

Q.1) Consider the following features of administration contained in the Fifth Schedule.

1. The parliament is empowered to declare an area to be a scheduled area.
2. The governor is empowered to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions.
3. The governor is empowered to organize and re-organize the autonomous districts.

Which of the above statements is/are correct?

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

Q.1) Solution (d)

The various features of administration contained in the Fifth Schedule are as follows:

Declaration of Scheduled Areas: The president is empowered to declare an area to be a scheduled area.

Executive Power of State and Centre: The executive power of a state extends to the scheduled areas therein. But the governor has a special responsibility regarding such areas.

Tribes Advisory Council: Each state having scheduled areas has to establish a tribe's advisory council to advise on welfare and advancement of the scheduled tribes. It is to consist of 20 members, three-fourths of whom are to be the representatives of the scheduled tribes in the state legislative assembly.

Law applicable to Scheduled Areas: The governor is empowered to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions. He can also make regulations for the peace and good government of a scheduled area after consulting the tribes advisory council.

The various features of administration contained in the Sixth Schedule are as follows:

The tribal areas in the four states of Assam, Meghalaya, Tripura and **Mizoram have been constituted as autonomous districts**. But, they do not fall outside the executive authority of the state concerned.

The governor is empowered to organise 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.

Do you know?

The Constitution, under Sixth Schedule, contains special provisions for the administration of tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram. The rationality behind the special arrangements in respect of only these four states lies in the following:

- “The tribes in Assam, Meghalaya, Tripura and Mizoram have not assimilated much the life and ways of the other people in these states. These areas have hitherto been anthropological specimens. The tribal people in other parts of India have more or less adopted the culture of the majority of the people in whose midst they live. The tribes in Assam, Meghalaya, Tripura and Mizoram, on the other hand, still have their roots in their own culture, customs and civilization. These areas are, therefore, treated differently by the Constitution and sizeable amount of autonomy has been given to these people for self-government.”

THINK!

- Criteria for Declaring Schedule Areas.

Q.2) Consider the following statements.

1. The National Institute of Labour Economics Research and Development (NILERD) is a subordinate office of the NITI Aayog.
2. The prime objective of NILERD has been to develop an institutional framework for socio-economic development of the nation.
3. The Institute has its own campus at Narela.

Which of the above statements is/are correct?

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

Q.2) Solution (b)

The National Institute of Labour Economics Research and Development (formerly Institute of Applied Manpower Research) is a **subordinate office of the NITI Aayog**.

The Institute of Applied Manpower Research (IAMR) was established in 1962 under the Societies Registration Act of 1860 as an institution that would function as a clearing-house

of ideas and undertake policy research on human capital development to inform perspective planning and promote policy integration.

IAMR has been renamed as National Institute of Labour Economics Research and Development (NILERD) on the 9th of June, 2014. NILERD is mainly funded by grants-in-aid from the NITI Aayog and supplemented by its own revenue from contracted research projects, and education and training activities. **The prime objective of NILERD has been to develop an institutional framework capable of sustaining and steering a systematic applied human resource planning research process.**

The Institute moved to its own campus at Narela in 2002. Narela is a developing urban and institutional hub declared as a **special economic zone** for knowledge in the National Capital Region

Do you know?

- The erstwhile Planning Commission was originally established as a staff agency with advisory role but in the course of time it had emerged as a powerful and directive authority whereby its recommendations were considered both by the Union and states. **The critics had described it as a 'Super Cabinet', an 'Economic Cabinet', a 'Parallel Cabinet', the 'Fifth Wheel of the Coach' and so on.**

THINK!

- NITI Aayog.

Q.3) Consider the following related to position of 'Water' in Indian Constitution.

1. The provision for water being in the Union, State and Concurrent List is the major bone of contention in present day Inter-Water dispute.
2. Article 262 deals with adjudication of disputes relating to waters of inter State Rivers or river valleys
3. Indian Constitution explicitly grants parliament the right to legislate over the matters in Entry 56, and also gives it primacy over the Supreme Court.

Which of the above statements is/are correct?

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

Q.3) Solution (c)

WATER in Indian constitution (not in Concurrent List)

- Article 262
- Entry 17 in the State List
- Entry 56 in the Union List

Article 262- Adjudication of disputes relating to waters of inter State Rivers or river valleys

- Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter State river or river valley
- Notwithstanding anything in this Constitution, Parliament may by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as is referred to in clause (1) Coordination between States

The provision under Entry 17-State List, makes water a state subject, however, the second provision via Entry 56 in the Union List allows regulation and development of water under the control of the Union declared by parliament to be expedient in the public interest.

Further, Article 262 explicitly grants parliament the right to legislate over the matters in Entry 56, and also gives it primacy over the Supreme Court.

While water supplies, irrigation and canals, drainage and embankments and storage fall in the State List, issues **like development of inter-state rivers come under the Union List.**

Q.4) Consider the following statements.

1. The Constitution of India, being federal in structure, divides all powers (legislative, executive, financial and judiciary) between the Centre and the states.
2. There is no restriction on plenary territorial jurisdiction of the parliament.

Which of the above statements is/are correct?

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

Q.4) Solution (d)

The Constitution of India, being federal in structure, divides all powers (legislative, executive and financial) between the Centre and the states. **However, there is no division of judicial power as the Constitution has established an integrated judicial system to enforce both the Central laws as well as state laws.**

The Constitution places certain restrictions on the plenary territorial jurisdiction of the Parliament. In other words, the laws of Parliament are not applicable in the following areas:

- The President can make regulations for the peace, progress and good government of the four Union Territories—the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli and Daman and Diu. A regulation so made has the same force and effect as an act of Parliament. It 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.

Do you know?

- The 42nd Amendment Act of 1976 transferred five subjects to Concurrent List from State List, that is, (a) education, (b) forests, (c) weights and measures, (d) protection of wild animals and birds, and (e) administration of justice; constitution and organization of all courts **except the Supreme Court and the high courts.**

THINK!

- Mutual delegation of administrative functions between center and state.

Q.5) Consider the following statements.

1. All-India services strengthen the principle of federalism under the Constitution.
2. They help in maintaining high standard of administration in the Centre as well as in the states;
3. They help to ensure uniformity of the administrative system throughout the country;
4. They facilitate liaison, cooperation, coordination and joint action on the issues of common interest between the Centre and the states

Which of the above statements is/are correct?

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

d) All the above

Q.5) Solution (c)

Though **the all-India services violate the principle of federalism under the Constitution** by restricting the autonomy and patronage of the states, they are supported on the ground that

- they help in maintaining high standard of administration in the Centre as well as in the states;
- they help to ensure uniformity of the administrative system throughout the country; and
- they facilitate liaison, cooperation, coordination and joint action on the issues of common interest between the Centre and the states.

Do you know?

- **There are extraconstitutional devices to promote cooperation and coordination between the Centre and the states.** These include a number of advisory bodies and conferences held at the Central level.
- The non-constitutional advisory bodies include the Planning Commission (now NITI Aayog), the National Development Council, the National Integration Council, the Central Council of Health, the Central Council of Local Government and Urban Development, the Zonal Councils, the Northeastern Council, the Central Council of Indian Medicine, Central Council of Homoeopathy, the Central Family Welfare Council, the Transport Development Council, the University Grants Commission and so on.

THINK!

- FINANCIAL RELATIONS.

Q.6) Consider the following pairs.

Constitutional Amendment	Significance
1. 80 th Constitutional Amendment Act	Service tax
2. 88 th Constitutional Amendment Act	Alternative Scheme of Devolution
3. 101 st Constitutional Amendment Act	GST

Which of the above pairs is/are correctly matched?

- a) 1 and 2 only
- b) 3 only

- c) 2 and 3 only
- d) All the above

Q.6) Solution (b)

The **80th Amendment of 2000** and the **88th Amendment of 2003** have introduced major changes in the scheme of the distribution of tax revenues between the centre and the states.

The 80th Amendment was enacted to give effect to the recommendations of the 10th Finance Commission. The Commission recommended that out of the total income obtained from certain central taxes and duties, 29% should go to the states. **This is known as the 'Alternative Scheme of Devolution' and came into effect retrospectively from April 1, 1996.** This amendment has brought several central taxes and duties like Corporation Tax and Customs Duties at par with Income Tax (taxes on income other than agricultural income) as far as their constitutionally mandated sharing with the states is concerned.

The 88th Amendment has added a new Article 268-A dealing with service tax. It also added a new subject in the Union List – entry 92-C (taxes on services). **Service tax is levied by the Centre but collected and appropriated by both the Centre and the States.**

The One Hundred and Twenty Second Amendment Bill of the Constitution of India, officially known as The **Constitution (One Hundred and First Amendment) Act, 2016, introduced a national Goods and Services Tax in India from 1 July 2017.**

The GST is a Value added Tax (VAT) proposed to be a comprehensive indirect tax levy on manufacture, sale and consumption of goods as well as services at the national level. It will replace all indirect taxes levied on goods and services by the Indian Central and state governments. It is aimed at being comprehensive for most goods and services.

Do you know?

- **Statutory Grants:** Article 275 empowers the Parliament to make grants to the states which are in need of financial assistance and not to every state. Also, different sums may be fixed for different states. These sums are charged on the Consolidated Fund of India every year.
- The statutory grants under Article 275 (both general and specific) are given to the states on the recommendation of the Finance Commission.
- **Discretionary Grants:** Article 282 empowers both the Centre and the states to make any grants for any public purpose, even if it is not within their respective legislative competence. Under this provision, the Centre makes grants to the states.

THINK!

- Direct Transfers of funds to Local Bodies and Implementing Agencies.

Q.7) Consider the following statements.

1. Article 280 provides for a Finance Commission as a quasi-federal body.
2. The Constitution envisages the Finance Commission as the balancing wheel of fiscal federalism in India.
3. The Fifteenth Finance Commission headed by Shri. N.K.Singh will make recommendations for the five years commencing on April 1, 2020.

Which of the above statements is/are correct?

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

Q.7) Solution (b)

Article 280 provides for a Finance Commission as a quasi-judicial body. It is constituted by the President every fifth year or even earlier. It is required to make recommendations to the President on the following matters:

- The distribution of the net proceeds of taxes to be shared between the Centre and the states, and the allocation between the states, the respective shares of such proceeds.
- The principles which should govern the grants-in-aid to the states by the Centre (i.e., out of the Consolidated Fund of India).
- The measures needed to augment the consolidated fund of a state to supplement the resources of the panchayats and the municipalities in the state on the basis of the recommendations made by the State Finance Commission.
- Any other matter referred to it by the President in the interests of sound finance.

Fiscal federalism implies the division of financial powers and responsibility between the center and the federal units. **Indian constitution provides for Finance Commission under Article 280 to balance the wheel of fiscal federalism.**

Being a federal nation, it is important that the states are provided sufficient autonomy over the financial matters. **Federal spirit is reflected in the seventh schedule of constitution,** where the power of taxation is clearly demarcated between center and the states.

The Government of India, with the approval President of India, has constituted **Fifteenth Finance Commission in pursuance of clause (1) of article 280 of the Constitution,** read with

the provisions of the Finance Commission (Miscellaneous Provisions) Act, 1951 w.e.f. 27th November 2017. The Commission will make recommendations for the five years commencing on April 1, 2020.

This Commission will be headed by Shri. N.K.Singh, former Member of Parliament and former Secretary to the Government of India.

Do you know?

- The Supreme Court, in an advisory opinion (1963), held that the immunity granted to a state in respect of Central taxation does not extend to the duties of customs or duties of excise. In other words, **the Centre can impose customs duty on goods imported or exported by a state, or an excise duty on goods produced or manufactured by a state.**

THINK!

- Effects of Emergencies on center-state relations.

Q.8) Which of the following statements are correct regarding the Constitution of Jammu and Kashmir?

1. It declares the state as an integral part of India
2. Jammu and Kashmir comprises all the territories that were under the ruler of the state on 15th August 1947.
3. It contains a list of directive principles that are to be treated as fundamental in the governance of the state and are judicially enforceable.
4. It provides for bicameral legislature in J and K.

Select the code from following:

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

Q.8) Solution (c)

The Constitution of J&K was adopted on 17 November 1957, and came into force on 26 January 1957.

Its salient features (as amended from time to time) are as follows:

1. It declares the State of J&K to be an integral part of India.
2. It secures justice, liberty, equality and fraternity to the people of the state.
3. It says that the State of J&K comprises all the territory that was under the ruler of the state on 15 August 1947. This means that the territory of the state also includes the area which is under the occupation of Pakistan.
4. It lays down that a citizen of India is treated as a 'permanent resident' of the state if on 14 May 1954 (a) he was a state subject of Class I or Class II, or (b) having lawfully acquired immovable property in the state, he has been ordinarily resident in the state for 10 years prior to that date, or (c) any person who before 14 May, 1954 was a state subject of Class I or Class II and who, having migrated to Pakistan after 1 March 1947, returns to the state for resettlement.
5. It clarifies that the permanent residents of the state are entitled to all rights guaranteed under the Constitution of India. But, any change in the definition of 'permanent' can be made by the state legislature only.
6. It contains a list of directive principles that are to be treated as fundamental in the governance of the state. However, they are not judicially enforceable.
7. It provides for a bicameral legislature consisting of the legislative assembly and the legislative council. The assembly consists of 111 members directly elected by the people. Out of this, 24 seats are to remain vacant as they are allotted for the area that is under the occupation of Pakistan. Hence, as an interim measure, the total strength of the Assembly is to be taken as 87 for all practical purposes. The council consists of 36 members, most of them are elected in an indirect manner and some of them are nominated by the Governor, who is also an integral part of the state legislature.
8. It vests the executive powers of the state in the governor appointed by the president for a term of five years. It provides for a council of ministers headed by the chief minister to aid and advise the governor in the exercise of his functions. The council of ministers is collectively responsible to the assembly. Under the original Constitution of J&K (1957), the head of the state and head of the government were designated as Sadar-i-Riyasat (President) and Waziri- Azam (Prime Minister) respectively. In 1965, they were redesignated as governor and chief Minister respectively. Also, the head of the state was to be elected by the state assembly.
9. It establishes a high court consisting of a chief justice and two or more other judges. They are appointed by the president in consultation with the Chief Justice of India and the Governor of the state. The High Court of J&K is a court of record and enjoys original, appellate and writ jurisdictions. However, it can issue writs only for the enforcement of fundamental rights and not for any other purpose.

10. It provides for Governor's Rule. Hence, the governor, with the concurrence of the President of India, can assume to himself all the powers of the state government, except those of the high court. He can dissolve the assembly and dismiss the council of ministers. The Governor's Rule can be imposed when the state administration cannot be carried on in accordance with the provisions of the J&K Constitution. It was imposed for the first time in 1977. Notably, in 1964, Article 356 of the Indian Constitution (dealing with the imposition of President's Rule in a state) was extended to the state of J&K.

11. It declares Urdu as the official language of the state. It also permits the use of English for official purposes unless the state legislature provides otherwise.

12. It lays down the procedure for its amendment. It can be amended by a bill passed in each house of the state legislature by a majority of two-thirds of the total membership of that house. Such a bill must be introduced in the assembly only. However, no bill of constitutional amendment can be moved in either House if it seeks to change the relationship of the state with the Union of India.

Q.9) Consider the following statements:

1. In Kashmir's legislature some seats are allotted to areas which are occupied by Pakistan and these seats remain vacant.
2. Governor of J and K is appointed for a term of five years.

Which of the above statements is/are correct?

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

Q.9) Solution (c)

The Constitution of J and K provides for a bicameral legislature consisting of the legislative assembly and the legislative council. The assembly consists of 111 members directly elected by the people. Out of this, 24 seats are to remain vacant as they are allotted for the area that is under the occupation of Pakistan. Hence, as an interim measure, the total strength of the Assembly is to be taken as 87 for all practical purposes. The council consists of 36 members, most of them are elected in an indirect manner and some of them are nominated by the Governor, who is also an integral part of the state legislature.

It vests the executive powers of the state in the governor appointed by the president for a term of five years. It provides for a council of ministers headed by the chief minister to aid and advise the governor in the exercise of his functions. The council of ministers is collectively responsible to the assembly. Under the original Constitution of J&K (1957), the head of the state and head of the government were designated as Sadar-i-Riyasat (President) and Wazir – e – Azam (Prime Minister) respectively. In 1965, they were redesignated as governor and chief Minister respectively. Also, the head of the state was to be elected by the state assembly.

Q.10) Article 371 J was added in the constitution by 118th Constitution Amendment Bill. Which of the following statements are correct regarding Article 371 J?

1. It grants special status to six backward districts of Andhra Pradesh.
2. It established a separate Development board to allocate sufficient funds for the development of the region.
3. It allows for local reservation in education and government jobs.

Select the code from below:

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

Q.10) Solution (b)

Article 371-J grants special status to 6 backward districts of Hyderabad-Karnataka. Region includes Gulbarga, Bidar, Raichur, Koppal, Yadgir and Bellary districts.

Provisions of 371 J

- Establish a separate Development Board
- Have a board which will see that appropriate funds are allocated for Development of the region.
- Have local reservation in education and Government jobs.

Q.11) Which of the following are Federal features of Indian Polity?

1. Supremacy of Constitution

2. Flexible Constitution
3. Division of Power
4. Independent Judiciary

Select the code from below:

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

Q.11) Solution (c)

The federal features of the Constitution of India are explained below:

1. Dual Polity

The Constitution establishes a dual polity consisting the Union at the Centre and the states at the periphery. Each is endowed with sovereign powers to be exercised in the field assigned to them respectively by the Constitution. The Union government deals with the matters of national importance like defence, foreign affairs, currency, communication and so on. The state governments, on the other hand, look after the matters of regional and local importance like public order, agriculture, health, local government and so on.

2. Written Constitution

It specifies the structure, organisation, powers and functions of both the Central and state governments and prescribes the limits within which they must operate. Thus, it avoids the misunderstandings and disagreements between the two.

3. Division of Powers

The Constitution divided the powers between the Centre and the states in terms of the Union List, State List and Concurrent List in the Seventh Schedule. The Union List consists of 100 subjects (originally 97), the State List 61 subjects (originally 66) and the Concurrent List 52 subjects (originally 47). Both the Centre and the states can make laws on the subjects of the concurrent list, but in case of a conflict, the Central law prevails. The residuary subjects (ie, which are not mentioned in any of the three lists) are given to the Centre.

4. Supremacy of the Constitution

The Constitution is the supreme (or the highest) law of the land. The laws enacted by the Centre and the states must conform to its provisions. Otherwise, they can be declared invalid by the Supreme Court or the high courts through their power of judicial review. Thus, the

organs of the government (legislative, executive and judicial) at both the levels must operate within the jurisdiction prescribed by the Constitution.

5. Rigid Constitution

The division of powers established by the Constitution as well as the supremacy of the Constitution can be maintained only if the method of its amendment is rigid. Hence, the Constitution is rigid to the extent that those provisions which are concerned with the federal structure (i.e., Centre–state relations and judicial organisation) can be amended only by the joint action of the Central and state governments. Such provisions require for their amendment a special majority⁴ of the Parliament and also an approval of half of the state legislatures.

6. Independent Judiciary

The Constitution establishes an independent judiciary headed by the Supreme Court for two purposes: one, to protect the supremacy of the Constitution by exercising the power of judicial review; and two, to settle the disputes between the Centre and the states or between the states. The Constitution contains various measures like security of tenure to judges, fixed service conditions and so on to make the judiciary independent of the government.

7. Bicameralism

The Constitution provides for a bicameral legislature consisting of an Upper House (Rajya Sabha) and a Lower House (Lok Sabha). The Rajya Sabha represents the states of Indian Federation, while the Lok Sabha represents the people of India as a whole. The Rajya Sabha (even though a less powerful chamber) is required to maintain the federal equilibrium by protecting the interests of the states against the undue interference of the Centre.

Note: Don't get confused between Division of Power and Separation of Power. Division of Power is between Centre and State while Separation of Power is between Legislature, Executive and Judiciary.

Q.12) Rajya Sabha can pass a resolution to allow Parliament to legislate in the matter under state List. Which of the following statements regarding this are correct?

1. Such a resolution must be supported by $2/3^{\text{rd}}$ of the members present and Voting.
2. The resolution remains in force for one year and can be renewed any number of times but not exceeding one year at a time.
3. Till the resolution is in Force, State legislature cannot make a law on the same matter.

Select the code from following:

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

Q.12) Solution (a)

The Constitution empowers the Parliament to make laws on any matter enumerated in the State List under the following five extraordinary circumstances:

When Rajya Sabha Passes a Resolution

If the Rajya Sabha declares that it is necessary in the national interest that Parliament should make laws on a matter in the State List, then the Parliament becomes competent to make laws on that matter. Such a resolution must be supported by two-thirds of the members present and voting. The resolution remains in force for one year; it can be renewed any number of times but not exceeding one year at a time. The laws cease to have effect on the expiration of six months after the resolution has ceased to be in force. This provision does not restrict the power of a state legislature to make laws on the same matter. But, in case of inconsistency between a state law and a parliamentary law, the latter is to prevail.

During a National Emergency

The Parliament acquires the power to legislate with respect to matters in the State List, while a proclamation of national emergency is in operation. The laws become inoperative on the expiration of six months after the emergency has ceased to operate. Here also, the power of a state legislature to make laws on the same matter is not restricted. But, in case of repugnancy between a state law and a parliamentary law, the latter is to prevail.

When States Make a Request

When the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List, then the Parliament can make laws for regulating that matter. A law so enacted applies only to those states which have passed the resolutions. However, any other state may adopt it afterwards by passing a resolution to that effect in its legislature. Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.

The effect of passing a resolution under the above provision is that the Parliament becomes entitled to legislate with respect to a matter for which it has no power to make a law. On the other hand, the state legislature ceases to have the power to make a law with respect to that matter. The resolution operates as abdication or surrender of the power of the state

legislature with respect to that matter and it is placed entirely in the hands of Parliament which alone can then legislate with respect to it. Some examples of laws passed under the above provision are Prize Competition Act, 1955; Wild Life (Protection) Act, 1972; Water (Prevention and Control of Pollution) Act, 1974; Urban Land (Ceiling and Regulation) Act, 1976; and Transplantation of Human Organs Act, 1994.

To Implement International Agreements

The Parliament can make laws on any matter in the State List for implementing the international treaties, agreements or conventions. This provision enables the Central government to fulfill its international obligations and commitments.

Some examples of laws enacted under the above provision are United Nations (Privileges and Immunities) Act, 1947; Geneva Convention Act, 1960; Anti-Hijacking Act, 1982 and legislations relating to environment and TRIPS.

During President's Rule

When the President's rule is imposed in a state, the Parliament becomes empowered to make laws with respect to any matter in the State List in relation to that state. A law made so by the Parliament continues to be operative even after the president's rule. This means that the period for which such a law remains in force is not co-terminus with the duration of the President's rule. But, such a law can be repealed or altered or re-enacted by the state legislature.

Q.13) In case of subjects enumerated in Concurrent List, the executive power rests with the

- a) Centre
- b) States
- c) Depends on who makes the law
- d) Decided by the President

Q.13) Solution (b)

Distribution of Executive Powers

The executive power has been divided between the Centre and the states on the lines of the distribution of legislative powers, except in few cases. Thus, the executive power of the Centre extends to the whole of India:

- (i) to the matters on which the Parliament has exclusive power of legislation (i.e., the subjects enumerated in the Union List); and
- (ii) to the exercise of rights, authority and jurisdiction conferred on it by any treaty or agreement.

Similarly, the executive power of a state extends to its territory in respect of matters on which the state legislature has exclusive power of legislation (i.e., the subjects enumerated in the State List).

In respect of matters on which both the Parliament and the state legislatures have power of legislation (i.e., the subjects enumerated in the Concurrent List), the **executive power rests with the states** except when a Constitutional provision or a parliamentary law specifically confers it on the Centre. Therefore, a law on a concurrent subject, though enacted by the Parliament, is to be executed by the states except when the Constitution or the Parliament has directed otherwise.

Q.14) Consider the following statements regarding Statutory Grants given by the Centre to the State:

1. The sum is charged on the Consolidated Fund of India
2. In a year, equal fund is fixed for all the states.
3. Statutory grants are given to the states on the recommendation of NITI Aayog.

Which of the above statements are NOT correct?

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

Q.14) Solution (b)

Note: Incorrect statements are asked.

Grants-in-Aid to the States

Besides sharing of taxes between the Centre and the states, the Constitution provides for grants-in-aid to the states from the Central resources. There are two types of grants-in-aid, viz, statutory grants and discretionary grants:

Statutory Grants

Article 275 empowers the Parliament to make grants to the states which are in need of financial assistance and not to every state. Also, different sums may be fixed for different states. These sums are charged on the Consolidated Fund of India every year. Apart from this general provision, the Constitution also provides for specific grants for promoting the welfare of the scheduled tribes in a state or for raising the level of administration of the scheduled areas in a state including the State of Assam. The statutory grants under Article 275 (both general and specific) are given to the states on the recommendation of the Finance Commission.

Think

- Discretionary grants
- Other Grants

Q.15) Which one of the following statements correctly describes the Fourth Schedule of the Constitution of India?

- It contains the scheme of the distribution of powers between the Union and the States
- It contains the languages listed in the Constitution
- It contains the provisions regarding the administration of tribal areas
- It allocates seats in the Council of States

Q.15) Solution (d)

Fourth schedule allocates seats in the Council of States i.e. Rajya Sabha (Upper House of Parliament)

Do you know?

Followings are the schedules in Constitution of India

First Schedule	<ul style="list-style-type: none"> • List of States & Union Territories
Second Schedule	<ul style="list-style-type: none"> • Salary of President, Governors, Chief Judges, Judges of High Court and Supreme court, Comptroller and Auditor General
Third Schedule	<ul style="list-style-type: none"> • Forms of Oaths and affirmations

Fourth Schedule	<ul style="list-style-type: none"> Allocate seats for each state of India in Rajya Sabha 																		
Fifth Schedule	<ul style="list-style-type: none"> Administration and control of scheduled areas and tribes 																		
Sixth Schedule	<ul style="list-style-type: none"> Provisions for administration of Tribal Area in Asom, Meghalaya, Tripura, Mizoram & Arunachal Pradesh 																		
Seventh Schedule	<ul style="list-style-type: none"> Gives allocation of powers and functions between Union & States. It contains 3 lists <ul style="list-style-type: none"> Union List (For central Govt) 97 Subjects. States List (Powers of State Govt) 66 subjects Concurrent List (Both Union & States) 47 subjects. 																		
Eighth Schedule	<ul style="list-style-type: none"> List of 22 languages of India recognized by Constitution <table border="1" data-bbox="453 929 970 1077"> <tr> <td>1. Assamese</td> <td>2. Bengali</td> <td>3. Gujarati</td> </tr> <tr> <td>4. Hindi</td> <td>5. Kannada</td> <td>6. Kashmiri</td> </tr> </table>	1. Assamese	2. Bengali	3. Gujarati	4. Hindi	5. Kannada	6. Kashmiri												
1. Assamese	2. Bengali	3. Gujarati																	
4. Hindi	5. Kannada	6. Kashmiri																	
	<table border="1" data-bbox="453 1151 1046 1588"> <tr> <td>7. Manipuri</td> <td>8. Malayalam</td> <td>9. Konkani</td> </tr> <tr> <td>10. Marathi</td> <td>11. Nepali</td> <td>12. Oriya</td> </tr> <tr> <td>13. Punjabi</td> <td>14. Sanskrit</td> <td>15. Sindhi</td> </tr> <tr> <td>16. Tamil</td> <td>17. Telugu</td> <td>18. Urdu</td> </tr> <tr> <td>19. Santhali</td> <td>20. Bodo</td> <td>21. Maithili</td> </tr> <tr> <td>22. Dogri</td> <td></td> <td></td> </tr> </table> <ul style="list-style-type: none"> Sindhi was added in 1967 by 21 Amendment Konkani, Manipuri and Nepali were added in 1992 by 71 amendment Santhali, Maithili, Bodo and Dogri were added in 2003 by 92 amendment 	7. Manipuri	8. Malayalam	9. Konkani	10. Marathi	11. Nepali	12. Oriya	13. Punjabi	14. Sanskrit	15. Sindhi	16. Tamil	17. Telugu	18. Urdu	19. Santhali	20. Bodo	21. Maithili	22. Dogri		
7. Manipuri	8. Malayalam	9. Konkani																	
10. Marathi	11. Nepali	12. Oriya																	
13. Punjabi	14. Sanskrit	15. Sindhi																	
16. Tamil	17. Telugu	18. Urdu																	
19. Santhali	20. Bodo	21. Maithili																	
22. Dogri																			
Ninth Schedule	<ul style="list-style-type: none"> Added by 1st amendment in 1951. Contains acts & orders related to land tenure, land tax, railways, industries. {Right of property not a fundamental right now} 																		

Tenth Schedule	<ul style="list-style-type: none">• Added by 52nd amendment in 1985. Contains provisions of disqualification of grounds of defection
Eleventh Schedule	<ul style="list-style-type: none">• By 73rd amendment in 1992. Contains provisions of Panchayati Raj.
Twelfth Schedule	<ul style="list-style-type: none">• By 74th amendment in 1992. Contains provisions of Municipal Corporation.

Q.16) Which of the following procedures can be amended by Special Majority of Parliament and Consent of States?

1. Election of the President and its manner
2. Admission or establishment of new states
3. Representation of states in Parliament
4. Use of official language

Select the correct answer using the code given below.

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

Q.16) Solution (a)

The procedures that can be amended by **Special Majority of Parliament and Consent of States** following provisions are in this way:

1. Election of the President and its manner.
2. Extent of the executive power of the Union and the states.
3. Supreme Court and high courts.
4. Distribution of legislative powers between the Union and the states.
5. Any of the lists in the Seventh Schedule.
6. Representation of states in Parliament.
7. Power of Parliament to amend the Constitution and its procedure (Article 368 itself).

Do you know?

The following can be done by Simple majority of Parliament

- Admission or establishment of new states
- Use of official language

Q.17) The legislative power of the Parliament includes making laws

1. on matters not enumerated in the Concurrent List and State List
2. in respect of entries in the State List if two or more State Legislatures consider it desirable
3. for implementing any treaty, agreement or convention with any country even if it falls in the State List

Select the correct answer using the code given below.

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

Q.17) Solution (d)

The primary function of Parliament is to make laws for the governance of the country. It has exclusive power to make laws on the subjects enumerated in the Union List (which at present has 100 subjects, originally 97 subjects) and on the residuary subjects (that is, subjects not enumerated in any of the three lists). With regard to Concurrent List (which has at present 52 subjects, originally 47 subjects), the Parliament has overriding powers, that is, the law of Parliament prevails over the law of the state legislature in case of a conflict between the two.

The Constitution also empowers the Parliament to make laws on the subjects enumerated in the State List (which at present has 61 subjects, originally 66 subjects) under the following five abnormal circumstances:

- (a) when Rajya Sabha passes a resolution to that effect.
- (b) when a proclamation of National Emergency is in operation.
- (c) when two or more states make a joint request to the Parliament.
- (d) when necessary to give effect to international agreements, treaties and conventions.
- (e) when President's Rule is in operation in the state.

Do you know?

All the ordinances issued by the president (during the recess of the Parliament) must be approved by the Parliament within six weeks after its reassembly. An ordinance becomes inoperative if it is not approved by the parliament within that period.

Q.18) Constitution has provided for certain provisions with regard to inter-state comity or harmony. Identify the correct ones from the below:

1. Freedom of inter-state trade, commerce and intercourse.
2. Adjudication of inter-state water disputes.
3. Coordination through inter-state councils.
4. Establishment of zonal councils.

Choose the correct codes from below options:

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

Q.18) Solution (a)

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

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

In addition, the **zonal councils have been established by the Parliament (not provided by the Constitution, hence option 'a' is the correct answer)** to promote inter-state cooperation and coordination.

Q.19) Constitution of India provides for special provision for some states under Part XXI. Which among the following is/are intention behind them?

1. to meet the aspirations of the people of backward regions of the states
2. to protect the cultural and economic interests of the tribal people of the states
3. to deal with the disturbed law and order condition in some parts of the states
4. to protect the interests of linguistic minorities

Select the correct answer using the code given below.

- a) 1 and 2 only
- b) 1, 2 and 4 only

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

Q.19) Solution (c)

Articles 371 to 371-J in Part XXI of the constitution contain special provisions for eleven states viz., Maharashtra, Gujarat, Nagaland, Assam, Manipur, Andhra Pradesh, Sikkim, Mizoram, Arunachal Pradesh, Telangana and Karnataka.

The intention behind them is –

- to meet the aspirations of the people of backward regions of the states (or)
- to protect the cultural and economic interests of the tribal people of the states (or)
- to deal with the disturbed law and order condition in some parts of the states (or)
- to protect the interests of the local people of the states.

XVII of the Constitution deals with protection of the interests of linguistic minorities.

MAHARASHTRA & GUJARAT
(ART 371)
"Special responsibility" to Governor to establish "separate development boards" for "Vidarbha, Marathwada, and the rest of Maharashtra", and Saurashtra and Kutch in Gujarat; "equitable allocation of funds for developmental expenditure over the said areas"; "equitable arrangement providing adequate facilities for technical education and vocational training, and adequate opportunities for employment" under the state government.

SIKKIM
(ART 371F, 36TH AMENDMENT ACT, 1975)
The members of the Legislative Assembly of Sikkim shall elect the representative of Sikkim in the House of the People. To protect the rights and interests of various sections of the population of Sikkim, Parliament may provide for the number of seats in the Assembly, which may be filled only by candidates from those sections. Governor shall have "special responsibility for peace and for an equitable arrangement for ensuring the social and economic advancement of different sections of the population". All earlier laws in territories that formed Sikkim shall continue, and any adaptation or modification shall not be questioned in any court.

ASSAM
(ART 371B, 22ND AMENDMENT ACT, 1969)
President may provide for the constitution and functions of a committee of the Assembly consisting of members elected from the tribal areas of the state.

ARUNACHAL PRADESH
(ART 371H, 55TH AMENDMENT ACT, 1986)
The Governor has a special responsibility with regard to law and order, and "he shall, after consulting the Council of Ministers, exercise his individual judgment as to the action to be taken". Should a question arise over whether a particular matter is one in which the Governor is "required to act in the exercise of his individual judgment, the decision of the Governor in his discretion shall be final", and "shall not be called in question...".

NAGALAND
(ART 371A, 13TH AMENDMENT ACT, 1962)
Parliament can't legislate in matters of Naga religion or social practices, the Naga customary law and procedure, administration of civil and criminal justice involving decisions according to Naga customary law, and ownership and transfer of land and its resources, without concurrence of the legislative Assembly. This provision was inserted in the Constitution after a 16-point agreement between the Centre and the Naga People's Convention in 1960, which led to the creation of Nagaland in 1963. Also, there is a provision for a 15-member regional council for Tuensang district, which elects the Tuensang members in the Assembly. A member from the Tuensang district is Minister for Tuensang Affairs; Governor has the final say on Tuensang-related matters.

MIZORAM
(ART 371C, 53RD AMENDMENT ACT, 1986)
Parliament cannot make laws on "religious or social practices of the Mizo, Mizo customary law and procedure, administration of civil and criminal justice involving decisions according to Mizo customary law, ownership and transfer of land... unless the Legislative Assembly... by a resolution so decides."

MANIPUR
(ART 371E, 27TH AMENDMENT ACT, 1971)
President may provide for the constitution and functions of a committee of elected members from the Hill areas in the Assembly; entrust "special responsibility" to the Governor to ensure its proper functioning. The Governor has to file a report every year on this to the President.

ANDHRA PRADESH & TELANGANA
(ART 371D, 32ND AMENDMENT ACT, 1973; SUBSTITUTED BY THE ANDHRA PRADESH REORGANISATION ACT, 2014)
President must ensure "equitable opportunities and facilities" in "public employment and education to people from different parts of the state"; he may require the state government to organise "any class or classes of posts in a civil service of, or any class or classes of civil posts under, the State into different local cadres for different parts of the State", and allot them. The President has similar powers vis-à-vis admissions in any university or state government-run educational institution. Also, he may provide for setting up of an administrative tribunal outside the jurisdiction of the High Court to deal with issues of appointment, allotment or promotion in state civil services. [Art 371E allows for the establishment of a university in Andhra Pradesh by a law of Parliament. But this is not really a 'special provision'.]

KARNATAKA
(ART 371J, 98TH AMENDMENT ACT, 2012)
There is a provision for the establishment of a separate development board for the Hyderabad-Karnataka region, the working of which will be reported annually to the Assembly; there shall be "equitable allocation of funds for developmental expenditure over the said region"; and "equitable opportunities and facilities" for people of this region in government jobs and education. An order can be made to provide for reservation "of a proportion" of seats and jobs in educational and vocational training institutions and state government organisations respectively in the Hyderabad-Karnataka region for individuals who belong to that region by birth or domicile.

Image link: <http://images.indianexpress.com/2017/09/explained-graph.jpg?w=600>

Q.20) Recently, some states are racing to gain special status which confers preferential treatment in the form of central assistance and tax breaks. Which among the following are the conditions to categorize states for special status?

1. hilly and difficult terrain
2. low population density or sizable share of tribal population
3. strategic location along borders with neighboring countries
4. economic and infrastructural backwardness
5. non-viable nature of state finances

Select the correct code given below:

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

Q.20) Solution (d)

The concept of a special category state was first introduced in 1969. The 5th Finance Commission decided to provide certain disadvantaged states with preferential treatment in the form of central assistance and tax breaks. Initially three states Assam, Nagaland and Jammu & Kashmir were granted special status but since then eight more have been included Arunachal Pradesh, Himachal Pradesh, Manipur, Meghalaya, Mizoram, Sikkim, Tripura and Uttarakhand.

Recently, states like Andhra Pradesh, Orissa, West Bengal, Bihar, Tamil Nadu are racing for the special status.

Do you know?

Conditions to categorize states for special status :

The special status is given to certain states because of their inherent features; like they might have a low resource base and cannot mobilize resources for development. Some of the features required for special status are:

- (i) hilly and difficult terrain;
- (ii) low population density or sizable share of tribal population;
- (iii) strategic location along borders with neighboring countries;
- (iv) economic and infrastructural backwardness; and

(v) non-viable nature of state finances.

For further reading: <http://www.thehindu.com/news/national/What-is-the-special-category-status/article14553662.ece>

Q.21) Consider the following statement regarding the federal system in India:

1. The zonal councils aim at promoting cooperation and coordination between states, union territories and the Centre.
2. Chairman of Zonal councils is Prime Minister.
3. The Zonal Councils are neither statutory nor constitutional bodies.

Which of the statements given above is/are correct?

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

Q.21) Solution (a)

The Zonal Councils are the statutory (and not the constitutional) bodies. They are established by an Act of the Parliament, that is, States Reorganisation Act of 1956.

The act divided the country into five zones (Northern, Central, Eastern, Western and Southern) and provided a zonal council for each zone.

Each zonal council consists of the following members:

- a) home minister of Central government.
- b) chief ministers of all the States in the zone.
- c) Two other ministers from each state in the zone.
- d) Administrator of each union territory in the zone.

Do you know?

The home minister of Central government is the common chairman of the five zonal councils. Each chief minister acts as a vice-chairman of the council by rotation, holding office for a period of one year at a time.

The zonal councils aim at promoting cooperation and coordination between states, union territories and the Centre. They discuss and make recommendations regarding matters like

economic and social planning, linguistic minorities, border disputes, inter-state transport, and so on. They are only deliberative and advisory bodies.

Q.22) Which of the following is/are impacted by 'Bottom Trawling'?

1. Local Fishing
2. Ocean-based tourism
3. Coral Reefs

Select the correct code:

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

Q.22) Solution (d)

Bottom trawling often leads to overfishing because the gear is not selective and discards a lot of dead fish. Overfishing by bottom trawls is a direct threat to local fishing communities and to tourism from sport fishing.

Corals, seagrasses and other seafloor habitats are especially vulnerable to disturbance by bottom trawling, and can be extremely slow to recover. Bottom trawling flattens any upright structure on the seafloor, destroying coral reefs and other places where juvenile fish hide.

Ocean-based tourism involving snorkeling, diving, and sport fishing is directly threatened by discards of the marine wildlife people most want to see. Bottom trawling not only affects valuable fish species, but also threatens sea turtles, sharks and rays, seagrasses and coral reefs.

Source: <http://www.thehindu.com/todays-paper/tp-national/india-acts-against-bottom-trawling/article19864138.ece>

Q.23) Consider the following statements about National e-Governance Services Ltd. (NeSL)

1. It is India's first information utility (IU) for bankruptcy cases under the Insolvency and Bankruptcy Code

2. It is completely owned by the State Bank of India and the Life Insurance Corporation
3. It is incorporated as a union government company

Select the correct statements

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

Q.23) Solution (c)

NeSL is India's first Information Utility and is registered with the Insolvency and Bankruptcy Board of India (IBBI) under the aegis of the Insolvency and Bankruptcy Code, 2016 (IBC). The company has been set up by leading banks and public institutions and is incorporated as a union government company. The primary role of NeSL is to serve as a repository of legal evidence holding the information pertaining to any debt/claim, as submitted by the financial or operational creditor and verified and authenticated by the other parties to the debt.

NeSL is owned and promoted by leading public institutions like State Bank of India, Life Insurance Corporation, Canara Bank, Bank of Baroda, ICICI Bank, CDSL, HDFC, Axis Bank, Union Bank of India and NABARD among others.

An Information Utility is a professional organization (which is registered with IBBI under Section 210 of IBC, 2016 as per the eligibility criteria prescribed) that will collect financial information, get the same authenticated by other parties connected to the debt & store the same and provide access to the Resolution Professionals, Creditors and other stake holders in the Insolvency Resolution Process, so that all stake holders can make decisions based on the same information.

Source: <http://www.thehindu.com/business/Economy/nesl-gets-final-nod-to-become-indias-first-information-utility/article19761236.ece>

Q.24) Global Hunger Index (GHI) is released by

- a) International Food Policy Research Institute (IFPRI)
- b) Global Forum for Food and Agriculture (GFFA)
- c) Food and Agriculture Organization (FAO)
- d) World Bank

Q.24) Solution (a)

The Index was adopted and further developed by the International Food Policy Research Institute (IFPRI), and was first published in 2006 with the Welthungerhilfe, a German non-profit organization (NPO). Since 2007, the Irish NGO Concern Worldwide joined the group as co-publisher.

India is ranked 100th out of 119 countries.

Source: <http://www.thehindu.com/news/national/india-100th-on-global-hunger-index-trails-north-korea-bangladesh/article19846437.ece>

Q.25) Consider the following statements about Polytetrafluoroethylene (PTFE)

1. It is used in a Formicarium
2. It is hydrophobic
3. It has low heat resistance

Select the correct statements

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

Q.25) Solution (a)

PTFE (Teflon) is best known for its use in coating non-stick frying pans and other cookware, as it is hydrophobic and possesses fairly high heat resistance.

Polytetrafluoroethylene (PTFE) is a synthetic fluoropolymer of tetrafluoroethylene that has numerous applications.

PTFE is used to prevent ants climbing out of formicaria.

Source: <http://www.thehindu.com/business/Industry/us-starts-anti-dumping-probe-into-ptfe-resin-from-india/article19891341.ece>

Q.26) Adriatic Sea is a border of which of the following countries?

1. Croatia
2. Italy

3. Montenegro

Select the correct code:

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

Q.26) Solution (d)

