

Q.1) Which of the following are correct procedures for the amendment of the Constitution?

1. A bill for the purpose of amendment of constitution cannot be introduced in any state legislature.
2. The constitutional amendment bill can be introduced by a private member but requires prior permission of the president.
3. President can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament.

Choose the correct answer:

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

Q.1) Solution (a)

PROCEDURE FOR AMENDMENT

The procedure for the amendment of the Constitution as laid down in Article 368 is as follows:

1. An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures.
2. The bill can be introduced either by a minister or by a private member and does not require prior permission of the president. **Hence, statement 2 is wrong.**
3. The bill must be passed in each House by a special majority, that is, a majority (that is, more than 50 per cent) of the total membership of the House and a majority of two-thirds of the members of the House present and voting.
4. Each House must pass the bill separately. In case of a disagreement between the two Houses, there is no provision for holding a joint sitting of the two Houses for the purpose of deliberation and passage of the bill.
5. If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members of the House present and voting.
6. After duly passed by both the Houses of Parliament and ratified by the state legislatures, where necessary, the bill is presented to the president for assent.
7. The president must give his assent to the bill. He can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament.

8. After the president's assent, the bill becomes an Act (i.e., a constitutional amendment act) and the Constitution stands amended in accordance with the terms of the Act.

Source:

- Indian Polity – M Laxmikanth (Chapter 10: Amendment of the Constitution)

Q.2) Which among the following provisions in the Constitution can be amended by a simple majority of the two Houses of Parliament outside the scope of Article 368?

1. Abolition or creation of legislative councils in states
2. Any Schedule in the Constitution
3. Elections to Parliament and state legislatures
4. Union territories
5. Representation of states in Parliament

Choose the correct answer:

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

Q.2) Solution (c)

The following are some of the provisions in the Constitution can be amended by a simple majority of the two Houses of Parliament outside the scope of Article 368:

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

10. Elections to Parliament and state legislatures.
11. Delimitation of constituencies.
12. Union territories.
13. Fifth Schedule—administration of scheduled areas and scheduled tribes.
14. Sixth Schedule—administration of tribal areas.

Any amendment to the provision with regard to representation of states in Parliament requires Special Majority of Parliament and Consent of States.

Some schedule, for instance, amendments to any lists in the Seventh Schedule need Special Majority of Parliament and Consent of States.

Hence, (2) and (5) are not part of provisions which can be amended by a simple majority of the two Houses of Parliament outside the scope of Article 368.

Source:

- Indian Polity – M Laxmikanth (Chapter 10: Amendment of the Constitution)

Q.3) Arrange the below countries with regard to the difficulty level (from difficult to easy) of procedure laid down for its constitutional amendment:

1. India
2. USA
3. Britain

Choose the correct answer:

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

Q.3) Solution (c)

Like any other written Constitution, the Constitution of India also provides for its amendment in order to adjust itself to the changing conditions and needs. The procedure laid down for its amendment is neither as easy as in Britain nor as difficult as in USA.

In other words, the Indian Constitution is neither flexible nor rigid but a synthesis of both.

Source:

- Indian Polity – M Laxmikanth (Chapter 10: Amendment of the Constitution)

Q.4) Consider the below statements:

1. In Indian Constitution, there is no provision for special body like Constitutional Assembly for amending the Constitution.
2. The constituent power is vested only in the Parliament.

Which of the statements given above is/are correct?

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

Q.4) Solution (a)

Statement (1) is correct as there is no provision for a special body like Constitutional Convention (as in USA) or Constitutional Assembly for amending the Constitution.

Statement (2) is wrong as the constituent power is vested in the Parliament and only in few cases, in the state legislatures.

Major part of the Constitution can be amended by the Parliament alone either by a special majority or by a simple majority. Only in few cases, the consent of the state legislatures is required and that too, only half of them.

Source:

- Indian Polity – M Laxmikanth (Chapter 10: Amendment of the Constitution)

Q.5) Consider the following statements about the amendment of constitution:

1. For amendments which affect the federal provisions of the constitution, the state legislatures can also initiate the amendment.

2. President's recommendation is required in case of amendments relating to Fifth Schedule.

Which of the above statements is/are correct?

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

Q.5) Solution (d)

An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures. **Hence, statement (1) is wrong.**

There is no provision regarding the- President's recommendation is required in case of amendments relating to Fifth Schedule. **Hence, statement (2) is also wrong.**

Source:

- Indian Polity – M Laxmikanth (Chapter 10: Amendment of the Constitution)

Q.6) Which of the following amendments is/are correctly matched?

- 1. 100th Amendment Act – Introduction of Goods and Services Tax (GST)
- 2. 102nd Amendment Act – Establishment of National Commission for Backward Classes
- 3. 110th Amendment Act – Reservation for economically weaker sections of the society

Choose the correct answer:

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

Q.6) Solution (c)

101st Constitution Amendment Act (2016) deals with introduction of the Goods and Services Tax (GST), to present the idea of One Nation, One Tax. **Hence, statement (1) is wrong.**

Constitution (100th Amendment) Act 2015 ratified the land boundary agreement between India and Bangladesh. The act amended the 1st schedule of the constitution to exchange the disputed territories occupied by both the nations in accordance with the 1974 bilateral LBA.

102nd Constitution Amendment Act (2018) deals with Establishment of National Commission for Backward Classes. It dealt with addition of articles 338B, 342A and modification of articles 338, 366.

As of March 2019, there have been 103 amendments to the Constitution of India and 103rd Constitution Amendment Act (2019) deals with Reservation for economically weaker sections of the society. **Hence, statement (3) is incorrect.** 103rd CAA amended Article 15 and 16.

Source:

- The Hindu or Current Affairs

Q.7) Consider the following statements/amendments:

1. This amendment was passed after revocation of internal emergency in the Country.
2. This amendment provided for human rights safeguards and mechanisms to prevent abuse of executive and legislative authority.
3. This amendment removed article 31 of Indian Constitution.

The above amendments were done by –

- a) 42nd Constitution Amendment Act
- b) 44th Constitution Amendment Act
- c) 52nd Constitution Amendment Act
- d) 43rd Constitution Amendment Act

Q.7) Solution (b)

44th Constitution Amendment Act, 1978:

- It was passed after revocation of internal emergency in the country, primarily to nullify the amendments brought by the 42nd Amendment in 1976.

- It removed articles 31, 257A and 329A. Amended part 12 and schedule 9.
- Provides for human rights safeguards and mechanisms to prevent abuse of executive and legislative authority.
- The 44th amendment seeks to protect the people of India from such an injustice as the fundamental rights are truly necessary.
- It also said that right to property under article 31 of the Constitution is removed from the fundamental rights and is made a legal right.

42nd Amendment Act (also termed “Mini Constitution”) was brought during the National Emergency.

Source:

- The Hindu or Current Affairs

Q.8) Consider the following statements with regard to special status enjoyed by the State of Jammu and Kashmir:

1. Article 370 makes Article 1 and Article 370 itself applicable to the State of Jammu and Kashmir at once and authorises the president to extend other Articles of the Constitution.
2. Parliament can declare that Article 370 ceases to be operative or operates with exceptions and modifications, but only on the recommendation of Constituent Assembly of the state.

Which of the above statements is/are correct?

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

Q.8) Solution (a)

The provisions of Article 1 (declaring India as a Union of states and its territory) and this Article (that is, Article 370) are applicable to the State of J&K.

Besides above, the other provisions of the Constitution can be applied to the state with such exceptions and modifications as specified by the President in consultation with the state government or with the concurrence of the state government.

The President can declare that Article 370 ceases to be operative or operates with exceptions and modifications. However, this can be done by the President only on the recommendation of Constituent Assembly of the state. **Hence, statement (2) is wrong.**

Therefore, Article 370 makes Article 1 and Article 370 itself applicable to the State of J&K at once and authorises the president to extend other Articles to the state.

Source:

- Indian Polity – M Laxmikanth (Chapter 32: Special Status of Jammu & Kashmir)

Q.9) Consider the following statements:

1. In the case of Jammu and Kashmir, only few items (less than 50%) in the Union List are applicable.
2. The 'residual power' continues to rest with the State rather than the Union.
3. The provisions of the Central Bureau of Intelligence and Investigation and preventive detention do not apply.

Which of the above statements is/are correct?

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

Q.9) Solution (d)

In the case of Jammu and Kashmir, the 'Union List' and the 'Concurrent List' were initially curtailed to the matters ceded in the Instrument of Accession, but they were later extended with the concurrence of the State Government. The 'residual power' continues to rest with the State rather than the Union. According to the State Autonomy Committee, ninety-four of the ninety-seven items in the Union List currently apply to Jammu and Kashmir.

The provisions of the Central Bureau of Intelligence and Investigation and preventive detention do not apply.

Of the 'Concurrent List', twenty-six of the forty-seven items apply to Jammu and Kashmir. The items of marriage and divorce, infants and minors, transfer of property other than agricultural land, contracts and torts, bankruptcy, trusts, courts, family planning and charities have been omitted, i.e., the State has exclusive right to legislate on those matters.

Do you know?

- The right to legislate on elections to state bodies also rests with the State.

Source:

- Indian Polity – M Laxmikanth (Chapter 32: Special Status of Jammu & Kashmir)
- Introduction to Indian Constitution – D.D.Basu
- The Hindu and Current Affairs

Q.10) Consider the below statements:

1. Union executive consists of the President, the Vice-President, the Prime Minister and the council of ministers only.
2. A minister who is a member of one House of Parliament has the right to speak and vote in the proceedings of the other House also.

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.10) Solution (d)

The Union executive consists of the President, the Vice-President, the Prime Minister, the council of ministers and also the attorney general of India. **Hence, Statement (1) is wrong.**

A minister who is a member of one House of Parliament has the right to speak and to take part in the proceedings of the other House also, but he can vote only in the House of which he is a member. **Hence, Statement (2) is incorrect.**

Source:

- Indian Polity – M Laxmikanth (Chapter 17: President)

Q.11) Which of the below statements is/are true with regard to President's election?

1. Election disputes of the President are inquired into and decided by the Supreme Court whose decision is final.
2. The election of a person as President can only be challenged on the ground that the Electoral College was incomplete.

Choose the correct answer:

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

Q.11) Solution (a)

All doubts and disputes in connection with election of the President are inquired into and decided by the Supreme Court whose decision is final.

The election of a person as President cannot be challenged on the ground that the electoral college was incomplete (i.e, existence of any vacancy among the members of electoral college).

Do you know?

If the election of a person as President is declared void by the Supreme Court, acts done by him before the date of such declaration of the Supreme Court are not invalidated and continue to remain in force.

Source:

- Indian Polity – M Laxmikanth (Chapter 17: President)

Q.12) Consider the below statements with regard to President's impeachment:

1. It is a quasi-judicial procedure in the Parliament.
2. Nominated members of either House of Parliament can participate in the impeachment.
3. Elected members of the legislative assemblies of states and the Union Territories can participate in the impeachment.

Which of the statements given above is/are correct?

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

Q.12) Solution (a)

The President can be removed from office by a process of impeachment for 'violation of the Constitution'.

The impeachment charges can be initiated by either House of Parliament. These charges should be signed by one-fourth members of the House (that framed the charges), and a 14 days' notice should be given to the President. After the impeachment resolution is passed by a majority of two-thirds of the total membership of that House, it is sent to the other House, which should investigate the charges.

The President has the right to appear and to be represented at such investigation. If the other House also sustains the charges and passes the impeachment resolution by a majority of two-thirds of the total membership, then the President stands removed from his office from the date on which the bill is so passed.

Thus, an impeachment is a quasi-judicial procedure in the Parliament. In this context, two things should be noted:

- (a) the nominated members of either House of Parliament can participate in the impeachment of the President though they do not participate in his election;
- (b) the elected members of the legislative assemblies of states and the Union Territories of Delhi and Puducherry do not participate in the impeachment of the President though they participate in his election. **(Hence, statement 2 is wrong)**

Do you know?

- No President has so far been impeached.

Source:

- Indian Polity – M Laxmikanth (Chapter 17: President)

Q.13) Which among the following bills can be introduced in the Parliament only on the recommendation of the President?

1. A bill which varies the meaning of the expression 'agricultural income' as defined for the purposes of the enactments relating to Indian income tax.
2. A bill which affects the principles on which moneys are or may be distributable to states.
3. A bill which imposes or varies any tax or duty in which states are interested.

Choose the correct answer:

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

Q.13) Solution (d)

To protect the interest of states in the financial matters, the Constitution lays down that the following bills can be introduced in the Parliament only on the recommendation of the President:

- A bill which imposes or varies any tax or duty in which states are interested;
- A bill which varies the meaning of the expression 'agricultural income' as defined for the purposes of the enactments relating to Indian income tax;
- A bill which affects the principles on which moneys are or may be distributable to states; and
- A bill which imposes any surcharge on any specified tax or duty for the purpose of the Centre.

Source:

- Indian Polity – M Laxmikanth (Chapter 17: President)

Q.14) Consider the below statements about Vice-President:

1. When a bill is introduced in Rajya Sabha, the Vice-President decides whether it is a financial bill or money bill.
2. Nominated members of both the houses are part of electoral college for the vice presidential election.
3. In order to be a Vice-President, a person must be qualified for election as a member of the Rajya Sabha.

Which of the statements given above is/are correct?

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

Q.14) Solution (d)

The Vice President of India is also ex officio Chairperson of the Rajya Sabha. When a bill is introduced in Rajya Sabha, the vice president decides whether it is a financial bill or not. If he is of the opinion, a bill introduced in the Rajya Sabha is a money bill, he would refer the case to the Speaker of the Lok Sabha for deciding it. **Hence, statement (1) is correct.**

The Vice President is elected indirectly, by an electoral college consisting of members {elected as well as nominated} of both houses of the Parliament. The election of the Vice President is slightly different from the election of the President as the members of state legislatures are not part of the electoral college but the nominated members of both the houses are part of electoral college for the vice presidential election.

While in order to be a President, a person must be qualified for election as a member of the Lok Sabha (House of Peoples), the Vice President must be qualified for election as a member of the Rajya Sabha (Council of States).

Source:

- Indian Polity – M Laxmikanth (Chapter 18: Vice President)

Q.15) Which among the following statements is/are *not true* about Vice President?

1. The Constitution states that the Vice President can be removed but does not list grounds for removal.
2. Supreme Court can also remove the Vice President.
3. The Vice President is elected indirectly by members of an electoral college consisting of the members of both Houses of Parliament and members of state legislatures.

Choose the correct code:

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

Q.15) Solution (c)

The Vice President is elected indirectly, by an electoral college consisting of members {elected as well as nominated} of both houses of the Parliament. The election of the Vice President is slightly different from the election of the President as the members of state legislatures are not part of the electoral college but the nominated members of both the houses are part of electoral college for the vice presidential election. **Hence, statement (3) is not true.**

The Constitution states that the Vice President can be removed by a resolution of the Rajya Sabha passed by an effective majority (50% of effective strength of house, here effective strength equals the total number strength minus the number of vacancies) and a simple majority (50% of total members who are present and voting) of the Lok Sabha (Article 67(b)). However, the Constitution does not list grounds for removal.

Supreme Court can also remove the Vice President for committing electoral malpractices and not fulfilling the eligibility criteria for the Rajya Sabha member

Source:

- Indian Polity – M Laxmikanth (Chapter 18: Vice President)

Q.16) Which of the statements given below is/are true with regard to the President of India?

1. He can summon, prorogue and dissolve both the Houses of the Parliament.
2. He can make regulations for the peace, progress and good government of all the Union Territories.
3. He can promulgate ordinances when the Parliament is not in session.

Choose the correct code:

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

Q.16) Solution (c)

The President is an integral part of the Parliament of India, and enjoys the following legislative powers:

- He can summon or prorogue the Parliament and dissolve the Lok Sabha (**not both the Houses, hence, statement 1 is wrong**).
- He can summon a joint sitting of both the Houses of Parliament, which is presided over by the Speaker of the Lok Sabha.
- He can make regulations for the peace, progress and good government of the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli and Daman and Diu. In the case of Puducherry also, the President can legislate by making regulations but only when the assembly is suspended or dissolved. **Hence, statement 2 is also wrong.**
- He can promulgate ordinances when the Parliament is not in session. These ordinances must be approved by the Parliament within six weeks from its reassembly. He can also withdraw an ordinance at any time. **Therefore, only statement 3 is correct.**

Source:

- Indian Polity – M Laxmikanth (Chapter 17: President)

Q.17) Consider the following statements about 'Article 35A' of the Constitution of India:

1. It empowers Jammu and Kashmir legislature to define state's "permanent residents" and their special rights and privileges.
2. It was added by a 1954 presidential order issued under Article 370

Select the correct statements

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

Q.17) Solution (c)

Article 35A of the Indian Constitution is an article that empowers the Jammu and Kashmir state's legislature to define “permanent residents” of the state and confer on them special rights and privileges in public sector jobs, acquisition of property in the State, scholarships and other public aid and welfare.

The provision mandates that no act of the legislature coming under it can be challenged for violating the Constitution or any other law of the land.

It was added to the constitution through a presidential order of 1954 with the then J&K government's concurrence.

Article 35A does not allow people from outside the state of Jammu & Kashmir to work, settle or own property in the state.

Source:

- The Hindu, Indian Express and Current Affairs

Q.18) Which of the statements given below is/are true with regard to the Prime Minister?

1. He is the leader of the executive of the Government of India.
2. Article 75 contains the exact procedure for selection and appointment of Prime Minister.
3. He can be a member of any of the two houses of the Parliament of India.

Choose the correct answer:

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

d) 1, 2 and 3

Q.18) Solution (b)

The Prime Minister of India is the leader of the executive of the Government of India. The prime minister is also the chief adviser to the President of India and head of the Council of Ministers.

Prime Minister can be a member of any of the two houses of the Parliament of India—the Lok Sabha (House of the People) and the Rajya Sabha (Council of the States)—but has to be a member of the political party or coalition, having a majority in the Lok Sabha.

The Constitution does not contain any specific procedure for the selection and appointment of the Prime Minister. Article 75 says only that the Prime Minister shall be appointed by the president. **Hence, statement (2) is wrong.**

Source:

- Indian Polity – M Laxmikanth (Chapter 19: Prime Minister)

Q.19) Consider the following statements:

1. Governor's rule is imposed on Jammu and Kashmir only, while the President rule on the rest of India.
2. President rule is not extended to Jammu And Kashmir State as Governor's rule is imposed if the constitutional machinery fails in the state.

Choose the correct code from below:

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

Q.19) Solution (a)

According to its Constitution, Governor's rule is imposed under Section 92 for six months after an approval by the President.

In all states of India, the state government's failure results in President's rule. Only in J&K Governor's rule is imposed for six months, but only after the consent of the President of India.

Under the Governor's rule, the State Assembly is either kept in suspended animation or dissolved.

If it is not possible to revoke Governor's rule within six months of imposition, the President's Rule under Article 356 of the Indian Constitution is imposed. There is little practical difference between the two provisions.

Source:

- The Hindu, Indian Express and Current Affairs

Q.20) In what regard the Centre have special relationship with respect to NCT of Delhi as compared to other states?

1. Centre appoints Lieutenant Governor of NCT of Delhi unilaterally while Governor of a State is appointed only after consultation with the Chief Minister of the respective State.
2. Chief Minister of NCT of Delhi is appointed by the Lieutenant Governor of NCT of Delhi while the Chief Minister of a State is appointed by the Governor of that State.

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

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

Q.20) Solution (d)

Both Lt. Governor and Governors are appointed unilaterally by the Centre. **Hence, statement (1) is wrong.**

Chief Minister of NCT of Delhi is appointed by the President (not by the Lt. governor). **Hence, statement (2) is wrong.** The other ministers are appointed by the president on the advice of the chief minister. The ministers hold office during the pleasure of the president. The council of ministers is collectively responsible to the assembly.

Source:

- Indian Polity – M Laxmikanth (Chapter 33: Special Provisions for Some States)
- The Hindu, Indian Express and Current Affairs

Q.21) Consider the following statements with regard to Representation of People Act, 1951:

1. It provides for the conduct of election of the Houses of Parliament and also State Legislatures.
2. It also deals with qualification and disqualification of members of both houses of Parliament and also the state legislatures.

Choose the correct answer:

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

Q.21) Solution (c)

Article 324 to 329 of Part XV of the Constitution deals with the electoral system in our country. Constitution allows Parliament to make provisions in all matters relating to elections to the Parliament and State Legislatures. In exercise of this power, the Parliament has enacted laws like Representation of the People Act 1950 (RPA Act 1950), Representation of the People Act 1951 (RPA Act 1951) and Delimitation Commission Act of 1952.

Representation of Peoples Act 1951 provides for the actual conduct of elections of the Houses of Parliament and to the House or Houses of the Legislature of each State.

The act also deals with details like qualification and disqualification of members of both houses of Parliament (i.e, Loksabha and Rajyasabha) and the state legislatures (ie. State Legislative Assembly and State Legislative Council). Rules for the mode of conduct of elections is highlighted in detail.

Source:

- THE REPRESENTATION OF THE PEOPLE ACT, 1951 document

Q.22) Which among the following is/are mentioned in the Constitution of India?

1. President being part of the Parliament
2. Reservation of seats for Scheduled Caste and Scheduled Tribes
3. System of communal representation
4. Procedure for the selection and appointment of the Prime Minister

Choose the correct answer:

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

Q.22) Solution (a)

Article 79 in the Constitution of India provides that – There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the council of States and the House of the People.

Article 330 in the Constitution of India provides for the – Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People.

Constitution has abolished the old system of communal representation, that is, reservation of seats in the legislatures on the basis of religion. However, it provides for the temporary reservation of seats for the scheduled castes and scheduled tribes to ensure adequate representation to them.

The Constitution does not contain any specific procedure for the selection and appointment of the Prime Minister. **Article 75** says only that the Prime Minister shall be appointed by the president.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.23) The feature of starred question, unstarred question and short notice question is part of –

- a) Question Hour
- b) Zero Hour
- c) Both (a) and (b)
- d) Neither (a) nor (b)

Q.23) Solution (a)

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:

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

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.24) Section 8 of Representation of Peoples Act 1951 is often in news. It deals with –

- a) Redrawing the boundaries of the various assembly and Lok Sabha constituencies based on a recent census.
- b) Disqualification of representatives on conviction for certain offences.
- c) Allocation of seats in the Parliament and state legislatures.
- d) Registration of Political parties.

Q.24) Solution (b)

Section 8 deals with Disqualification of representatives on conviction for certain offences: A person convicted of any offence and sentenced to imprisonment for varying terms under **Sections 8 (1) (2) and (3)** shall be disqualified from the date of conviction and shall continue to be disqualified for a further period of six years since his release. But Section 8 (4) of the RP Act gives protection to MPs and MLAs as they can continue in office even after conviction if an appeal is filed within three months.

Source:

- The Hindu

Q.25) Which among the following motions is a motion that, by itself, has no meaning and cannot state the decision of the House without reference to the original motion or proceedings of the House?

- a) Substantive Motion
- b) Substitute Motion
- c) Subsidiary Motion
- d) Closure Motion

Q.25) Solution (c)

Subsidiary Motion: It is a motion that, by itself, has no meaning and cannot state the decision of the House without reference to the original motion or proceedings of the House. It is divided into three sub-categories:

- (a) **Ancillary Motion:** It is used as the regular way of proceeding with various kinds of business.
- (b) **Superseding Motion:** It is moved in the course of debate on another issue and seeks to supersede that issue.
- (c) **Amendment:** It seeks to modify or substitute only a part of the original motion.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.26) What happens when an ordinary bill that was originated in the legislative council is sent to the legislative Assembly and rejected by the Assembly?

- a) the bill ends and becomes dead
- b) a joint sitting is called
- c) legislative assembly passes the bill for the second time
- d) none of the above

Q.26) Solution (a)

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.

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.

If a bill passed in Legislative Assembly is rejected in Legislative Council, then Legislative Assembly will have to repass it to override the council's decision.

Source:

- Indian Polity – M Laxmikanth (Chapter: State legislature)

Q.27) Which among the following is not mentioned in the Rules of Procedure

- a) Calling Attention Motion
- b) Zero Hour
- c) Question Hour
- d) Short duration discussion

Q.27) Solution (b)

Zero hour is not mentioned in the Rules of Procedure. Except zero hour, all other options provided in the question are mentioned in the Rules of Procedure.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.28) Speaker of the Lok Sabha is the final interpreter of the provisions of –

1. Rules of Procedure and Conduct of Business of Lok Sabha
2. Constitution of India within the House
3. Parliamentary precedents within the House

Choose the correct answer:

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

Q.28) Solution (d)

The Speaker of the Lok Sabha derives his powers and duties from three sources, that is, the Constitution of India, the Rules of Procedure and Conduct of Business of Lok Sabha, and Parliamentary Conventions (residuary powers that are unwritten or unspecified in the Rules).

He is the final interpreter of the provisions of (a) the Constitution of India, (b) the Rules of Procedure and Conduct of Business of Lok Sabha, and (c) the parliamentary precedents, within the House.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.29) Which among the following devices of the Parliamentary Proceedings can be moved by private members?

1. Government Resolution
2. Statutory Resolution
3. Money Bill
4. Amendment Bill

Choose the correct answer:

- a) 4 only

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

Q.29) Solution (c)

Government Resolution: It is one that is moved by a minister. It can be taken up any day from Monday to Thursday.

Statutory Resolution: It can be moved either by a private member or a minister. It is so called because it is always tabled in pursuance of a provision in the Constitution or an Act of Parliament.

Ordinary Bills and Amendment Bills can be introduced either by a minister or by a private member. However, **Money Bill** can be introduced only by a minister.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.30) Consider the following statements:

1. Before introducing any bill, it is necessary for a member-in-charge of the Bill to ask for the leave of the House to introduce the Bill.
2. If a bill is published in the Gazette before its introduction, leave of the House to introduce the bill is not necessary.

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.30) Solution (c)

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.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.31) Consider the below statements:

1. The Council of India Act, 1919 for the first time introduced bicameral legislature each with an elected majority in India.
2. The Parliament of India was adopted when the Indian Constitution was promulgated in 1950.

Which of the statement given above is/are correct?

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

Q.31) Solution (c)

The Council of India Act, 1919 for the first time introduced bicameral legislature consisting of a council of states (the Upper House) and a legislative Assembly (the Lower House), each with an elected majority in India.

The representative institution was further expanded by the Act of 1935. The Act of 1935 introduced federal legislature consisting His Majesty, represented by Governor-General and two federal chambers known as the Council of States (the Upper House) and the House of Assembly.

The Parliament of India was adopted when the Indian Constitution was promulgated in 1950.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament and Historical Background)
- Basu, 2001, pp. 9-11.

Q.32) Consider the below statements with regard to Committees of Parliament:

1. Standing committees are permanent and are constituted by the Speaker of Lok Sabha only.
2. Cabinet Committees are extra-constitutional in nature and are nowhere mentioned in the Constitution.

Which of the statement given above is/are correct?

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

Q.32) Solution (b)

By their nature, parliamentary committees are of two kinds: **‘standing committees’** and **‘ad hoc committees’**.

- **Standing committees** are permanent and regular committees.
- They are constituted from time to time by the Chairman of Rajya Sabha or Speaker of Lok Sabha, as the case may be, in pursuance of the provisions of an Act of Parliament or Rules of Procedure and Conduct of Business in Lok Sabha.
- The works of these committees are of continuous nature.
- The Financial Committees, Advisory Committee, Committee to Scrutinize and Control, Committees for Welfare, etc. are few committees come under the category of Standing Committee.

Cabinet Committees

- The Cabinet Committee are organizations which are instrumental in reducing the workload of the Cabinet.
- They are formed under **Transaction of Business Rules (TBR), 1961**.
- These committees are extra-constitutional in nature and are nowhere mentioned in the Constitution.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.33) Which among the following statements is/are true?

1. Our Constitution lays down that MLA or MP can be disqualified for holding an office of profit under government of India or state government.
2. Under the Representation of People Act too, holding an office of profit is grounds for disqualification.
3. The word 'office' has not been defined in the Constitution or the Representation of the People Act of 1951.

Choose the correct answer:

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

Q.33) Solution (d)

Basic disqualification criteria for an MP are laid down in Article 102 of the Constitution, and for an MLA in Article 191.

According to our Constitution, they can be disqualified for

- Holding an office of profit under government of India or state government
- Being of unsound mind
- Being an undischarged insolvent
- Not being an Indian citizen or for acquiring citizenship of another country

'Office of profit' is a position in the government which cannot be held by an MLA or an MP. The post can yield salaries, perquisites and other benefits.

The origin of this term can be found in the **English Act of Settlement, 1701**.

If an MLA or an MP holds a government office and receives benefits from it, then that office is termed as an "office of profit".

A person will be disqualified if he holds an office of profit under the central or state government, other than an office declared not to disqualify its holder by a law passed by Parliament or state legislature.

The word 'office' has not been defined in the Constitution or the Representation of the People Act of 1951.

According to Articles 102(1)(a) and 191(1)(a) of the Constitution, an MP or MLA is barred from holding an office of profit as it can put them in a position to gain a financial benefit. "A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament, (a) if he holds any office of profit under the Government of India or the Government of any State, other than an office declared by Parliament by law not to disqualify its holder," says the law.

Under the Representation of People Act too, holding an office of profit is grounds for disqualification.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)
- Representation of People Act Document

Q.34) Consider the following and select the incorrect statement:

- a) Chief election commissioner and other election commissioners are appointed by the President.
- b) The number of other election commissioners is also fixed by the President.
- c) At the state level, the Election Commission is assisted by the chief electoral officer who is appointed by the chief election commissioner in consultation with the state government.
- d) Chief election commissioner and other election commissioners are removed from office only by the order of the President, just like a judge of the Supreme Court.

Q.34) Solution (d)

Article 324 of the Constitution has made the following provisions with regard to the composition of election commission:

- The Election Commission shall consist of the chief election commissioner and such number of other election commissioners, if any, as the president may from time to time fix.
- The appointment of the chief election commissioner and other election commissioners shall be made by the president.
- When any other election commissioner is so appointed, the chief election commissioner shall act as the chairman of the election commission.

Do you know?

- Article 324 (5) of the Constitution safeguards the Chief Election Commissioner (CEC) from arbitrary removal.
- The CEC can be removed from office only by the order of the President, just like a judge of the Supreme Court. However, the same constitutional provision is silent about the procedure for removal of the two Election Commissioners. It only provides that they cannot be removed from office except on the recommendation of the CEC.

The CEC and the Election Commissioners enjoy the same decision-making powers... However, Article 324(5) does not provide similar protection to the Election Commissioners. **Hence, statement (c) is incorrect.**

At the state level, the Election Commission is assisted by the chief electoral officer who is appointed by the chief election commissioner in consultation with the state government.

Chief Electoral Officer (CEO): The Chief Electoral Officer of a state/ Union Territory is authorized to supervise the election work in the state/Union Territory subject to the overall superintendence, direction and control of the Election Commission. The Election Commission of India nominates or designates an Officer of the Government of the state/Union Territory as the Chief Electoral Officer in consultation with that State Government/Union Territory Administration.

Source:

- Indian Polity – M Laxmikanth (Chapter: Elections)

Q.35) Which Cabinet committee is often described as a 'Super Cabinet'?

- a) Appointment committee
- b) Parliamentary affairs committee

- c) Economic affairs committee
- d) Political affairs committee

Q.35) Solution (d)

A number of cabinet committees are set by the Prime Minister of India as per the need and requirement. They are extra constitutional as they do not find mention in the constitution.

Cabinet committee on Political affairs (CCPA) is set up and chaired by the Prime minister and often described as 'Super cabinet' as it is the most important of all. Political affairs committee deals with all policy matters pertaining to domestic and foreign affairs.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)
- The Hindu/Current Affairs

Q.36) Consider the following statements:

1. Appointments Committee of the Cabinet is chaired by Parliamentary affairs Minister
2. Discretionary grants are given to the States by the Union of India on the recommendation of Finance Commission of India
3. The ministers are individually responsible to the Lok Sabha

Which of the statements given above is/are correct?

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

Q.36) Solution (d)

Appointments Committee of the Cabinet (ACC)

- It is responsible for all appointments of higher ranks in the Central Secretariat, Public Enterprises, Public Enterprises and Financial Institutions.

- The committee is composed of the Prime Minister of India (who is the Chairman), the Minister of Home Affairs. **Hence, statement (1) is wrong.**

Statement 2 is also incorrect, because after the creation of NITI Aayog, the Ministry of Finance of India decides both planned and non-planned grants for States.

Ministers are individually responsible to the President i.e. they hold office during the pleasure of the President. **Hence, statement 3 is wrong.**

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.37) The budget consists of two types of expenditure—the expenditure ‘charged’ upon the Consolidated Fund of India and the expenditure ‘made’ from the Consolidated Fund of India. Consider the following statements regarding the expenditure ‘charged’ upon Consolidated Fund of India:

1. It is non-votable by the parliament and it can only be discussed.
2. Emoluments and allowances of the President and other expenditure relating to his office are charged upon Consolidated Fund of India.

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.37) Solution (c)

After the budget is presented to the house (parliament), the government needs its approval to draw even one rupee from the Consolidated Fund of India. This approval comes by voting, which means that the Budget proposals must be passed by the Parliament.

However, there are some charges which essentially have to be paid by the Government and for those charges no voting takes place. Thus, the expenditure embodied in the Budget Documents is of two types:

- The sums required for charged expenditures. These are non-votable.
- The sums required for other expenditures as mentioned in the Budget Documents. These are votable.

Charged Expenditures or Non-Votable Charges

Non-votable charges are called Charged Expenditures; and no voting takes place for the amount involved in these expenditures for their withdrawal from Consolidated Fund of India. This means that they have to be paid in any case, whether the budget is passed or not passed.

Following are the charged expenditures:

- Salary and Allowances of the President, Speaker / Deputy speaker of Lok Sabha, Chairman/ Deputy chairman of Rajya Sabha,
- Salaries and Allowances of Supreme Court judges, Pensions of Supreme Court as well as High Court Judges,
- Salaries, Allowances and Pensions of CAG, Lok Pal
- Debt charges of Government of India

The above expenditures cannot be voted because; these payments are deemed to be guaranteed by the state. Although voting does not take place on such charges, discussion can take place in any house of the parliament. The demand for grant for these charges is also made on recommendation of the president. (Article 113)

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.38) After the general discussion of Budget, a Vote on Account is passed. What is the purpose of 'Vote on Account'?

- a) For the government to function, two months advance grant is passed before passing the budget.
- b) To get consent of opposition for passing of Budget
- c) To discuss the total expenditure of the government in previous year
- d) To get the money passed from the contingency fund

Q.38) Solution (a)

An outgoing government presents only an interim Budget or seeks a vote on account. It leaves it to the next government to present the full Budget.

As per the Constitution, all the revenue received by the Union government and the loans raised by it are parked in the Consolidated Fund of India.

The constitution says that no money can be withdrawn by the government from the Consolidated Fund of India except under appropriation made by law. For that an appropriation bill is passed during the Budget process.

Since, the appropriation bill may take time to pass through the Parliament and become a law, the government would need permission to spend even a single penny from April 1 when the new financial year starts.

Vote on account is the permission to withdraw money from the Consolidated Fund of India in that period, usually two months. Hence, statement (a) is correct.

About Vote on Account

- Vote on account is the **interim permission of the parliament** to the government to spend money.
- It is just an interim permission to spend money as against a full Budget which is an elaborate financial statement of expenditure and receipts including changes in taxes and government policies.
- In the election year when the elections are scheduled a few months into the new financial year, the government prefers to seek a vote on account instead of presenting a full Budget because if the government changes after elections it is not fair to deny it the right to design its own Budget for the remaining part of the year.
- Though vote-on-account is a temporary measure, it does need the approval of Parliament and it is usually passed without much discussion.
- The vote on account typically does not seek funds for major projects or new initiatives. This usually awaits the presentation of the full Budget.
- One of the key features of a vote on account is that it usually does not contain any direct tax proposals that would impact people, as that requires amendments to the Finance Bill. (Therefore, any decrease/increase or exemption/inclusion related to income tax will be on hold if there's a vote on account.)

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)
- The Hindu/Current Affairs

Q.39) Consider the following statements about Appropriation Bill and Finance bill

1. Appropriation bill pertains to expenditure only; Finance bill pertains to both expenditure and revenue.
2. Finance bill is a money bill but Appropriation bill is not.

Choose the correct codes from below options:

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

Q.39) Solution (d)

Finance Bill deals with imposition, abolition, remission, alteration or regulation of taxes proposed in the budget. It does not list the expenditure.

Appropriation bill sets aside the money for specific purposes, to avail full benefit of weighted deduction, credit on inputs/capital goods used for R&D outside the factory premises.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.40) Consider the below statements:

1. EC is not concerned with the elections to panchayats and municipalities in the states.
2. Tenure of both the election commissioners and the regional commissioners is determined by the President.

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.40) Solution (c)

Election Commission is an all-India body in the sense that it is common to both the Central government and the state governments. However, it must be noted here that the election commission is not concerned with the elections to panchayats and municipalities in the states. For this, the Constitution of India provides for a separate State Election Commission.

The conditions of service and tenure of office of the election commissioners and the regional commissioners shall be determined by the president.

Source:

- Indian Polity – M Laxmikanth (Chapter: Elections)

