

Q.1) Consider the below statements about Leader of the Opposition in India:

1. In order to get formal recognition, the concerned party must have at least 10% of the total strength of the House.
2. A single party has to meet the 10% seat criterion, not an alliance.
3. They are entitled to the salary, allowances and other facilities equivalent to that of a cabinet minister.

Which of the statements given above is/are correct?

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

Q.1) Solution (d)

In each House of Parliament, there is the 'Leader of the Opposition'.

- The leader of the largest Opposition party having not less than one-tenth seats of the total strength of the House is recognised as the leader of the Opposition in that House.
- If any party fails to get 10% seats in opposition, the House will not have recognised leader of the opposition.
- A single party has to meet the 10% seat criterion, not an alliance.

Hence, statements (1) and (2) are correct.

In a parliamentary system of government, the leader of the opposition has a significant role to play. His main functions are to provide a constructive criticism of the policies of the government and to provide an alternative government. Therefore, the leader of Opposition in the Lok Sabha and the Rajya Sabha were accorded statutory recognition in 1977.

They are also entitled to the salary, allowances and other facilities equivalent to that of a cabinet minister. **Hence, statement (3) is also correct.**

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.2) Consider the below statements:

1. In India, offices of the leader of the House and the leader of the Opposition are mentioned in the Constitution of India.
2. In India, Whip is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute.

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.2) Solution (b)

In India, Leaders of the Opposition in the Lok Sabha and the Rajya Sabha are accorded statutory recognition (not constitutional recognition).

The offices of the leader of the House and the leader of the Opposition are not mentioned in the Constitution of India, they are mentioned in the Rules of the House and Parliamentary Statute respectively. **Hence, statement (1) is wrong.**

The Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, defines the Leader of the Opposition, in relation to either House of Parliament

The office of 'whip', on the other hand, is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute. It is based on the conventions of the parliamentary government. **Hence, statement (2) is correct.**

Every political party, whether ruling or Opposition has its own whip in the Parliament. He is appointed by the political party to serve as an assistant floor leader.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.3) Consider the below statements with regard to the President's election:

1. It is held in accordance with the system of proportional representation by means of the single transferable vote.
2. Each member of the Electoral College is given multiple ballot papers to indicate his preferences against the names of candidates.
3. A candidate, in order to be declared elected to the office of President, must secure a fixed quota of votes and voting is by secret ballot.

Which of the statements given above is/are correct?

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

Q.3) Solution (c)

The President's election is held in accordance with the system of proportional representation by means of the single transferable vote and the voting is by secret ballot.

This system ensures that the successful candidate is returned by the absolute majority of votes. A candidate, in order to be declared elected to the office of President, must secure a fixed quota of votes.

Hence, statement (1) and (3) are correct.

Each member of the electoral college is given only one ballot paper. The voter, while casting his vote, is required to indicate his preferences by marking 1, 2, 3, 4, etc. against the names of candidates. This means that the voter can indicate as many preferences as there are candidates in the fray. **Hence, statement (2) is wrong.**

Source:

- Indian Polity – M Laxmikanth (Chapter: President)

Q.4) Which among the following statements is/are true with regard to privileges and immunities enjoyed by the President of India?

1. He enjoys personal immunity from legal liability for his official acts.
2. During his term of office, he is immune from any criminal proceedings.

3. However, after giving two months' notice, criminal proceedings can be instituted against him during his term of office in respect of his personal acts.

Choose correct answer:

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

Q.4) Solution (b)

The President is entitled to a number of privileges and immunities.

- He enjoys personal immunity from legal liability for his official acts.
- During his term of office, he is immune from any criminal proceedings, even in respect of his personal acts. He cannot be arrested or imprisoned.
- However, after giving two months' notice, civil proceedings can be instituted against him during his term of office in respect of his personal acts.

Source:

- Indian Polity – M Laxmikanth (Chapter: President)

Q.5) Consider the following statements with regard to the President of India and choose the incorrect statement:

- a) When a vacancy occurs in the office of the President due to his resignation, removal, death or expiration of the term, the Vice-President acts as the President.
- b) Impeachment is a quasi-judicial procedure in the Parliament.
- c) President can hold office beyond his term of five years until his successor assumes charge.
- d) While in USA, a person cannot be elected to the office of the President more than twice, in India, a person can be elected for any number of terms.

Q.5) Solution (a)

The President holds office for a term of five years from the date on which he enters upon his office. However, he can resign from his office at any time by addressing the resignation letter to the Vice-President. Further, he can also be removed from the office before completion of his term by the process of impeachment.

The President can hold office beyond his term of five years until his successor assumes charge. He is also eligible for re-election to that office. He may be elected for any number of terms. However, in USA, a person cannot be elected to the office of the President more than twice.

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. An impeachment is a quasi-judicial procedure in the Parliament.

When a vacancy occurs in the office of the President due to his resignation, removal, death or otherwise, the Vice-President acts as the President until a new President is elected.

However, when the vacancy is going to be caused by the expiration of the term of the sitting President, an election to fill the vacancy must be held before the expiration of the term. In case of any delay in conducting the election of new President by any reason, the outgoing President continues to hold office (beyond his term of five years) until his successor assumes charge. This is provided by the Constitution in order to prevent an 'interregnum'. In this situation, the Vice-President does not get the opportunity to act as President or to discharge the functions of the President. **Hence, statement (a) is incorrect.**

Source:

- Indian Polity – M Laxmikanth (Chapter: President)

Q.6) Which among the following statements is/are true with regard to Vice-President?

1. Vice-President is accorded a rank next to the President in the official warrant of precedence.
2. The office of Vice-President is modelled on the lines of the American Vice-President.
3. No ground has been mentioned in the Constitution for his removal.

Choose the correct answer:

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

d) 1, 2 and 3

Q.6) Solution (d)

The Vice-President occupies the second highest office in the country. He is accorded a rank next to the President in the official warrant of precedence. This office is modelled on the lines of the American Vice-President. **Hence, statements (1) and (2) are correct.**

The Vice-President can be removed from the office before completion of his term. A formal impeachment is not required for his removal. He can be removed by a resolution of the Rajya Sabha passed by an absolute majority (ie, a majority of the total members of the House) and agreed to by the Lok Sabha. But, no such resolution can be moved unless at least 14 days' advance notice has been given. Notably, no ground has been mentioned in the Constitution for his removal. **Hence, statement (3) is also correct.**

Source:

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

Q.7) Which among the following provisions is/are provided by the Constitution of India?

1. President has to appoint the leader of the majority party in the Lok Sabha as the Prime Minister.
2. Emoluments for the Vice-President.
3. Time frame within which the state legislatures should ratify or reject an amendment submitted to them.

Choose the correct answer:

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

Q.7) Solution (d)

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. However, this does not imply that the president is free to appoint any one as the Prime Minister.

In accordance with the conventions of the parliamentary system of government, the President has to appoint the leader of the majority party in the Lok Sabha as the Prime Minister. But, when no party has a clear majority in the Lok Sabha, then the President may exercise his personal discretion in the selection and appointment of the Prime Minister. In such a situation, the President usually appoints the leader of the largest party or coalition in the Lok Sabha as the Prime Minister and asks him to seek a vote of confidence in the House within a month.

The Constitution has not fixed any emoluments for the Vice-President in that capacity. He draws his regular salary in his capacity as the ex-officio Chairman of the Rajya Sabha.

The Constitution does not prescribe the time frame within which the state legislatures should ratify or reject an amendment submitted to them. Also, it is silent on the issue whether the states can withdraw their approval after according the same.

Source:

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

Q.8) Which of the statements given below is/are true?

1. Resignation or death of an incumbent Prime Minister automatically dissolves the council of ministers.
2. Member of a state legislative assembly cannot be appointed as a Central council of minister.
3. The salaries and allowances of ministers are determined by Parliament from time to time.

Choose the correct answer:

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

Q.8) Solution (a)

Since the Prime Minister stands at the head of the council of ministers, the other ministers cannot function when the Prime Minister resigns or dies. In other words, the resignation or death of an incumbent Prime Minister automatically dissolves the council of ministers and thereby generates a vacuum. The resignation or death of any other minister, on the other hand, merely creates a vacancy which the Prime Minister may or may not like to fill.

Usually, the members of Parliament, either Lok Sabha or Rajya Sabha, are appointed as ministers. A person who is not a member of either House of Parliament can also be appointed as a minister. But, within six months, he must become a member (either by election or by nomination) of either House of Parliament, otherwise, he ceases to be a minister. Hence, even a MLA can be appointed as minister, but he has to become a member of either House of Parliament within 6 months. **Therefore, statement (2) is wrong.**

The salaries and allowances of ministers are determined by Parliament from time to time. A minister gets the salary and allowances that are payable to a member of Parliament. Additionally, he gets a sumptuary allowance (according to his rank), free accommodation, travelling allowance, medical facilities, etc.

- Indian Polity – M Laxmikanth (Chapter: Prime Minister and Council of Ministers)

Q.9) Which of the following statements is/are correct with regard to President's rule?

1. 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.
2. The laws become inoperative on the expiration of six months after the president's rule has ceased to operate.

Choose the correct codes from below options:

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

Q.9) Solution (a)

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. **Hence, statement (2) is wrong.**

Source:

- Indian Polity – M Laxmikanth (Chapter: President)

Q.10) Consider the following roles:

1. It is the highest decision-making authority in our politico-administrative system.
2. It is the chief policy formulating body of the Central government.
3. It is the supreme executive authority of the Central government.
4. It is chief coordinator of Central administration.

The above roles are associated with –

- a) Cabinet
- b) The office of Prime Minister
- c) The office of President
- d) Council of Ministers

Q.10) Solution (a)**ROLE OF CABINET**

1. It is the highest decision-making authority in our politico-administrative system.
2. It is the chief policy formulating body of the Central government.
3. It is the supreme executive authority of the Central government.
4. It is chief coordinator of Central administration.
5. It is an advisory body to the president and its advice is binding on him.
6. It is the chief crisis manager and thus deals with all emergency situations.
7. It deals with all major legislative and financial matters.

8. It exercises control over higher appointments like constitutional authorities and senior secretariat administrators.
9. It deals with all foreign policies and foreign affairs.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.11) Consider the following statements in regard to representation of UTs to the Houses of the Parliament:

1. The Constitution has empowered the Parliament to prescribe the manner of choosing the representatives of the UTs to the Houses of the Parliament.
2. The representatives of each union territory in the Rajya Sabha are indirectly elected by members of an electoral college specially constituted for the purpose.

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.11) Solution (b)

The Constitution has empowered the Parliament to prescribe the manner of choosing the representatives of the UTs in the Lok Sabha (not second chamber i.e., Rajya Sabha). Accordingly, the Parliament has enacted the Union Territories (Direct Election to the House of the People) Act, 1965, by which the representatives of the UTs are chosen.

The representatives of each union territory in the Rajya Sabha are indirectly elected by members of an electoral college specially constituted for the purpose. This election is also held in accordance with the system of proportional representation by means of the single transferable vote.

Out of the seven union territories, only two (Delhi and Puducherry) have representation in Rajya Sabha. The populations of other five union territories are too small to have any representative in the Rajya Sabha.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.12) Which among the statements given below is/are true in regard to the Speaker?

1. He is the final interpreter of the provisions of the Constitution of India within the House.
2. Parliamentary Affairs Committee is chaired by the Speaker.
3. President enables the House to elect the new Speaker.

Choose the correct answer:

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

Q.12) Solution (a)

Speaker 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.

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

The main duty of Speaker Pro Tem is to administer oath to the new members. He also enables the House to elect the new Speaker. **Hence, statement (3) is wrong.**

Parliamentary Affairs Committee, which looks after the progress of government business in the Parliament, is chaired by the Home Minister (not Speaker). **Hence, statement (2) is wrong.**

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.13) Which among the following is/are correct statements in regard to Council of ministers and Cabinet?

1. Council of ministers functions are determined by the cabinet.
2. Council of ministers implements the decisions taken by the cabinet.
3. Cabinet supervises the implementation of its decisions by the council of ministers.

Choose the appropriate answer:

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

Q.13) Solution (c)

The words 'council of ministers' and 'cabinet' are often used interchangeably though there is a definite distinction between them. They differ from each other in respects of composition, functions, and role.

The Council of Ministers is a bigger body which includes all categories of Ministers. All Ministers and Deputy Ministers are the members of the Council of Ministers.

The Cabinet is a smaller body which consists of a few important senior ministers who are in charge of separate departments. The Cabinet is described as "a wheel within a wheel". Its the nucleus of the Council of Ministers.

The Cabinet holds the most important position in the Union Government. It exercises all powers on behalf of the Council of Ministers. The policy decisions are taken in the Cabinet. The Cabinet also prepares legislative programmes for the Parliament. It serves as an ordinating body among the various departments of the Central Government.

The Cabinet exercises, in practice, the powers of the council of ministers and thus, acts for the latter. The Council of Ministers functions are determined by the cabinet. The Council of Ministers implements the decisions taken by the cabinet.

The Cabinet directs the council of ministers by taking policy decisions which are binding on all ministers. The Cabinet supervises the implementation of its decisions by the council of ministers.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

- Indian Polity – M Laxmikanth (Chapter: Central Council of Ministers)

Q.14) Which among the following is/are part of Parliamentary privileges enjoyed by the members individually?

1. They cannot be arrested during the session of Parliament, whether it is civil cases or criminal cases or preventive detention cases.
2. They have freedom of speech in Parliament.
3. They can refuse to give evidence and appear as a witness in a case pending in a court when Parliament is in session.

Choose the correct answers:

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

Q.14) Solution (c)

Parliamentary privileges can be classified into two broad categories:

1. those that are enjoyed by each House of Parliament collectively, and
2. those that are enjoyed by the members individually.

Individual Privileges

The privileges belonging to the members individually are:

1. They cannot be arrested during the session of Parliament and 40 days before the beginning and 40 days after the end of a session. This privilege is available only in civil cases and not in criminal cases or preventive detention cases.
2. They have freedom of speech in Parliament. No member is liable to any proceedings in any court for anything said or any vote given by him in Parliament or its committees. This freedom is subject to the provisions of the Constitution and to the rules and standing orders regulating the procedure of Parliament.
3. They are exempted from jury service. They can refuse to give evidence and appear as a witness in a case pending in a court when Parliament is in session.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.15) Which among the following statements is/are correct about Private Bill?

1. Its rejection by the House has no implication on the parliamentary confidence in the government or its resignation.
2. Its introduction in the House requires seven days' notice.
3. Its drafting is the responsibility of the member concerned.

Choose the correct answer:

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

Q.15) Solution (b)**Private Bill**

- It is introduced by any member of Parliament other than a minister.
- It reflects the stand of opposition party on public matter. Therefore, its rejection by the House has no implication on the parliamentary confidence in the government or its resignation.
- Its introduction in the House requires one month's notice. Public bill introduction in the House requires seven days' notice. **Hence, statement (2) is false.**
- Drafting of Private Bill is the responsibility of the member concerned. Public Bill is drafted by the concerned department in consultation with the law department.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament)

Q.16) The Speaker can ask a member of the House to stop speaking and let another member speak. This phenomenon is known as

- a) decorum
- b) crossing the floor
- c) interpellation
- d) yielding the floor

Q.16) Solution (d)

The speaker of the Lok Sabha can ask a member of the house to stop speaking and let another member speak is called “yielding the floor”.

“Crossing the floor”--Passing between the member addressing the House and the Chair which is considered breach of Parliamentary etiquette.

Source:

- Internet
- Important Parliamentary Terms - https://rajyasabha.nic.in/rsnew/parliamentary_term/important_parliament_term.asp

Q.17) Consider the following statements:

1. Parliament of India is empowered to make laws with every matter that is enumerated in the State List in the national interest.
2. To do this, a resolution by Lok Sabha is required supported by two thirds of the members present and voting that is necessary or expedient in the national interest

Which of the above statements is/are correct?

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

Q.17) Solution (a)

This is a very important question on a very important provision in Constitution of India.

The above provision has been enshrined in the Article 249.

As per this article, the resolution has to be passed by two thirds of the members present and voting that is necessary or expedient in the national interest in Council of States and not in Lok Sabha.

Source:

- Chapter Parliament and Parliamentary System, Laxmikanth

Q.18) The case of dispute in the Presidential and Vice-Presidential election is referred to

- a) Chief Election Commissioner
- b) Supreme Court
- c) Parliament
- d) None of these

Q.18) Solution (b)

All doubts and disputes in connection with election of the President and Vice-President are inquired into and decided by the Supreme Court whose decision is final. The election of a person as President or Vice-President cannot be challenged on the ground that the electoral college was incomplete (ie, existence of any vacancy among the members of electoral college). If the election of a person as President or Vice-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 (i.e., they continue to remain in force).

Source:

- Chapter President, Laxmikanth
- Chapter Vice-President, Laxmikanth

Q.19) A Minister cannot be elected as a member of which of the following Committees?

1. Public Accounts Committee
2. Estimates Committee
3. Committee on Public Undertakings

Select the correct code:

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

Q.19) Solution (d)

A Minister cannot be elected as a member of the Public Accounts Committee, Estimates Committee and Committee on Public Undertakings.

If a member after his election to the any of the above Committee is appointed a Minister, he ceases to be a member of the Committee from the date of such appointment.

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament and Parliamentary Committees)

Q.20) Which among the below committee consist of members from Lok Sabha only?

- a) Estimates Committee
- b) Committee on Empowerment of Women
- c) Public Accounts Committee
- d) Standing committee

Q.20) Solution (a)

(Parliamentary Committees) : : (Consists of)

- Estimates Committee : : 30 members (All from LS only)
- Committee on Empowerment of Women : : 30 members (20 from LS and 10 from RS)
- Public Accounts Committee : : 22 members (15 from LS and 7 from RS)
- Standing committee : : 31 members (21 from LS and 10 from RS)

Source:

- Indian Polity – M Laxmikanth (Chapter: Parliament and Parliamentary Committees)

Q.21) The powers and functions of the governor is different from the President, in that Governor has no –

1. Diplomatic powers
2. Emergency powers
3. Financial powers
4. Judicial powers
5. Military powers

Select the correct code:

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

Q.21) Solution (a)

A governor possesses executive, legislative, financial and judicial powers more or less analogous to the President of India. However, he has no diplomatic, military or emergency powers like the president.

Q.22) Which among the following statements are true with regard to Governor?

1. He is the chief executive head of the state.
2. He acts as an agent of the central government.
3. He is appointed by the president by warrant under his hand and seal.
4. Even though the office of governor is an employment under the Central government, it is not under its control or it's subordinate.

Choose the correct statement:

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

Q.22) Solution (b)

The governor is the chief executive head of the state. But, like the president, he is a nominal executive head (titular or constitutional head). The governor also acts as an agent of the central government. Therefore, the office of governor has a dual role.

The governor is neither directly elected by the people nor indirectly elected by a specially constituted electoral college as is the case with the president. He is appointed by the president by warrant under his hand and seal. In a way, he is a nominee of the Central government.

The office of governor of a state is not an employment under the Central government. It is an independent constitutional office and is not under the control of or subordinate to the Central government.

Do you know?

- Constitution has assigned a dual role to the office of a governor in the Indian federal system. He is the constitutional head of the state as well as the representative of the Centre (i.e., President).

Q.23) The Chief Minister enjoys which of the following powers as head of the state council of ministers?

1. He allocates and reshuffles the portfolios among ministers.
2. He can make rules for more convenient transaction of the business of a state government and for the allocation among the ministers of the said business.
3. He sees that the Annual Financial Statement (state budget) is laid before the state legislature.

Choose the correct answer:

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

Q.23) Solution (a)

The Chief Minister allocates and reshuffles the portfolios among ministers. He can ask a minister to resign or advise the governor to dismiss him in case of difference of opinion. He presides over the meetings of the council of ministers and influences its decisions.

The CM guides, directs, controls and coordinates the activities of all the ministers.

However, the power of making rules for more convenient transaction of the business of a state government and for the allocation among the ministers of the said business belong to the executive powers and functions of the Governor and not the Chief Minister.

The financial powers and functions of the governor include that he sees the Annual Financial Statement (state budget) is laid before the state legislature. **Therefore, both statement (2) and (3) are powers of the Governor and not the Chief Minister.**

Q.24) Consider the following statements about the Governor and choose the incorrect statement:

- a) 7th Constitutional Amendment Act of 1956 facilitated the appointment of the same person as a governor for two or more states.
- b) Governor is entitled to such emoluments, allowances and privileges as may be determined by Parliament.
- c) When the same person is appointed as the governor of two or more states, the emoluments and allowances payable to him are shared by the states in such proportion as determined by the Parliament.
- d) None

Q.24) Solution (c)

Usually, there is a governor for each state, but the 7th Constitutional Amendment Act of 1956 facilitated the appointment of the same person as a governor for two or more states.

The Constitution lays down that the Governor is entitled to such emoluments, allowances and privileges as may be determined by Parliament.

It also lays down that when the same person is appointed as the governor of two or more states, the emoluments and allowances payable to him are shared by the states in such proportion as determined by the president.

Q.25) Which of the statements given above is/are true about the Governor?

1. The oath of office to the governor is administered by the President or some person appointed in that behalf by him.
2. The term of the governor is not fixed and he holds office during the pleasure of the president.

Choose correct answer:

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

Q.25) Solution (d)

The oath of office to the governor is administered by the chief justice of the concerned state high court and in his absence, the senior-most judge of that court available.

Every person discharging the functions of the governor also undertakes the similar oath or affirmation.

A governor holds office for a term of five years from the date on which he enters upon his office. However, this term of five years is subject to the pleasure of the President. Further, he can resign at any time by addressing a resignation letter to the President.

Q.26) Which of the statements given below is/are true with regard to composition of Legislative Council?

1. The maximum strength of the council is fixed at one-third of the total strength of the legislative assembly and the minimum strength is fixed at 40.
2. 5/6 of the total number of members of a legislative council are indirectly elected and 1/6 are nominated by the governor.

Choose the correct code from below options:

- a) 1 only
- b) 2 only
- c) Both 1 and 2

d) Neither 1 nor 2

Q.26) Solution (c)

The maximum strength of the legislative council is fixed at one-third of the total strength of the legislative assembly and the minimum strength is fixed at 40.

Note: The minimum strength fixed at 40 by the Constitution of India is not applicable to Jammu and Kashmir. Its council has 36 members under the provisions of its own state Constitution.

5/6 of the total number of members of a legislative council are indirectly elected and 1/6 are nominated by the governor.

Of the total number of members of a legislative council:

1. 1/3 are elected by the members of local bodies in the state like municipalities, district boards, etc.,
2. 1/12 are elected by graduates of three years standing and residing within the state,
3. 1/12 are elected by teachers of three years standing in the state, not lower in standard than secondary school,
4. 1/3 are elected by the members of the legislative assembly of the state from amongst persons who are not members of the assembly, and
5. the remainder are nominated by the governor from amongst persons who have a special knowledge or practical experience of literature, science, art, cooperative movement and social service.

Q.27) Consider the following statements about the Chief Minister and choose the *incorrect* statement:

- a) He is the chief spokesman of the state government.
- b) He is the crisis manager-in-chief at the political level during emergencies.
- c) He is the political head of the services.
- d) All executive actions of the government of a state are formally taken in his name.

Q.27) Solution (d)

All executive actions of the State are formally taken in the name of the Governor (not Chief Minister). **Hence, statement (d) is incorrect.**

Chief Minister performs the following functions:

1. He is the chairman of the State Planning Board.
2. He acts as a vice-chairman of the concerned zonal council by rotation, holding office for a period of one year at a time.
3. He is a member of the Inter-State Council and the National Development Council, both headed by the prime minister.
4. He is the chief spokesman of the state government.
5. He is the crisis manager-in-chief at the political level during emergencies.
6. As a leader of the state, he meets various sections of the people and receives memoranda from them regarding their problems, and so on.
7. He is the political head of the services.

Q.28) When a Money Bill is reserved by the Governor for the consideration of the President, the President can –

1. Give his assent to the bill
2. Withhold his assent to the bill
3. Return a money bill for the reconsideration of the state legislature
4. Return a money bill for the reconsideration of the Governor

Choose the appropriate answer:

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

Q.28) Solution (c)

When a Money Bill is reserved by the Governor for the consideration of the President, the President has two alternatives:

- (a) He may give his assent to the bill, the bill then becomes an Act.
- (b) He may withhold his assent to the bill, the bill then ends and does not become an act.

Thus, the President cannot return a money bill for the reconsideration of the state legislature (as in the case of the Parliament).

Q.29) Consider the below statements with regard to ordinance-making power of the Governor and identify the incorrect statement:

- a) He can promulgate an ordinance only when he is satisfied that circumstances exist which render it necessary for him to take immediate action.
- b) His ordinance-making power is not a discretionary power.
- c) He needs no instruction from the President for making any ordinances.
- d) An ordinance issued by him ceases to operate on the expiry of six weeks from the reassembly of the state legislature.

Q.29) Solution (c)

Governor can promulgate an ordinance only when he is satisfied that circumstances exist which render it necessary for him to take immediate action.

His ordinance-making power is not a discretionary power. This means that he can promulgate or withdraw an ordinance only on the advice of the council of ministers headed by the chief minister.

He cannot make an ordinance without the instructions from the President in three cases:
(Hence, statement c is incorrect)

- (a) If a bill containing the same provisions would have required the previous sanction of the President for its introduction into the state legislature.
- (b) If he would have deemed it necessary to re-serve a bill containing the same provisions for the consideration of the President.
- (c) If an act of the state legislature containing the same provisions would have been invalid without receiving the President's assent.

An ordinance issued by him ceases to operate on the expiry of six weeks from the reassembly of the state legislature. It may cease to operate even earlier than the prescribed six weeks, if a resolution disapproving it is passed by the legislative assembly and is agreed to by the legislative council (in case of a bicameral legislature).

Q.30) Consider the following statements with regard to legislative Council:

1. Parliament has the power to create or abolish the legislative Council in various States on the basis of resolutions adopted by two thirds majority in the respective Assembly.
2. Article 169 has given power to the States to set up the Council or abolish it.

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)

The legislative Council or the Vidhan Parishad is the Upper Chamber of the State legislature.

Article 169 has given power to the States to set up the Council or abolish it.

The process of creating an Upper House is lengthy. The State Assembly has to pass a resolution for the creation of the Council by a majority of its total membership. Thereafter, Parliament has to enact a law to create it.

In other words, the Union Parliament has the power to create or abolish the legislative Council in various States on the basis of resolutions adopted by two thirds majority in the respective Assembly.

The power of abolition and creation of the State legislative council is vested in Parliament of India as per article 169.

Do you know?

- When a legislative council is created or abolished, the Constitution of India is also changed. However, still, such type of law is not considered a Constitution Amendment Bill. (Article 169).
- In other words, this Act of Parliament is not to be deemed as an amendment of the Constitution for the purposes of Article 368 and is passed like an ordinary piece of legislation (ie, by simple majority).
- The resolution to create and abolish a state legislative council is to be assented by the President also.

<https://www.thehindu.com/opinion/editorial/council-conundrum/article24786733.ece>

<https://www.dailypioneer.com/2018/state-editions/is-legislative-council-formation-so-easy.html>

Q.31) Which among the following statements is/are true with regard to Disqualification on Ground of Defection?

1. The question of disqualification under the Tenth Schedule is decided by the Chairman, in the case of legislative council and, Speaker, in the case of legislative assembly.
2. Supreme Court has ruled that the decision of Chairman/Speaker in this regard is subject to judicial review.

Choose the correct answer:

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

Q.31) Solution (c)

Disqualification on Ground of Defection

- The Constitution lays down that a person shall be disqualified for being a member of either House of state legislature if he is so disqualified on the ground of defection under the provisions of the Tenth Schedule.
- The question of disqualification under the Tenth Schedule is decided by the Chairman, in the case of legislative council and, Speaker, in the case of legislative assembly (and not by the governor).
- In 1992, the Supreme Court ruled that the decision of Chairman/Speaker in this regard is subject to judicial review.

Q.32) Consider the below statements with respect to legislative procedure in State Legislature:

1. The Constitution does not provide for the mechanism of joint sitting of both the Houses to resolve the disagreement between the two Houses over a bill.
2. The ultimate power of passing an ordinary bill is vested in the assembly.

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

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

Q.32) Solution (d)

The Constitution does not provide for the mechanism of joint sitting of both the Houses to resolve the disagreement between the two Houses over a bill. On the other hand, there is a provision for joint sitting of the Lok Sabha and the Rajya Sabha to resolve a disagreement between the two over an ordinary bill. Moreover, when a bill, which has originated in the council and was sent to the assembly, is rejected by the assembly, the bill ends and becomes dead.

Thus, the council has been given much lesser significance, position and authority than that of the Rajya Sabha at the Centre.

The ultimate power of passing an ordinary bill is vested in the assembly. At the most, the council can detain or delay the bill for a period of four months—three months in the first instance and one month in the second instance.

Q.33) Legislative council can delay the Money Bill passed by the legislative assembly for a period not exceeding

- a) 9 days
- b) 14 days
- c) 15 days
- d) 30 days

Q.33) Solution (b)

After a money bill is passed by the legislative assembly, it is transmitted to the legislative council for its consideration. The legislative council has restricted powers with regard to a money bill. It cannot reject or amend a money bill. It can only make the recommendations. It must return the bill to the legislative assembly within 14 days, whether with or without recommendations.

If the legislative council does not return the bill to the legislative assembly within 14 days, the bill is deemed to have been passed by both the Houses at the expiration of the said period in the form originally passed by the legislative assembly.

Q.34) Consider the following statements with regard to President's Rule

1. Article 356 enables the Central Government to intervene in state affairs for the sake of good government of the State concerned.
2. The Centre decides on the question of whether there is good government or not 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.34) Solution (d)

The Centre is not given any such authority to intervene in state affairs for the sake of good government. Article 356 allows the Centre to intervene only when the government is not carried on in consonance with the provisions laid down for the constitutional governance.

On question on whether there is good government or not in the state is not for the Centre to determine.

Q.35) Which of the statements given below is/are correct in regard to Lt. Governor of Delhi?

1. The Chief Minister of Delhi is appointed by the Lt. Governor.
2. The Council of Ministers headed by the Chief Minister aid and advise the Lt. Governor in the exercise of his functions.

3. Lt. Governor is empowered to promulgate ordinances when the assembly is dissolved or suspended or in recess.

Select the correct answer from the codes given below:

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

Q.35) Solution (a)

The chief minister of Delhi is appointed by the President (not by the Lt. governor). **Hence, statement (1) 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 headed by the chief minister aid and advise the Lt. governor in the exercise of his functions except in so far as he is required to act in his discretion. In the case of difference of opinion between the Lt. governor and his ministers, the Lt. governor is to refer the matter to the president for decision and act accordingly.

The Lt. governor is empowered to promulgate ordinances during recess of the assembly. An ordinance has the same force as an act of the assembly. Every such ordinance must be approved by the assembly within six weeks from its reassembly. He can also withdraw an ordinance at any time. But, he cannot promulgate an ordinance when the assembly is dissolved or suspended. **Hence, statement (3) is wrong.**

Further, no such ordinance can be promulgated or withdrawn without the prior permission of the President.

Q.36) Consider the following statements with reference to the Ayushman Bharat-National Health Protection Scheme (AB-NHPS)

- 1. The scheme will provide a cover of Rs.5 lakh per family per year.
- 2. Only hospitalization expenses will be a part of the cover.
- 3. It will subsume Rashtriya Swasthya Bima Yojana (RSBY) and the Senior Citizen Health Insurance Scheme (SCHIS).

Which of the statements given above are correct?

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

Q.36) Solution (b)

Ayushman Bharat

- PM Modi's ambitious scheme aims to provide coverage of ₹5 lakh per family annually and benefiting more than 10 crore poor families in the country.
- AB-NHPM will subsume the on-going centrally sponsored schemes — Rashtriya Swasthya Bima Yojana (RSBY) and the Senior Citizen Health Insurance Scheme (SCHIS).

Salient features of the AB-NHPM scheme:

- This scheme has the benefit cover of Rs. 5 lakh per family per year. The target beneficiaries of the proposed scheme will be more than 10 crore families belonging to poor and vulnerable population based on SECC database.
- The Rs. 5 lakh per family a year cover will take care of almost all secondary care and most of tertiary care procedures. To ensure that nobody is left out (especially women, children and elderly) there will be no cap on family size and age in the scheme.
- The benefit cover will also include pre- and post-hospitalisation expenses.
- All pre-existing conditions will be covered from day one of the policy.
- A defined transport allowance per hospitalisation will also be paid to the beneficiary.
- Also, benefits of the scheme are portable across the country and a beneficiary covered under the scheme will be allowed to take cashless benefits from any public/private empanelled hospital across the country.
- AB-NHPM will be an entitlement based scheme with entitlement decided on the basis of deprivation criteria in the SECC database.

Q.37) Consider the following statements with regard to National Skills Qualification Framework (NSQF):

1. It is a competency-based framework that organizes all qualifications according to a series of levels of knowledge, skills and aptitude.
2. It shall be mandatory for all training/educational programmes/courses to be NSQF-compliant.
3. All training and educational institutions shall define eligibility criteria for admission to various courses in terms of NSQF levels.

Which of the above statements is/are correct?

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

Q.37) Solution (d)

National Skills Qualification Framework (NSQF) was introduced in 2013.

- According to NSQF, all qualifications were to be organized according to a series of levels of knowledge, skills and aptitude.
- For each trade/occupation or professional qualification, course content should be prepared that corresponds to higher and higher level of professional knowledge and practical experience.
- The framework was to be implemented by December 27, 2018.

Do you know?

- Ministry of Skill Development and Entrepreneurship is a Ministry of Government of India set up on 9 November 2014 to coordinate all skill development efforts across the country.
- The Ministry mandated that all training/educational programmes/courses be **NSQF-compliant** by December 27, 2018.
- It also mandated that all training and educational institutions define eligibility criteria for admission to various courses in terms of NSQF levels, by December 27, 2018.

Q.38) With respect to Article 239AA of Constitution Delhi assembly can legislate on all those matters listed in the State List and Concurrent List as are applicable to union territories, excluding which of the following?

1. Public Order
2. Police
3. Land

Select the correct statements

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

Q.38) Solution (d)

Sixty-ninth amendment act inserted Article 239AA which confers a special status to Delhi among UTs where it was provided with a legislative assembly to make laws on state subjects.

As per Article 239AA – Public Order, Police & Land in NCT of Delhi fall within the domain and control of Central Government which shall have the power to make laws on these matters. For remaining matters of State List or Concurrent List, in so far as any such matter is applicable to UTs, the Legislative Assembly shall have power to make laws for NCT of Delhi.

Further, for Offences against laws, Jurisdiction & powers of Courts (except SC) and Fees (except court fees) so far as they relate to Public Order, Police & Land in NCT of Delhi; Central Government would have power to make laws.

<https://timesofindia.indiatimes.com/blogs/lawtics/special-status-to-delhi-under-article-239aa-of-the-constitution-of-india-a-progression-or-regression/>

<https://www.financialexpress.com/india-news/what-is-article-239-aa-the-law-that-underlines-powers-of-l-g-and-chief-minister-in-delhi/1230905/>

Q.39) 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.39) 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.

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

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

Q.40) Solution (c)

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

