

Q.1) Consider the following statements with regard to a Private Bill?

1. It can be introduced by any member of Parliament
2. Its rejection by the House has an implication on the parliamentary confidence in the government

Select the correct code

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

Q.1) Solution (d)

Members of parliament other than ministers are called private members and bills presented by them are known as private member's bills

Bills introduced in the Parliament are of two kinds: **public bills and private bills** (also known as government bills and private members' bills respectively). Though both are governed by the same general procedure and pass through the same stages in the House, they differ in various respects

Public Bill

- It is introduced in the **Parliament by a minister**.
- It reflects of the policies of the government (ruling party).
- It has greater chance to be approved by the Parliament.
- Its rejection by the House amounts to the expression of want of parliamentary confidence in the government and may lead to its resignation.
- Its introduction in **the House requires seven days' notice**.
- It is drafted by the concerned department in consultation with the law department.

Private Bill

- It is introduced by **any Member of Parliament other than a minister**.
- It reflects the stand of opposition party on public matter.
- It has lesser chance to be approved by the Parliament.
- **Its rejection by the House has no implication on the parliamentary confidence in the government or its resignation**.
- Its introduction **in the House requires one month's notice**.
- Its drafting is the responsibility of the member concerned.

Do you know?

The bills introduced in the Parliament can also be **classified into four categories**:

- Ordinary bills, which are concerned with any matter other than financial subjects.
- Money bills, which are concerned with the financial matters like taxation, public expenditure, etc.
- Financial bills, which are also concerned with financial matters (but are different from money bills).
- Constitution amendment bills, which are concerned with the amendment of the provisions of the Constitution.

Q.2) Consider the following statements.

1. Parliamentary Affairs Committee is chaired by the Prime Minister.
2. The Political Affairs Committee, the most powerful often described as a “Super-Cabinet”.

Which of the above statements is/are correct?

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) None

Q.2) Solution (b)

The following four are the more important cabinet committees:

- The Political Affairs Committee deals with all policy matters pertaining to domestic and foreign affairs.
- The Economic Affairs Committee directs and coordinates the governmental activities in the economic sphere.
- Appointments Committee decides all higher-level appointments in the Central Secretariat, Public Enterprises, Banks and Financial Institutions.
- Parliamentary Affairs Committee looks after the progress of government business in the Parliament.

The first three committees are chaired by the Prime Minister and the last one by the Home Minister. Of all the Cabinet Committees, the most powerful is **the Political Affairs Committee, often described as a “Super-Cabinet”.**

Do you know?

- The position of the Cabinet in the British Government has become so strong that Ramsay Muir referred to it as **the 'Dictatorship of the Cabinet'**. In his book 'How Britain is Governed', he writes "A body which wields such powers as these may fairly be described as 'omnipotent' in theory, however, incapable it may be of using its omnipotence. Its position, whenever it commands a majority, is a dictatorship only qualified by publicity. This dictatorship is far more absolute than it was two generations ago". **The same description holds good in the Indian context too.**

THINK!

- The role of Cabinet.

Q.3) With regard to Secretariat of Parliament, consider the following

1. The recruitment and service conditions of the Secretariat are regulated by the presiding officer of the House
2. Secretary-general of the Secretariat is appointed by the President

Select the correct code

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

Q.3) Solution (d)

Secretariat of Parliament: Each House of Parliament has separate secretarial staff of its own, though there can be some posts common to both the Houses.

Their recruitment and service conditions are regulated by Parliament.

The secretariat of each House is headed by a secretary-general. **He is a permanent officer and is appointed by the presiding officer of the House.**

Q.4) Which of the following statements are correct about 'Censure motion'?

1. It can be moved against any individual minister
2. It should state the reasons for its adoption in the Lok Sabha.

3. If it is passed in the Lok Sabha, the council of ministers need not resign from the office.

Choose the correct code

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

Q.4) Solution (d)

Censure Motion vs No Confidence Motion

- In case of **censure motion**, reasons must be stated for its adoption in the Lok Sabha while in case of motion of no confidence no such reasons for its adoption are required to be stated in the Lok Sabha.
- Censure motion can be moved against an **individual minister** or a group of ministers or the entire council of ministers, whereas No confidence motion can only be moved against the entire council of ministers
- If Censure motion is passed in the Lok Sabha, **the council of ministers need not resign** from the office, while in case of motion of no confidence, the council of minister must resign from office if the motion is passed.
- **Censure motion** is moved for censuring the council of ministers for **specific policies and action** and no confidence motion on the otherhand, is moved for ascertaining the confidence of Lok Sabha in the council of ministers.

Q.5) In which of the following situations the President can exercise constitutional discretion?

1. Appointment of Prime Minister when no party has a clear majority in the Lok Sabha or when the Prime Minister in office dies suddenly and there is no obvious successor.
2. Dismissal of the council of ministers when it cannot prove the confidence of the Lok Sabha.
3. Dissolution of the Lok Sabha if the council of ministers has lost its majority.

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) None of the above

Q.5) Solution (d)

Though the President has no constitutional discretion, he has some situational discretion.

In other words, the President can act on his discretion (that is, without the advice of the ministers) under the following situations:

- Appointment of Prime Minister when no party has a clear majority in the Lok Sabha or when the Prime Minister in office dies suddenly and there is no obvious successor.
- Dismissal of the council of ministers when it cannot prove the confidence of the Lok Sabha.
- Dissolution of the Lok Sabha if the council of ministers has lost its majority.

Do you know?

Article 72 of the Constitution empowers the President to grant pardons to persons who have been tried and convicted of any offence in all cases where the:

- Punishment or sentence is for an offence against a Union Law;
- Punishment or sentence is by a court martial (military court); and
- Sentence is a sentence of death.

THINK!

- Supreme Court principles on pardoning power of President.

Q.6) The Electoral College for the election of President consists of

1. Elected members of both the houses of parliament.
2. The independently elected members of the legislatures assemblies of the state.
3. Lt. Governor of Union territories.

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) None

Q.6) Solution (a)

The President is elected not directly by the people but by members of electoral college consisting of:

- the elected members of both the Houses of Parliament;
- the elected members of the legislative assemblies of the states; and
- the elected members of the legislative assemblies of the Union Territories of Delhi and Puducherry

Do you know?

- The nominated members of both of Houses of Parliament, the nominated members of the state legislative assemblies, the members (both elected and nominated) of the state legislative councils (in case of the bicameral legislature) and the nominated members of the Legislative Assemblies of Delhi and Puducherry do not participate in the election of the President.

THINK!

- Election of Vice-President.

Q.7) Prime Minister of India is chairman of

1. NITI Aayog
2. National Integration Council
3. National Water Resources council

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) None

Q.7) Solution (c)

Prime Minister of India is chairman of **NITI Aayog, National Integration Council, Inter-State Council and National Water Resources council.**

Do you know?

- The President is the head of the Indian State. He is the first citizen of India and acts as the **symbol of unity, integrity and solidarity of the nation.**

THINK!

- Powers and Functions of the Prime Minister.

Q.8) Consider the following statements regarding the passing of an ordinary bill in the Parliament:

1. In first stage a bill is introduced in the house and detailed discussion will take place.
2. In second stage bill is generally referred to a Select committee of the house.
3. In third reading the debate is confined to the acceptance or rejection of the bill as a whole and no amendments are allowed.

Which of the above statements are correct?

- a) 1 and 2
- b) 2 and 3
- c) 1 and 3
- d) All of the above

Q.8) Solution (b)

Ordinary Bills

Every ordinary bill has to pass through the following five stages in the Parliament before it finds a place on the Statute Book:

1. First Reading

An ordinary bill can be introduced in either House of Parliament. Such a bill can be introduced either by a minister or by any other member. The member who wants to introduce the bill has to ask for the leave of the House. When the House grants leave to introduce the bill, the mover of the bill introduces it by reading its title and objectives. No discussion on the bill takes place at this stage. Later, the bill is published in the Gazette of India. If a bill is published in the Gazette before its introduction, leave of the House to introduce the bill is not necessary.¹⁸ The introduction of the bill and its publication in the Gazette constitute the first reading of the bill.

2. Second Reading

During this stage, the bill receives not only the general but also the detailed scrutiny and assumes its final shape. Hence, it forms the most important stage in the enactment of a bill. In fact, this stage involves three more sub-stages, namely, stage of general discussion, committee stage and consideration stage.

(a) Stage of General Discussion: The printed copies of the bill are distributed to all the members. The principles of the bill and its provisions are discussed generally, but the details of the bill are not discussed.

At this stage, the House can take any one of the following four actions:

- (i) It may take the bill into consideration immediately or on some other fixed date;
- (ii) It may refer the bill to a select committee of the House;
- (iii) It may refer the bill to a joint committee of the two Houses; and
- (iv) It may circulate the bill to elicit public opinion.

A Select Committee consists of members of the House where the bill has originated and a joint committee consists of members of both the Houses of Parliament.

(b) Committee Stage: The usual practice is to refer the bill to a select committee of the House. This committee examines the bill thoroughly and in detail, clause by clause. It can also amend its provisions, but without altering the principles underlying it. After completing the scrutiny and discussion, the committee reports the bill back to the House.

(c) Consideration Stage: The House, after receiving the bill from the select committee, considers the provisions of the bill clause by clause. Each clause is discussed and voted upon separately. The members can also move amendments and if accepted, they become part of the bill.

3. Third Reading

At this stage, the debate is confined to the acceptance or rejection of the bill as a whole and no amendments are allowed, as the general principles underlying the bill have already been scrutinised during the stage of second reading. If the majority of members present and voting accept the bill, the bill is regarded as passed by the House. Thereafter, the bill is authenticated by the presiding officer of the House and transmitted to the second House for consideration and approval. A bill is deemed to have been passed by the Parliament only when both the Houses have agreed to it, either with or without amendments.

Q.9) The scheme of Youth Parliament was started to acquaint the younger generations with practices and procedures of Parliament. It was started by the recommendation of

- a) All India Whips Conference
- b) Constituent Assembly of India
- c) Planning Commission
- d) Election Commission

Q.9) Solution (a)**Youth Parliament**

The scheme of Youth Parliament was started on the recommendation of the Fourth All India Whips Conference. Its objectives are:

1. To acquaint the younger generations with practices and procedures of Parliament;
2. To imbibe the spirit of discipline and tolerance cultivating character in the minds of youth; and
3. To inculcate in the student community the basic values of democracy and to enable them to acquire a proper perspective on the functioning of democratic institutions.

The ministry of parliamentary affairs provides necessary training and encouragement to the states in introducing the scheme.

Q.10) Which of the following statements are correct regarding Adjournment Motion?

1. It is introduced in the house to draw attention to a definite matter of urgent public importance.
2. It needs support of at least 50 members to be admitted.
3. It involves an element of censure against the government.
4. It can be introduced in both the houses.

Select the code from following:

- a) 1 and 2
- b) 2,3 and 4
- c) 1,2 and 3
- d) All of the above

Q.10) Solution (c)**Adjournment Motion**

It is introduced in the Parliament to draw attention of the House to a definite matter of urgent public importance, and needs the support of 50 members to be admitted. As it interrupts the normal business of the House, it is regarded as an extraordinary device. It involves an element of censure against the government and hence Rajya Sabha is not

permitted to make use of this device. The discussion on an adjournment motion should last for not less than two hours and thirty minutes.

The right to move a motion for an adjournment of the business of the House is subject to the following restrictions:

1. It should raise a matter which is definite, factual, urgent and of public importance;
2. It should not cover more than one matter;
3. It should be restricted to a specific matter of recent occurrence and should not be framed in general terms;
4. It should not raise a question of privilege;
5. It should not revive discussion on a matter that has been discussed in the same session;
6. It should not deal with any matter that is under adjudication by court; and
7. It should not raise any question that can be raised on a distinct motion.

Q.11) Which of the following statements are NOT correct regarding the three types questions asked in question hour?

1. Starred question – requires a written answer.
2. Unstarred question – requires an oral answer.
3. Short Notice Question – requires an Oral Answer.

Select the code from below:

- a) 1 and 2
- b) 3 only
- c) All of the above
- d) None of the above

Q.11) Solution (a)

Note: Incorrect questions have been asked.

Question Hour

The first hour of every parliamentary sitting is slotted for this. During this time, the members ask questions and the ministers usually give answers. The questions are of three kinds, namely, starred, unstarred and short notice.

- A starred question (distinguished by an asterisk) requires an oral answer and hence supplementary questions can follow.
- An unstarred question, on the other hand, requires a written answer and hence, supplementary questions cannot follow.
- A short notice question is one that is asked by giving a notice of less than ten days. It is answered orally.

Q.12) In case of dissolution of Lok Sabha

1. A bill pending in the Lok Sabha lapses
2. A bill passed by the Lok Sabha but pending in the Rajya Sabha lapses
3. 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, lapses.
4. A bill pending in the Rajya Sabha but not passed by the Lok Sabha, lapses.

Which of the above statements are correct?

- a) 1,2 and 3
- b) 2,3 and 3
- c) 1 and 2
- d) All of the above

Q.12) Solution (c)**Lapsing of Bills**

When the Lok Sabha is dissolved, all business including bills, motions, resolutions, notices, petitions and so on pending before it or its committees lapse. They (to be pursued further) must be reintroduced in the newly-constituted Lok Sabha. 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. The position with respect to lapsing of bills is as follows:

1. A bill pending in the Lok Sabha lapses (whether originating in the Lok Sabha or transmitted to it by the Rajya Sabha).
2. A bill passed by the Lok Sabha but pending in the Rajya Sabha lapses.
3. 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.
4. A bill pending in the Rajya Sabha but not passed by the Lok Sabha does not lapse.
5. A bill passed by both Houses but pending assent of the president does not lapse.
6. A bill passed by both Houses but returned by the president for reconsideration of Houses does not lapse.

Q.13) Consider the following statements regarding Prorogation of Lok Sabha:

1. Lok Sabha is prorogued by the Speaker.
2. House cannot be prorogued while it is in session.
3. House is prorogued only after the completion of tenure of a Government.

Which of the above statements are correct?

- a) 1 only
- b) 2 and 3
- c) 1 and 3
- d) None of the above

Q.13) Solution (d)

Prorogation

The presiding officer (Speaker or Chairman) declares the House adjourned *sine die*, when the

business of a session is completed. Within the next few days, the President issues a notification for prorogation of the session. However, the President can also prorogue the House while in session.

The specific differences between adjournment and prorogation are summarised in the following table.

	Adjournment		Prorogation
1	It only terminates a sitting and not a session of the House.	1	It not only terminates a sitting but also a session of the House.
2	It is done by presiding officer of the House.	2	It is done by the President of India.
3	It does not affect the bills or any other business pending before the House and the same can be resumed when the House meets again.	3	It also does not affect the bills or any other business pending before the House. However, all pending notices (other than those for introducing bills) lapse on prorogation and fresh notices have to be given for the next session.

Q.14) Consider the following statements and identify the incorrect statement:

- a) The office of 'whip' is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute.
- b) The members of Rajya Sabha are elected by the State Legislatures.
- c) The maximum gap between two sessions of Parliament cannot be more than six months.
- d) There is the 'Leader of the Opposition' in each house of Parliament.

Q.14) Solution (b)

Note: Members of Rajya Sabha are elected by State Legislative Assemblies and not 'State Legislature'. State Legislature includes Legislative assembly and Legislative Council.

Leader of the Opposition

In each House of Parliament, there is the 'Leader of the Opposition'. The leader of the largest Opposition party having not less than one-tenth seats of the total strength of the House is recognized as the leader of the Opposition in that House. In a parliamentary system of government, the leader of the opposition has a significant role to play. His main functions are to provide a constructive criticism of the policies of the government and to provide an alternative government. Therefore, the leader of Opposition in the Lok Sabha and the Rajya Sabha were accorded statutory recognition in 1977. They are also entitled to the salary, allowances and other facilities equivalent to that of a cabinet minister. It was in 1969 that an official leader of the opposition was recognised for the first time. The same functionary in USA is known as the 'minority leader'.

Whip

Though the offices of the leader of the House and the leader of the Opposition are not mentioned in the Constitution of India, they are mentioned in the Rules of the House and Parliamentary Statute respectively. The office of 'whip' is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute. It is based on the conventions of the parliamentary government. Every political party, whether ruling or Opposition has its own whip in the Parliament. He is appointed by the political party to serve as an assistant floor leader. He is charged with the responsibility of ensuring the attendance of his party members in large numbers and securing their support in favour of or against a particular issue. He regulates and monitors their behaviour in the Parliament. The members are supposed to follow the directives given by the whip. Otherwise, disciplinary action can be taken.

Summoning of Parliament

The president from time to time summons each House of Parliament to meet. But, the maximum gap between two sessions of Parliament cannot be more than six months. In

other words, the Parliament should meet at least twice a year. There are usually three sessions in a year, viz,

1. the Budget Session (February to May);
2. the Monsoon Session (July to September); and
3. the Winter Session (November to December).

Q.15) Which among the given statements is/are true in regard to the Speaker of Lok Sabha?

1. Parliamentary Affairs Committee, which looks after the progress of government business in the Parliament, is chaired by the Speaker
2. He is the guardian of powers and privileges of the members, the House as a whole and its committees
3. President enables the House to elect the new Speaker

Select the appropriate code

- a) 1 only
- b) 1 and 2 only
- c) 2 only
- d) All of the above

Q.15) Solution (c)

Speaker is the guardian of powers and privileges of the members, the House as a whole and its committees.

- The main duty of Speaker *Pro Tem* is to administer oath to the new members. He also enables the House to elect the new Speaker.
- Parliamentary Affairs Committee, which looks after the progress of government business in the Parliament, is chaired by the Home Minister (not Speaker).

Q.16) Consider the following statements with regard to Parliamentary Privileges:

1. Without these privileges, the Parliament can neither maintain their authority, dignity and honour nor can protect their members from any obstruction in the discharge of their parliamentary responsibilities
2. The Constitution has extended Parliamentary privileges to the Parliament, including the attorney general of India

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

Q.16) Solution (d)

Parliamentary privileges are special rights, immunities and exemptions enjoyed by the two Houses of Parliament, their committees and their members. They are necessary in order to secure the independence and effectiveness of their actions.

- Without these privileges, the Houses (not the Parliament) can neither maintain their authority, dignity and honour nor can protect their members from any obstruction in the discharge of their parliamentary responsibilities.
- The Constitution has also extended the parliamentary privileges to those persons who are entitled to speak and take part in the proceedings of a House of Parliament or any of its committees. These include the attorney general of India and Union ministers.
- It must be clarified here that the parliamentary privileges do not extend to the president who is also an integral part of the Parliament.
- **Note:** As Parliament consists of President, both the statements are incorrect.

Q.17) Which among the following qualifications for a person to be chosen a member of the Parliament is laid down by the Constitution of India?

1. He must be not less than 30 years of age in the case of the Rajya Sabha and not less than 25 years of age in the case of the Lok Sabha.
2. He must be registered as an elector for a parliamentary constituency. This is same in the case of both, the Rajya Sabha and the Lok Sabha.
3. He must make and subscribe to an oath or affirmation before the person authorised by the election commission for this purpose, according to the form prescribed in the Fourth Schedule.

Choose the appropriate code:

- a) 1 only
- b) 2 only
- c) 1 and 2 only
- d) All of the above

Q.17) Solution (a)

- He must be not less than 30 years of age in the case of the Rajya Sabha and not less than 25 years of age in the case of the Lok Sabha. This qualification is laid down by the Constitution.
- He must be registered as an elector for a parliamentary constituency. This is same in the case of both, the Rajya Sabha and the Lok Sabha. (This statement is incorrect because the Constitution does not lay down this qualification, it is provided in the Representation of People Act (1951))
- He must make and subscribe to an oath or affirmation before the person authorised by the election commission for this purpose, according to the form prescribed in the Third Schedule (not fourth).

Q.18) Consider the below legislative procedures in the State Legislature with regard to Ordinary Bills. Select the incorrect statement if any:

- a) It can be introduced either by a minister or by private member.
- b) The Constitution provides for the mechanism of joint sitting of two Houses of the state legislature to resolve a deadlock between them over the passage of a bill.
- c) It is deemed to have been passed by the state legislature only when both the Houses have agreed to it, either with or without amendments.
- d) None of the above

Q.18) Solution (b)

With Regard to Ordinary Bills, the state legislature has following procedures:

1. It can be introduced in either House of the state legislature.
2. It can be introduced either by a minister or by private member.
3. It passes through first reading, second reading and third reading in the originating House.
4. It is deemed to have been passed by the state legislature only when both the Houses have agreed to it, either with or without amendments.
5. A deadlock between the two Houses takes place when the legislative council, after receiving a bill passed by the legislative assembly, rejects the bill or proposes amendments that are not acceptable to the legislative assembly or does not pass the bill within three months.
6. The Constitution does not provide for the mechanism of joint sitting of two Houses of the state legislature to resolve a deadlock between them over the passage of a bill.

7. The legislative assembly can override the legislative council by passing the bill for the second time and not vice versa. When a bill is passed by the assembly for the second time and transmitted to the legislative council, if the legislative council rejects the bill again, or proposes amendments that are not acceptable to the legislative assembly, or does not pass the bill within one month, then the bill is deemed to have been passed by both the Houses in the form in which it was passed by the legislative assembly for the second time.
8. The mechanism of passing the bill for the second time to resolve a deadlock applies to a bill originating in the legislative assembly only. When a bill, which has originated in the legislative council and sent to the legislative assembly, is rejected by the latter, the bill ends and becomes dead.

Q.19) Chief Justice of India has to take approval or previous consent of the president while:

1. appointing a judge of a High Court as an ad hoc judge of the Supreme Court
2. appointing a retired judge of the Supreme Court or a retired judge of a high court to act as a judge of the Supreme Court
3. appointing other place or places other than Delhi as seat of the Supreme Court.

Choose the correct code from below options:

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

Q.19) Solution (d)

In all the conditions provided in statements of the question, CJI is required to take approval or previous consent of the President.

Chief Justice of India has to take approval or previous consent of the president while –

1. appointing a judge of a High Court as an ad hoc judge of the Supreme Court
2. appointing a retired judge of the Supreme Court or a retired judge of a high court to act as a judge of the Supreme Court
3. appointing other place or places other than Delhi as seat of the Supreme Court.

Q.20) Which committee of Parliament in India does not have members from Rajya Sabha?

- a) Committee on Public Undertakings
- b) Estimates Committee

- c) Public Accounts Committee
- d) Privileges Committee

Q.20) Solution (b)***Estimates Committee***

The origin of this committee can be traced to the standing financial committee set up in 1921. The first Estimates Committee in the post-independence era was constituted in 1950 on the recommendation of John Mathai, the then finance minister. 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. These members are elected by the Lok Sabha every year from amongst its own members, according to the principles of proportional representation by means of a single transferable vote.

Q.21) With regard to pardoning power of the President, which of statements given below is *incorrect*?

- a) The power to pardon is to be exercised by the President on the advice of the Union Cabinet
- b) The President cannot pardon sentences inflicted by court martial
- c) The Constitution does not provide for any mechanism to question the legality of decisions of President
- d) None

Q.21) Solution (b)**Pardoning power of the President :**

Article 72 of the Constitution empowers the President to grant pardons to persons who have been tried and convicted of any offence in all cases where the:

1. Punishment or sentence is for an offence against a Union Law;
2. Punishment or sentence is by a court martial (military court); and
3. Sentence is a sentence of death.

The pardoning power of the President is independent of the Judiciary; it is an executive power. But, the President while exercising this power, does not sit as a court of appeal. The object of conferring this power on the President is two-fold: (a) to keep the door open for

correcting any judicial errors in the operation of law; and, (b) to afford relief from a sentence, which the President regards as unduly harsh.

Under **Article 161 of the Constitution**, the **governor** of a state also possesses the pardoning power. But, the pardoning power of the governor differs from that of the President in following two respects:

1. **The President can pardon sentences inflicted by court martial** (military courts) while the governor cannot.
2. **The President can pardon death sentence while governor cannot.** *Even if a state law prescribes death sentence, the power to grant pardon lies with the President and not the governor.* However, the governor can suspend, remit or commute a death sentence. In other words, both the governor and the President have concurrent power in respect of suspension, remission and commutation of death sentence.

The Constitution does not provide for any mechanism to question the legality of decisions of President with regard to mercy jurisdiction. But the Supreme Court in *Epuru Sudhakar case* has given scope for judicial review of the pardon powers of President and Governors for the purpose of ruling out any arbitrariness. The court has earlier held that court has retained the power of judicial review even on a matter which has been vested by the Constitution solely in the Executive.

Do you know?

The Supreme Court has laid down the following principles:

1. The petitioner for mercy has no right to an oral hearing by the President.
2. The President can examine the evidence afresh and take a view different from the view taken by the court.
3. **The power is to be exercised by the President on the advice of the union cabinet.**
4. The President is not bound to give reasons for his order.
5. The President can afford relief not only from a sentence that he regards as unduly harsh but also from an evident mistake.
6. There is no need for the Supreme Court to lay down specific guidelines for the exercise of power by the President.
7. The exercise of power by the President is not subject to judicial review except where the presidential decision is arbitrary, irrational, mala fide or discriminatory.

8. Where the earlier petition for mercy has been rejected by the President, stay cannot be obtained by filing another petition.

Q.22) What is the purpose of VAJRA Scheme?

- a) To enable NRIs and overseas scientific community to participate and contribute to research and development in India
- b) To enable the famous foreign educational institutions to open their campuses in India
- c) To increase the quality of education provided in government schools by taking help from the private sector
- d) To encourage voluntary monetary contributions from private individuals and organizations so as to improve the infrastructure facilities for government schools

Q.22) Solution (a)

VAJRA (Visiting Advanced Joint Research) Faculty scheme

It is a scheme by the Department of Science and Technology

It enables NRIs and overseas scientific community to participate and contribute to research and development in India.

The Science and Engineering Research Board (SERB), a statutory body of the Department will implement the Scheme.

It will undertake research in S&T priority areas of nation wherein the capability and capacity are needed to be developed. The VAJRA faculty will engage in collaborative research in public funded institutions.

The residency period of the VAJRA Faculty in India would be for a minimum of 1 month and a maximum of 3 months a year.

The VAJRA Faculty is provided a lump-sum amount of US\$ 15000 in the first month of residency in a year and US\$ 10000 p.m. in the other two months to cover their travel and honorarium. While no separate support is provided for e.g. accommodation, medical / personal insurance etc. the host institute may consider providing additional support.

A Selection Committee of eminent scientists will evaluate the applications. The Committee will meet twice a year in January and July and make recommendations. SERB will announce the results in the month of April and September.

Public funded academic institutions and national laboratories are eligible to host the VAJRA Faculty. These institutions should appoint them as Adjunct / Visiting Faculty and involve them in co-guiding and mentoring of students and developing collaborative programs. The Faculty can also be allowed to participate in other academic activities as agreed to by the host institution and the Faculty.

Source: <http://indianexpress.com/article/education/vajra-faculty-scheme-260-applicants-for-governments-visiting-researcher-programme-4881275/>

Q.23) Consider the following statements about 'Minsky Moment'

1. It refers to the point where the financial system moves from stability to instability
2. It refers to a sudden collapse in asset prices after long periods of growth, sparked by debt or currency pressures

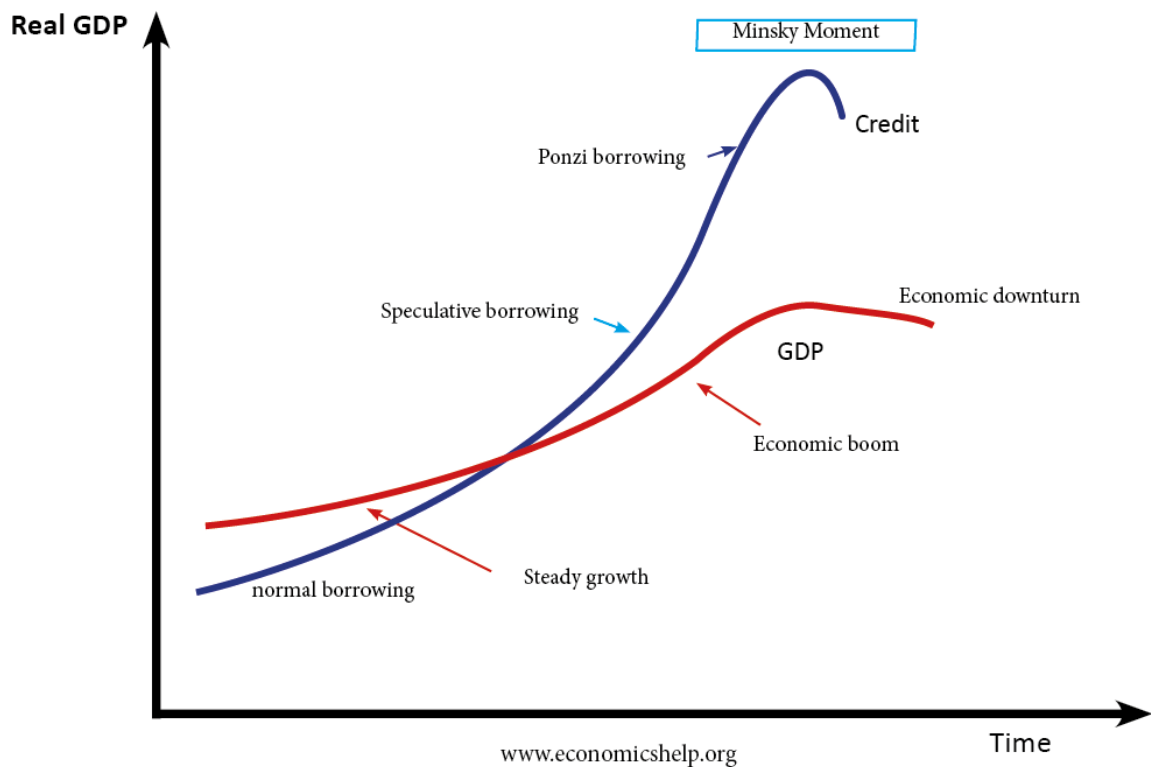
Which of the following statements is/are correct?

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

Q.23) Solution (c)

The Minsky moment refers to the point where the financial system moves from stability to instability. It is that point where over-indebted borrowers start to sell off their assets to meet other repayment demands. This causes a fall in asset prices and loss of confidence. It can cause financial institutions to become illiquid – they can't meet the demand for cash. It may cause a run on the banks as people seek to withdraw their money. Usually, the Minsky moment comes when lending and debt levels have built up to unsustainable levels.

China's central bank governor warned of the risks from excessive debt and speculative investment, to caution that the country's fast-growing economy faced a possible "Minsky moment".



Source: <https://www.livemint.com/Opinion/Dy3nvTOGRy9vGf8ufllUUI/The-search-for-the-Minsky-Moment-is-bigger-than-China.html>

Q.24) Consider the following statements about Commercial Paper (CP)?

1. It is an unsecured form of promissory note that pays a fixed rate of interest
2. It can be issued for maturities for a minimum of 90 days
3. Only a scheduled bank can act as an Issuing and Paying Agent (IPA) for issuance of CP

Select the correct statements

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

Q.24) Solution (d)

Commercial Paper (CP) is an unsecured money market instrument issued in the form of a promissory note. It was introduced in India in 1990. It was introduced in India in 1990 with a view to enabling highly rated corporate borrowers to diversify their sources of short-term

borrowings and to provide an additional instrument to investors. Subsequently, primary dealers and all-India financial institutions were also permitted to issue CP to enable them to meet their short-term funding requirements for their operations.

Corporates, primary dealers (PDs) and the All-India Financial Institutions (FIs) are eligible to issue CP.

A corporate would be eligible to issue CP provided –

- the tangible net worth of the company, as per the latest audited balance sheet, is not less than Rs. 4 crore
- company has been sanctioned working capital limit by bank/s or all-India financial institution/s; and
- the borrowal account of the company is classified as a Standard Asset by the financing bank/s/ institution/s.

All eligible participants shall obtain the credit rating for issuance of Commercial Paper either from Credit Rating Information Services of India Ltd. (CRISIL) or the Investment Information and Credit Rating Agency of India Ltd. (ICRA) or the Credit Analysis and Research Ltd. (CARE) or the FITCH Ratings India Pvt. Ltd. or such other credit rating agency (CRA) as may be specified by the Reserve Bank of India from time to time, for the purpose. The minimum credit rating shall be A-2 [As per rating symbol and definition prescribed by Securities and Exchange Board of India (SEBI)].

CP can be issued for maturities between a minimum of 7 days and a maximum of up to one year from the date of issue. However, the maturity date of the CP should not go beyond the date up to which the credit rating of the issuer is valid.

Only a scheduled bank can act as an IPA for issuance of CP.

Individuals, banking companies, other corporate bodies (registered or incorporated in India) and unincorporated bodies, Non-Resident Indians (NRIs) and Foreign Institutional Investors (FIIs) etc. can invest in CPs. However, investment by FIIs would be within the limits set for them by Securities and Exchange Board of India (SEBI) from time-to-time.

CP will be issued at a discount to face value as may be determined by the issuer.

Role and responsibilities of the Issuer/Issuing and Paying Agent and Credit Rating Agency

Issuer:

- Every issuer must appoint an IPA for issuance of CP.
- The issuer should disclose to the potential investors its financial position as per the standard market practice.

- After the exchange of deal confirmation between the investor and the issuer, issuing company shall issue physical certificates to the investor or arrange for crediting the CP to the investor's account with a depository.

Issuing and Paying Agent

- IPA would ensure that issuer has the minimum credit rating as stipulated by the RBI and amount mobilised through issuance of CP is within the quantum indicated by CRA for the specified rating or as approved by its Board of Directors, whichever is lower.
- IPA has to verify all the documents submitted by the issuer viz., copy of board resolution, signatures of authorised executants (when CP in physical form) and issue a certificate that documents are in order. It should also certify that it has a valid agreement with the issuer
- Certified copies of original documents verified by the IPA should be held in the custody of IPA.

Credit Rating Agency

- Code of Conduct prescribed by the SEBI for CRAs for undertaking rating of capital market instruments shall be applicable to them (CRAs) for rating CP.
- Further, the credit rating agencies have the discretion to determine the validity period of the rating depending upon its perception about the strength of the issuer. Accordingly, CRA shall at the time of rating, clearly indicate the date when the rating is due for review.
- While the CRAs can decide the validity period of credit rating, CRAs would have to closely monitor the rating assigned to issuers vis-a-vis their track record at regular intervals and would be required to make its revision in the ratings public through its publications and website

Source: <http://www.thehindu.com/business/why-companies-use-commercial-papers-as-a-source-of-funds/article19944940.ece>

Q.25) The term 'Destination Restriction Clause' was in news in the context of India & Japan. It is associated with

- a) Liquid Natural Gas
- b) Civil Nuclear Agreement
- c) High Speed Rail
- d) Vehicles other than Railway & Tramway

Q.25) Solution (a)

Cabinet approved the proposal to sign a Memorandum of Cooperation between India and Japan on establishing a liquid, flexible and global LNG Market.

Japan is the world's largest LNG importer, and India the fourth biggest.

Under the arrangement, the two countries will try to get more flexibility in LNG contracts and abolish the Destination Restriction Clause, which prevents them from re-selling imports to third parties.

Source: <http://pib.nic.in/newsite/PrintRelease.aspx?relid=171622>

Q.26) Pan African e-Network Project (PAENP) is an ICT project by

1. India
2. Japan
3. United Nations Office of Information and Communications Technology

Select the correct code:

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

Q.26) Solution (a)

Pan African e-Network Project (PAENP) was conceived by former President of India Dr. A.P.J. Abdul Kalam and was formally launched on February 26, 2009.

Under the Pan African e-Network Project, India has set up a fibre-optic network to provide satellite connectivity, tele-medicine and tele-education to countries of Africa.

The project aims to create significant linkages for tele-education and telemedicine, internet, video-conferencing and VoIP services, making available the facilities and expertise of some of the best universities and super-specialty hospitals in India to the people of Africa.

Source: <http://pib.nic.in/newsite/PrintRelease.aspx?relid=171961>