)**

- Fundamental duties
- Ideals of justice (social, economic and political) in the Preamble

### Australia

- Concurrent list
- Freedom of trade, commerce and intercourse
- Joint-sitting of the two Houses of Parliament

**3. Which of the following statements about functions of the speaker of the state legislative assembly is/are correct?**

1. Speaker Adjourns the assembly or suspends it during the absence of a quorum.
2. The Speaker has to maintain order and decorum so that the House can function smoothly.
3. He is empowered for revocation of suspension of a member.

**Select the correct answer using the code given below:**

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

**Answer : A**

#### **Explanation**

**Statement 1 is correct:** Speaker Adjourns (or adjournment sine die) the assembly or suspends it during the absence of a quorum. The Governor from time to time summons and prorogues each house of the state legislature. After the speaker adjourns the house or declares adjournment sine die after a few days, the Governor issues notification for the prorogation of the house.

**Statement 2 is correct:** The Speaker has to maintain order and decorum so that the House can function smoothly. If in the opinion of the speaker the conduct of any Member is grossly disorderly, he may direct such Member to withdraw immediately from the House. He has the final power in this regard.

**Statement 3 is not correct:** The Speaker is empowered to place a Member under suspension. The authority for revocation of this order is vested in the House. It is for the House if it so desires can pass the motion to revoke the suspension

**4. 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.

**5. The Namsai declaration has been signed by which two states to resolve the border dispute among themselves.**

- Assam and Meghalaya
- Manipur and Meghalaya
- Assam and Arunachal Pradesh
- Arunachal Pradesh and Nagaland

**Answer : C**

**Explanation**

- IN WHAT has been described as a “significant milestone” in the border talks between Assam and Arunachal Pradesh,

the two states on Friday signed the “**Namsai Declaration**” – an agreement to **reduce the number of disputed villages from 123 to 86.**

- The 800-km-long inter-state border has been the site of many conflicts over the years.
- As per the declaration, both the states will now constitute 12 regional committees, each for the 12 districts where there is a dispute. These committees will jointly verify the concerned villages and thereafter make recommendations to the respective state governments “keeping in view the historical perspective, administrative convenience, contiguity and people’s will”
- The controversy stretches back to the British Empire, when they introduced inner line control in 1873.
- The North-East boundary tracts were eventually referred to the British-delineated planes and frontier Hills in 1915.
- Today’s Arunachal Pradesh is made up of these Northeastern boundary tracts.
- In 1954, the administrative authority was transferred to Assam, and the frontier tracts were given the new name Northeast Frontier Agency (NEFA).
- However, a subcommittee led by the chief minister of Assam issued several recommendations regarding the management of NEFA in 1951.
- According to the committee’s report, Assam’s Darrang and Lakhimpur districts received 3648 sq. km. of the plain region that had previously been in Arunachal Pradesh. This notification’s rejection by Arunachal Pradesh has become a point of contention.

- In 1954, it was given a new name – North East Frontier Agency – and given to the Central government.
- Arunachal Pradesh, which became a union territory in 1972, has a complaint that Assam was arbitrarily given control over a number of forested tracts on the lowlands that had historically belonged to hill tribal chiefs and clans.
- Present-day The North East Frontier Tract, which became Arunachal Pradesh in February 1987, was governed by the Governor of Assam on behalf of the President of India.
- A tripartite committee was established following the statehood of Arunachal Pradesh in 1987, and it made recommendations for the transfer of several Assamese regions to Arunachal Pradesh.
- The boundary between the two states is 804.1 kilometres long. The Supreme Court is hearing arguments in this case after Assam objected.
- The boundary between Arunachal Pradesh and Assam will be realigned in order to settle a long-running conflict using the line drawn on 29 topo-sheets by a high-powered committee in 1960.

**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 15<sup>th</sup> April 2023**

**1. 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

**2. Which of the following factors limit the sovereignty of the Indian Parliament?**

1. Written nature of the constitution
2. Federal System of Government.
3. Independent Judiciary with the power of judicial review.
4. Fundamental duties

**Select the correct answer using the code given below:**

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

**3. Consider the following statements regarding privileges committee.**

1. There is no privileges committee in the Rajya Sabha as the House committee of Rajya Sabha looks into matters related to privileges.
2. In Lok Sabha, the committee consists of 15 members elected by the members of the house by proportional representation with single transferable vote.
3. In Lok Sabha, it consists of 15 members.

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

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

**4. Which of the following constitutional amendments sought to curb "subversion of electoral mandate"?**

- A. 17<sup>th</sup> amendment 1964
- B. 42<sup>nd</sup> amendment 1976
- C. 61<sup>st</sup> amendment 1989
- D. 91<sup>st</sup> amendment 2003

**5. Consider the following statements regarding Swachh Bharat Mission Urban 2.0**

1. It aims to achieve ODF ++ status for all statutory towns in India.
2. It has added a component of drinking water supply from 2021.

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

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

## Answers with Explanations

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

1. 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.

**2. Which of the following factors limit the sovereignty of the Indian Parliament?**

1. Written nature of the constitution
2. Federal System of Government.
3. Independent Judiciary with the power of judicial review.
4. Fundamental duties

**Select the correct answer using the code given below:**

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

**Answer : C**

**Explanation**

The doctrine of 'sovereignty of Parliament' is associated with the British Parliament. Sovereignty means the supreme power within the State. That supreme power in Great Britain lies with the Parliament. There are no 'legal' restrictions on its authority and jurisdiction. Such as:

- The Parliament can make, amend, substitute or repeal any law.
- The Parliament can make constitutional laws by the same procedure as ordinary laws.
- The Parliamentary laws cannot be declared invalid by the Judiciary as being unconstitutional

The factors that limit the sovereignty of the Indian Parliament are:

**Written Nature of the Constitution:**

- The Constitution is the fundamental law of the land in our country.
- The Constitution has defined the authority and jurisdiction of all the three organs of the Union government and the nature of the interrelationship between them. Hence, the Parliament has to operate within the limits prescribed by the Constitution.

**Federal System of Government:**

- India has a federal system of government with a constitutional division of powers between the Union and the states. Both have to operate within the spheres allotted to them

The factors that limit the sovereignty of the Indian Parliament are:

**System of Judicial Review: The adoption of an independent Judiciary**

**Fundamental Rights**

**3. Consider the following statements regarding privileges committee.**

1. There is no privileges committee in the Rajya Sabha as the House committee of Rajya Sabha looks into matters related to privileges.
2. In Lok Sabha, the committee consists of 15 members elected by the members of the house by proportional representation with single transferable vote.
3. In Lok Sabha, it consists of 15 members.

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

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

**Answer : D**

**Explanation**



**Statement 1 is incorrect :** Privileges Committee is present in both Rajya Sabha and Lok Sabha

**Statement 2 is incorrect and 3 is correct :** This Committee consists of 15 members nominated by the Speaker

**4. Which of the following constitutional amendments sought to curb “subversion of electoral mandate”?**

- A. 17<sup>th</sup> amendment 1964
- B. 42<sup>nd</sup> amendment 1976
- C. 61<sup>st</sup> amendment 1989
- D. 91<sup>st</sup> amendment 2003

**Answer : D**

**Explanation**

**91<sup>st</sup> Constitutional Amendment Act 2003**

- A member of either house of parliament or state legislature, disqualified on the ground of defection will also be disqualified to be appointed as minister as well as any other remunerative political post.
- Provision of 10<sup>th</sup> schedule pertaining to exemption from disqualification in case of split by one third members of legislature party was deleted.

**5. Consider the following statements regarding Swachh Bharat Mission Urban 2.0**

1. It aims to achieve ODF ++ status for all statutory towns in India.
2. It has added a component of drinking water supply from 2021.

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

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

**Answer : D**

**Explanation**

**Swachh Bharat Mission-Urban 2.0**

- Swachh Bharat Mission-Urban 2.0 under the aegis of the **Ministry of Housing and Urban Affairs** has launched the ‘National Behaviour Change Communication Framework for Garbage Free Cities’ to strengthen the ongoing jan andolan for ‘Garbage Free Cities’.
- Material Recovery Facilities, and waste processing facilities will be set up, with a focus on phasing out single-use plastic.
- All statutory towns will become at least ODF+; and all cities with <1 lakh population ODF++.
- Systems and processes will be in place so that all waste water is safely treated and optimally reused and no untreated wastewater pollutes water bodies.
- Regarding Solid Waste Management, it is expected that all cities will achieve at least 3-star Garbage Free certification under SBM-U 2.0.
- Special focus will be put on the well-being of sanitation and informal waste workers, through the provision of personal protective equipment and safety kits, linkages with government welfare schemes along with their capacity building.

**Pre-Mix – 6 MCQs for Prelims****Subject – Polity & Governance****Date – 21<sup>st</sup> April 2023**

**1. National Initiative for Promoting Upskilling of Nirman workers (NIPUN) Initiative was launched by which ministry?**

- A. Ministry of skill development and entrepreneurship
- B. Ministry of Housing & Urban Affairs
- C. Ministry of social justice and empowerment
- D. Ministry of commerce and industry

**2. Which of the following statement is incorrect with reference to difference between chargesheet and FIR?**

- A. The term, 'chargesheet' is defined under CrPC but First Information Report (FIR), has not been defined in either the Indian Penal Code (IPC) or the CrPC.
- B. The chargesheet is the final report filed towards the end of an investigation
- C. An FIR decides a person's guilt
- D. None of the above

**3. Consider the following statements:**

- 1. The United Kingdom (UK) and the Commonwealth countries, including India, are common law countries.
- 2. In the UK, Puisne judges are judges other than those holding distinct titles.

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

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

**4. Consider the following statements with reference to Hate Speech in India:**

- 1. Responsible speech is the essence of the liberty granted under Article 19 of the Constitution.
- 2. Article 19(2) of the Constitution guarantees freedom of speech and expression to all citizens of India.
- 3. Hate speech has not been defined in any law in India.

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

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

**5. Which one of the following is NOT a part of the SWAYAM programme?**

- A. Video Lectures
- B. Classroom Lectures
- C. Online Discussion forum for clearing doubts
- D. Specially prepared material that can be downloaded/printed

**6. Who among the following is given discretionary powers under the fifth schedule of the Constitution of India to set up a Tribes Advisory Council in a state which has scheduled tribes but not scheduled areas?**

- A. Governor of the Concerned State
- B. The President of India

- C. The Inter State Council
- D. Parliament of India

## Answers with Explanations

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

**1. National Initiative for Promoting Upskilling of Nirman workers (NIPUN) Initiative was launched by which ministry?**

- A. Ministry of skill development and entrepreneurship
- B. Ministry of Housing & Urban Affairs
- C. Ministry of social justice and empowerment
- D. Ministry of commerce and industry

**Answer: B**

- The project NIPUN is an initiative of the Ministry of Housing & Urban Affairs (MoHUA) under its flagship scheme of the Deendayal Antyodaya Yojana-National Urban Livelihoods Mission (DAY-NULM)
- Help to train over 1 lakh construction workers, through fresh skilling and upskilling programmes and provides them with work opportunities in foreign countries also
- This initiative will enable Nirman workers to be more proficient and skilled while making them adopt future trends in the construction industry by increasing their capabilities and diversifying their skill sets.
- This initiative is expected to expand horizontally across the country.

- The National Skill Development Corporation (NSDC) under the Ministry of Skill Development & Entrepreneurship (MSDE) will be the Implementation Partner for the project NIPUN.
- NSDC will be responsible for the overall execution of training, monitoring and candidate tracking.

**2. Which of the following statement is incorrect with reference to difference between chargesheet and FIR?**

- A. The term, 'chargesheet' is defined under CrPC but First Information Report (FIR), has not been defined in either the Indian Penal Code (IPC) or the CrPC.
- B. The chargesheet is the final report filed towards the end of an investigation
- C. An FIR decides a person's guilt
- D. None of the above

**Answer: C**

- **Statement 3 is incorrect:** An FIR does not decide a person's guilt

**How is a Chargesheet Different from an FIR? Provision:**

- The term, 'chargesheet' is defined under Section 173 of the CrPC but First Information Report (FIR), has not been defined in either the Indian Penal Code (IPC) or the CrPC. Instead, it finds a place under the police regulations/ rules under Section

154 of CrPC, which deals with 'Information in Cognizable Cases'.

**Time of Filing:**

- While the chargesheet is the final report filed towards the end of an investigation, an FIR is filed at the 'first' instance' that the police are informed of a cognizable offense (offence for which one can be arrested without a warrant; such as rape, murder, kidnapping).

#### Determination of Guilt:

- An FIR does not decide a person's guilt but a chargesheet is complete with evidence and is often used during the trial to prove the offenses the accused is charged with.

#### Terms & Conditions:

- After filing an FIR, the investigation takes place. Under Section 169 of the CrPC, the police can only forward the case to the Magistrate if they have sufficient evidence, otherwise, the accused is released from custody.
- According to **Section 154 (3)** of the CrPC, if any person is aggrieved by the refusal of authorities to file an FIR, they can send the complaint to the Superintendent of Police, who will either investigate himself or direct it to their subordinate.
- A chargesheet is filed by the police or law- enforcement/ investigative agency only after they have gathered sufficient evidence against the accused in respect of the offenses mentioned in the FIR, otherwise, a 'cancellation report' or 'untraced report' can be filed when due to lack of evidence

#### 3. Consider the following statements:

1. The United Kingdom (UK) and the Commonwealth countries, including India, are common law countries.

2. In the UK, Puisne judges are judges other than those holding distinct titles.

#### Which of the above is/are correct?

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

**Answer: C**

#### Statement 1 is correct:

Common law is the body of law created by judges through their written opinions, rather than through statutes or constitutions (statutory law).

- Common law, which is used interchangeably with 'case law', is based on judicial precedent.
- The United Kingdom (UK) and the Commonwealth countries, including India, are common law countries

**Statement 2 is correct:** In the UK, Puisne judges are judges other than those holding distinct titles.

#### 4. Consider the following statements with reference to Hate Speech in India:

1. Responsible speech is the essence of the liberty granted under Article 19 of the Constitution.
2. Article 19(2) of the Constitution guarantees freedom of speech and expression to all citizens of India.
3. Hate speech has not been defined in any law in India.

#### Which of the above is/are correct?

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

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

**Answer: A**

- **Statement 1 is correct:** Responsible speech is the essence of the liberty granted under Article 21 of the Constitution.
- **Statement 2 is correct:** Article 19(2) of the Constitution guarantees freedom of speech and expression to all citizens of India.
- **Statement 3 is correct:** Hate speech has not been defined in any law in India.

5. Which one of the following is NOT a part of the SWAYAM programme?

- A. Video Lectures  
B. Classroom Lectures  
C. Online Discussion forum for clearing doubts  
D. Specially prepared material that can be downloaded/printed

**Answer: B**

- SWAYAM is a programme initiated by Government of India and designed to achieve the three cardinal principles of Education Policy viz., access, equity and quality.
- The objective of this effort is to take the best teaching learning resources to all, including the most disadvantaged.
- SWAYAM seeks to bridge the digital divide for students who have hitherto remained untouched by the digital revolution and have not been able to join the mainstream of the knowledge economy.

The courses hosted on SWAYAM are in 4 quadrants –

- video lecture,
- specially prepared reading material that can be downloaded/printed
- self-assessment tests through tests and quizzes and
- an online discussion forum for clearing the doubts.

6. Who among the following is given discretionary powers under the fifth schedule of the Constitution of India to set up a Tribes Advisory Council in a state which has scheduled tribes but not scheduled areas?

- A. Governor of the Concerned State  
B. The President of India  
C. The Inter State Council  
D. Parliament of India

**Answer: B**

SCHEDULED TRIBES

**4. Tribes Advisory Council.**—(1) There 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 therein, a Tribes Advisory Council consisting of not more than twenty members of whom, as nearly as may be, three-fourths shall be the representatives of the Scheduled Tribes in the Legislative Assembly of the State:



**Pre-Mix – 5 MCQs for Prelims****Subject – Polity & Governance****Date – 29<sup>th</sup> April 2023**

1. Which one of the following statements about the Solicitor General of India is NOT correct?
  - A. SGI is the government's chief legal advisor
  - B. SGI is the secondary law officer of the country
  - C. The post of SGI is a constitutional post
  - D. SGI is appointed by Appointments Committee of the Cabinet
2. Which one of the following committees does NOT have members from the Rajya Sabha?
  - A. Public Accounts Committee
  - B. The Committee on Public Undertakings
  - C. The Estimates Committee
  - D. The committee on welfare of Scheduled Castes and Scheduled Tribes
3. Which one of the following statements about the election of the President of India is not Correct ?
  - A. A union / state minister shall not be eligible for the election of the President
  - B. The President is elected by the elected members of the Parliament and the Legislative Assemblies of States and Union Territories
  - C. The Electoral College does not include elected members of Legislative Councils

D. The system of proportional Representation by means of single transferrable vote is followed.

4. Which of the following conditions/is are necessary for the issue of writ of certiorari in India?

1. There should be a tribunal or an officer having legal authority to determine questions affecting rights of subjects and having a duty to act judicially.
2. Such a tribunal or officer has acted without jurisdiction

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

5. Who among the following Chief Justices of India ordered the constitution of a Special Bench called 'Social Justice Bench'?

- A. Justice H.L Dattu
- B. Justice K.G Balakrishnan
- C. Justice R.M Lodha
- D. Justice Y.K Sabharwal

## Answers with Explanations

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

1. Which one of the following statements about the Solicitor General of India is NOT correct?

- A. SGI is the government's chief legal advisor
- B. SGI is the secondary law officer of the country
- C. The post of SGI is a constitutional post
- D. SGI is appointed by Appointments Committee of the Cabinet

**Answer: C**

- The Solicitor General of India is subordinate to the Attorney General for India.
- They are the second law officer of the country, assists the Attorney General, and is assisted by Additional Solicitors General for India.
- Like the Attorney General for India, the Solicitor General and the Additional Solicitors General advise the Government and appear on behalf of the Union of India in terms of the Law Officers (Terms and Conditions) Rules, 1972.
- Unlike the post of Attorney General for India, which is a Constitutional post under Article 76 of the Constitution of India, the posts of the Solicitor General and the Additional Solicitors General are merely statutory.

- Appointments Committee of the Cabinet (ACC) recommends the appointment and president officially appoints the Solicitor General.



2. Which one of the following committees does NOT have members from the Rajya Sabha?

- A. Public Accounts Committee
- B. The Committee on Public Undertakings
- C. The Estimates Committee
- D. The committee on welfare of Scheduled Castes and Scheduled Tribes

**Answer: C**

### Public Accounts Committee:

- At present, it consists of 22 members (15 from the Lok Sabha and 7 from the Rajya Sabha).
- The members are elected by the Parliament every year from amongst its members according to the principle of proportional representation by means of the single transferable vote.

**Committee on Public Sector undertakings:**

- 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).

**Committee on Welfare of Scheduled Castes and Schedules Tribes.**

- This committee consists of 30 members (20 from Lok Sabha and 10 from Rajya Sabha).
- Its functions are:
  - to consider the reports of the National Commission for the SCs and the National Commission for the STs;
  - to examine all matters relating to the welfare of SCs and STs, like implementation of constitutional and statutory safeguards, working of welfare programmes, etc.

**Estimates Committee**

- Originally, it had 25 members but in 1956 its membership was raised to 30.
- All the thirty members are from Lok Sabha only.
- The Rajya Sabha has no representation in this committee.

**3. Which one of the following statements about the election of the President of India is not Correct?**

- A. A union / state minister shall not be eligible for the election of the President
- B. The President is elected by the elected members of the Parliament and the Legislative Assemblies of States and Union Territories
- C. The Electoral College does not include elected members of Legislative Councils
- D. The system of proportional Representation by means of single transferrable vote is followed.

**Answer: A**

- Statement 2 is correct : Electoral college includes elected members of parliament as well as state legislative assemblies and assemblies of UT with legislature.
- Statement 3 is correct : Members of legislative council are not part of electoral college
- Statement 4 is correct : PR with STV is followed in presidential election
- Statement 1 is incorrect : A person to be eligible for election as President should fulfil the following qualifications:
  - He should be a citizen of India.
  - He should have completed 35 years of age.
  - He should be qualified for election as a member of the Lok Sabha.

- He should not hold any office of profit under the Union government or any state government or any local authority or any other public authority.
- A sitting President or Vice President of the Union, the Governor of any state and a minister of the Union or any state is not deemed to hold any office of profit and hence qualified as a presidential candidate.

**4. Which of the following conditions/is are necessary for the issue of writ of certiorari in India?**

1. There should be a tribunal or an officer having legal authority to determine questions affecting rights of subjects and having a duty to act judicially.
2. Such a tribunal or officer has acted without jurisdiction

**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**

**For the issuance of the writ of certiorari, the following conditions must be fulfilled:**

- The existence of an officer or a tribunal having the judicial authority as per the law to decide on the cases affecting the rights of people.

- Such an officer or the tribunal must have acted- in excess of judicial power, or without requisite jurisdiction, or in violation of the principles of natural justice.
- the writ of certiorari can be issued even in the administrative cases.

**5. Who among the following Chief Justices of India ordered the constitution of a Special Bench called 'Social Justice Bench'?**

- A. Justice H.L Dattu
- B. Justice K.G Balakrishnan
- C. Justice R.M Lodha
- D. Justice Y.K Sabharwal

**Answer: A**

- In December 2014, when Justice HL Dattu was the Chief Justice of India (CJI), the Supreme Court had issued a notification to set up a special Bench known as the Social Justice Bench.

**Some of the issues related to social justice pending at that time were:**

- release of surplus food grains for the use of the people living in drought affected areas,
- to frame a fresh scheme for public distribution of food grains, taking steps to prevent untimely death of women and children,
- hygiene of midday meals provided under the Midday meal schemes,
- night shelter for homeless and destitute,
- equality in providing medical facilities to citizens irrespective of economic conditions,



- hygienic and clean drinking water and secured living conditions for women forced into prostitution.