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Q.1) Consider the following statements with respect to federal system of government

1. It incorporates dual government.
2. Constitution might or might not be supreme.
3. Judicial independence is an important feature.

Choose the correct answer using codes below

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

Q.1) Solution (c)

Statement 1	Statement 2	Statement 3
Correct	Incorrect	Correct
<p>The specific features of the federal governments are:</p> <ol style="list-style-type: none"> 1. Dual Government (that is, national government and regional government) 2. Written Constitution 3. Division of powers between the national and regional government 4. Supremacy of the Constitution 5. Rigid Constitution 6. Independent judiciary 7. Bicameral legislature 		

Q.2) Which of the following act as restrictions/exceptions to the legislative power of Parliament to make laws for any part of the territory of India?

1. Union territory of Andaman and Nicobar islands
2. Autonomous districts in Tripura
3. Tribal area in Assam

Choose the correct answer using codes below

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

Q.2) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
<p>The Constitution places certain restrictions on the plenary territorial jurisdiction of the Parliament. In other words, the laws of Parliament are not applicable in the following areas:</p>		

(i) The President can make regulations for the peace, progress and good government of the four Union Territories—the **Andaman and Nicobar Islands**, Lakshadweep, Dadra and Nagar Haveli and Daman and Diu. A regulation so made has the same force and effect as an act of Parliament. It may also repeal or amend any act of Parliament in relation to these union territories.

(ii) The governor is empowered to direct that an act of Parliament does not apply to a scheduled area in the state or apply with specified modifications and exceptions.

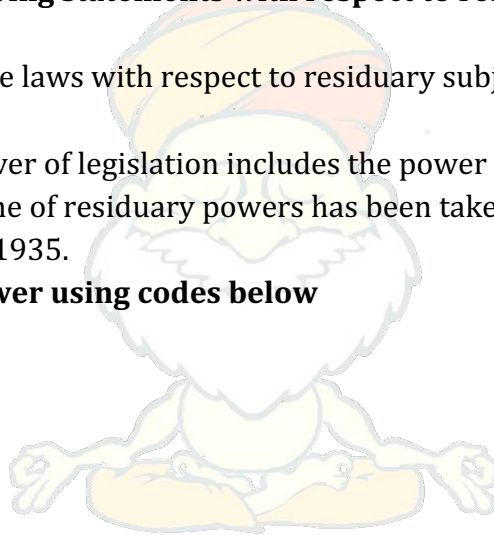
(iii) The Governor of **Assam** may likewise direct that an act of Parliament does not apply to a tribal area (autonomous district) in the state or apply with specified modifications and exceptions. The President enjoys the same power with respect to tribal areas (autonomous districts) in Meghalaya, **Tripura** and Mizoram.

Q.3) Consider the following statements with respect to residuary power of legislation in India

1. The power to make laws with respect to residuary subjects is vested in the Parliament.
2. The residuary power of legislation includes the power to levy residuary taxes.
3. The current scheme of residuary powers has been taken from the Government of India (GoI) Act of 1935.

Choose the correct answer using codes below

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



Q.3) Solution (b)

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
The power to make laws with respect to residuary subjects (i.e., the matters which are not enumerated in any of the three lists) is vested in the Parliament.	This residuary power of legislation includes the power to levy residuary taxes.	Under the Government of India (GoI) Act of 1935, the residuary powers were given neither to the federal legislature nor to the provincial legislature but to the governor-general of India.

Q.4) As per Article 252, When the legislatures of two or more states pass resolutions requesting the Parliament to enact laws on a matter in the State List, then the Parliament can make laws for regulating that matter.

1. Such a law can be adopted by states other than those which have passed those resolutions.
2. Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.
3. Wild Life (Protection) Act, 1972 is an example of laws passed as per the above provision.

Choose the correct answer using codes below

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

Q.4) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
A law so enacted applies only to those states which have passed the resolutions. However, any other state may adopt it afterwards by passing a resolution to that effect in its legislature.	Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.	Some examples of laws passed under the above provision are Prize Competition Act, 1955; Wild Life (Protection) Act, 1972; Water (Prevention and Control of Pollution) Act, 1974; Urban Land (Ceiling and Regulation) Act, 1976; and Transplantation of Human Organs Act, 1994.

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Q.5) Consider the following statements with respect to the situation involving Rajya Sabha passing a resolution that Parliament should make laws on a matter in the State List

1. Such a resolution is passed using absolute majority.
2. The resolution can be renewed any number of times, but not exceeding one year at a time.
3. This provision restricts the power of a state legislature to make laws on the same matter.

Choose the correct answer using codes below

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

Q.5) Solution (b)

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Incorrect
Such a resolution must be supported by two-thirds of the members present and voting, i.e. Special majority.	The resolution remains in force for one year; it can be renewed any number of times but not exceeding one year at a time. The laws cease to have effect on the expiration of six months after the resolution has ceased to be in force.	This provision does not restrict the power of a state legislature to make laws on the same matter. But, in case of inconsistency between a state law and a parliamentary law, the latter is to prevail.

Q.6) Consider the following statements regarding Centre-state relations over legislations

1. The president enjoys absolute veto over bills reserved for his consideration by the governor.
2. Bills on certain matters enumerated in the State List can be introduced in the state legislature only with the previous sanction of the president.

Choose the correct answer using codes below

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

Q.6) Solution (c)

Statement 1	Statement 2
Correct	Correct
The governor can reserve certain types of bills passed by the state legislature for the consideration of the President. The president enjoys absolute veto over them.	Bills on certain matters enumerated in the State List can be introduced in the state legislature only with the previous sanction of the president. (For example, the bills imposing restrictions on the freedom of trade and commerce).

Q.7) Consider the following statements regarding delegation of powers in Centre-state relations

1. The President can entrust to state government any of the executive functions of the Centre, without its consent.
2. The governor of a state with the consent of the Central government can entrust to that government any of the executive functions of the state.

Choose the correct answer using codes below

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

Q.7) Solution (b)

Statement 1	Statement 2
Incorrect	Correct
The President may, with the consent of the state government, entrust to that government any of the executive functions of the Centre. The Constitution also makes a provision for the entrustment of the executive functions of the Centre to a state without the consent of that state. But, in this case, the delegation is by the Parliament and not by the president.	The governor of a state may, with the consent of the Central government, entrust to that government any of the executive functions of the state

Q.8) The Constitution has placed certain restrictions on the taxing powers of the states

1. A state legislature is prohibited from imposing a tax on the supply of goods or services or both where such supply takes place in the course of import or export.

2. A state legislature can impose a tax in respect of any water, but such a bill should be reserved for the president's consideration.
3. A state legislature can impose tax on the consumption of electricity by railway.

Choose the correct answer using codes below

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

Q.8) Solution (a)

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
A state legislature is prohibited from imposing a tax on the supply of goods or services or both in the following two cases: (a) where such supply takes place outside the state; and (b) where such supply takes place in the course of import or export. Further, the Parliament is empowered to formulate the principles for determining when a supply of goods or services or both takes place outside the state, or in the course of import or export.	A state legislature can impose a tax in respect of any water or electricity stored, generated, consumed, distributed or sold by any authority established by Parliament for regulating or developing any inter-state river or river valley. But, such a law, to be effective, should be reserved for the president's consideration and receive his assent.	A state legislature can impose tax on the consumption or sale of electricity. But, no tax can be imposed on the consumption or sale of electricity which is (a) consumed by the Centre or sold to the Centre; or (b) consumed in the construction, maintenance or operation of any railway by the Centre or by the concerned railway company or sold to the Centre or the railway company for the same purpose.

Q.9) Consider the following statements with respect to statutory grants

1. These have been provided under Article 282 of the Constitution.
2. These are given to the states on the recommendation of the Finance Commission.
3. These are charged on the Consolidated Fund of India every year.

Choose the correct answer using codes below

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

d) All of the above

Q.9) Solution (b)

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Correct
Article 275 empowers the Parliament to make grants to the states which are in need of financial assistance and not to every state. Also, different sums may be fixed for different states.	The statutory grants under Article 275 (both general and specific) are given to the states on the recommendation of the Finance Commission.	These sums are charged on the Consolidated Fund of India every year.

Q.10) Consider the following statements regarding borrowing by the state government

1. The limits for loan that can be taken by a particular state from the Centre is fixed by the Parliament.
2. A state cannot borrow directly from abroad.

Choose the correct answer using codes below

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

Q.10) Solution (d)

Statement 1	Statement 2
Incorrect	Incorrect
A state government can borrow within India upon the security of the Consolidated Fund of the State or can give guarantees, but both within the limits fixed by the legislature of that state.	In 2017, union cabinet approved the policy guidelines to allow financially sound State Government entities to borrow directly from bilateral ODA (Official development Assistance) partners for implementation of vital infrastructure projects. The guidelines will facilitate the State Government entities to directly borrow from the external bilateral funding agencies subject to fulfilment of certain conditions and all repayments of loans

	and interests to the funding agencies will be directly remitted by the concerned borrower. The concerned State Government will furnish guarantee for the Loan. The Government of India will provide counter guarantee for the loan.
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Q.11) Consider the following statements regarding Centre-states relations

1. The Centre cannot delegate its legislative powers to the states.
2. A law made by the Parliament on a subject of the Union List can confer powers and impose duties on a state.

Choose the correct answer using codes below

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

Q.11) Solution (c)

Statement 1	Statement 2
Correct	Correct
The Centre cannot delegate its legislative powers to the states and a single state cannot request the Parliament to make a law on a state subject.	A law made by the Parliament on a subject of the Union List can confer powers and impose duties on a state, or authorise the conferring of powers and imposition of duties by the Centre upon a state (irrespective of the consent of the state concerned). Notably, the same thing cannot be done by the state legislature.

Q.12) Which of the following are part of recommendations made by Finance Commission to the President?

1. The distribution of the net proceeds of taxes to be shared between the Centre and the states.
2. The allocation of tax proceeds shared by the Centre between the states.
3. The measures needed to augment the Consolidated fund of a state.

Choose the correct answer using codes below

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

Q.12) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
<p>Article 280 provides for a Finance Commission as a quasi-judicial body. It is constituted by the President every fifth year or even earlier. It is required to make recommendations to the President on the following matters:</p> <ul style="list-style-type: none"> • The distribution of the net proceeds of taxes to be shared between the Centre and the states, and the allocation between the states, the respective shares of such proceeds. • The principles which should govern the grants-in-aid to the states by the Centre (i.e., out of the Consolidated Fund of India). • The measures needed to augment the Consolidated fund of a state to supplement the resources of the panchayats and the municipalities in the state on the basis of the recommendations made by the State Finance Commission. • Any other matter referred to it by the President in the interests of sound finance. 		

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Q.13) Article 262 of the Constitution provides for the adjudication of interstate water disputes. The provisions under it are

1. Parliament can by law provide for the adjudication of any dispute with respect to any inter-state river.
2. President can exclude such disputes from the jurisdiction of the Supreme Court.

Choose the correct answer using codes below

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

Q.13) Solution (a)

Statement 1	Statement 2
Correct	Incorrect

Article 262 of the Constitution provides for the adjudication of interstate water disputes. It makes two provisions:

- (i) Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution and control of waters of any inter-state river and river valley.
- (ii) Parliament may also provide that neither the Supreme Court nor any other court is to exercise jurisdiction in respect of any such dispute or complaint.

Q.14) Consider the following statements regarding Inter-state council

1. President can define the nature of duties to be performed by such a council and its organisation and procedure.
2. It was set up based on the recommendations of the Sarkaria Commission.
3. Prime Minister serves as the chairman of the council.

Choose the correct answer using codes below

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

Q.14) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
Article 263 contemplates the establishment of an Inter-State Council to effect coordination between the states and between Centre and states. Thus, the President can establish such a council if at any time it appears to him that the public interest would be served by its establishment. He can define the nature of duties to be performed by such a council and its organisation and procedure.	Government of India accepted the recommendation of the Sarkaria Commission to set-up an Inter-State Council and notified the establishment of the Inter-State Council vide Presidential Order in 1990.	The Council consists of: <ul style="list-style-type: none"> • Prime Minister – Chairman • Chief Ministers of all States – Members • Chief Ministers of Union Territories having a Legislative Assembly and Administrators of UTs not having a Legislative Assembly – Members • Six Ministers of Cabinet rank in the Union Council of Ministers to be nominated by the Prime Minister –

Q.15) Consider the following statements regarding the Inter-State Water Disputes Act

1. It empowers the Parliament to set up an ad hoc tribunal for the adjudication of dispute between states regarding inter-state river.
2. The decision of the tribunal would be final and binding on the parties to the dispute.

Choose the correct answer using codes below

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

Q.15) Solution (b)

Statement 1	Statement 2
Incorrect	Correct
The Inter-State Water Disputes Act empowers the Central government to set up an ad hoc tribunal for the adjudication of a dispute between two or more states in relation to the waters of an inter-state river or river valley.	The decision of the tribunal would be final and binding on the parties to the dispute. Neither the Supreme Court nor any other court is to have jurisdiction in respect of any water dispute which may be referred to such a tribunal under this Act.

Q.16) Consider the following statements regarding Zonal Councils

1. The Zonal Councils are the statutory bodies.
2. Prime Minister acts as Chairman for the councils.
3. These have been established on the recommendations of Sarkaria Commission.

Choose the correct answer using codes below

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

Q.16) Solution (a)

Statement 1	Statement 2	Statement 3
Correct	Incorrect	Incorrect
The Zonal Councils are the statutory (and not the constitutional) bodies. They are established by an		The home minister of Central government is the

Act of the Parliament, that is, States Reorganisation Act of 1956. The act divided the country into five zones (Northern, Central, Eastern, Western and Southern) and provided a zonal council for each zone.

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

Q.17) Consider the following statements regarding inter-state trade and commerce

1. Parliament can impose restrictions on the freedom of trade, commerce and intercourse between the states in public interest.
2. The legislature of a state can impose reasonable restrictions on the freedom of trade, commerce and intercourse with a state in public interest.

Choose the correct answer using codes below

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

Q.17) Solution (c)

Statement 1	Statement 2
Correct	Correct
Parliament can impose restrictions on the freedom of trade, commerce and intercourse between the states or within a state in public interest. But, the Parliament cannot give preference to one state over another or discriminate between the states except in the case of scarcity of goods in any part of India.	The legislature of a state can impose reasonable restrictions on the freedom of trade, commerce and intercourse with that state or within that state in public interest. But, a bill for this purpose can be introduced in the legislature only with the previous sanction of the president. Further, the state legislature cannot give preference to one state over another or discriminate between the states.

Q.18) Consider the following statements regarding All India Services

1. Members of All-India services hold office during the pleasure of the president.
2. Disciplinary action against these officers can be taken by both the Central government as well as the state governments.

Choose the correct answer using codes below

- a) 1 only
- b) 2 only

- c) Both 1 and 2
d) Neither 1 nor 2

Q.18) Solution (a)

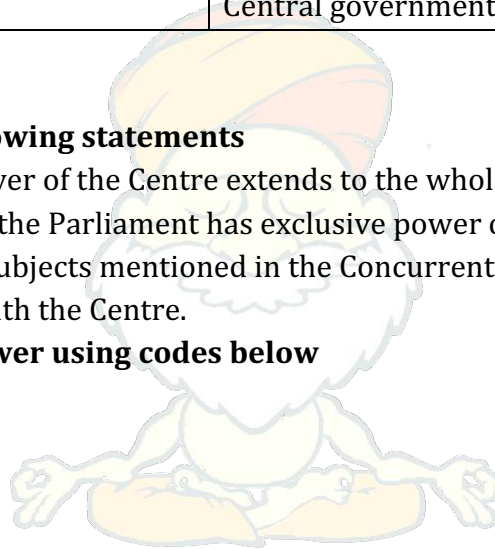
Statement 1	Statement 2
Correct	Incorrect
According to Article 310, members of the defense services, the civil services of the Centre and the all-India services or persons holding military posts or civil posts under the Centre, hold office during the pleasure of the president.	The all-India services are controlled jointly by the Central and state governments. The ultimate control lies with the Central government while the immediate control is vested in the state governments. Any disciplinary action (imposition of penalties) against these officers can only be taken by the Central government.

Q.19) Consider the following statements

1. The executive power of the Centre extends to the whole of India in respect to the matters on which the Parliament has exclusive power of legislation.
2. In respect to the subjects mentioned in the Concurrent list, the executive power by default rests with the Centre.

Choose the correct answer using codes below

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

**Q.19) Solution (a)**

Statement 1	Statement 2
Correct	Incorrect
The executive power of the Centre extends to the whole of India: (i) to the matters on which the Parliament has exclusive power of legislation (i.e., the subjects enumerated in the Union List); and (ii) to the exercise of rights, authority and jurisdiction conferred on it by any treaty or agreement.	In respect of matters on which both the Parliament and the state legislatures have power of legislation (i.e., the subjects enumerated in the Concurrent List), the executive power rests with the states except when a Constitutional provision or a parliamentary law specifically confers it on the Centre.

Q.20) The Centre is empowered to give directions to the states with regard to the exercise of their executive power in which of the following matters

1. Communication
2. Railways
3. Agriculture
4. Linguistic minority groups

Choose the correct answer using codes below

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

Q.20) Solution (c)

Statement 1	Statement 2	Statement 3	Statement 4
Correct	Correct	Incorrect	Correct
<p>The Centre is empowered to give directions to the states with regard to the exercise of their executive power in the following matters:</p> <p>(i) the construction and maintenance of means of communication (declared to be of national or military importance) by the state;</p> <p>(ii) the measures to be taken for the protection of the railways within the state;</p> <p>(iii) the provision of adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups in the state; and</p> <p>(iv) the drawing up and execution of the specified schemes for the welfare of the Scheduled Tribes in the state.</p>			

Q.21) Which of the following provisions ensure independence of Supreme Court in India?

1. Appointment of judges by President in consultation with the judiciary
2. Expenses Charged on Consolidated Fund of India
3. Judges can be removed only by the Chief Justice of India
4. Conduct of judges can be discussed only in the Parliament

Choose the correct answer using codes below

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

Q.21) Solution (a)

Statement 1	Statement 2	Statement 3	Statement 4
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Correct	Correct	Incorrect	Incorrect
The judges of the Supreme Court are appointed by the President (which means the cabinet) in consultation with the members of the judiciary itself (ie, judges of the Supreme Court and the high courts). This provision curtails the absolute discretion of the executive as well as ensures that the judicial appointments are not based on any political or practical considerations.	The salaries, allowances and pensions of the judges and the staff as well as all the administrative expenses of the Supreme Court are charged on the Consolidated Fund of India. Thus, they are non-votable by the Parliament (though they can be discussed by it).	The judges of the Supreme Court are provided with the Security of Tenure. They can be removed from office by the President only in the manner and on the grounds mentioned in the Constitution. This means that they do not hold their office during the pleasure of the President, though they are appointed by him. This is obvious from the fact that no judge of the Supreme Court has been removed (or impeached) so far.	The Constitution prohibits any discussion in Parliament or in a State Legislature with respect to the conduct of the judges of the Supreme Court in the discharge of their duties, except when an impeachment motion is under consideration of the Parliament.

Q.22) Consider the following statements regarding advisory jurisdiction of Supreme Court

1. The Supreme Court on any matter may tender or may refuse to tender its opinion to the president.
2. The opinion expressed by the Supreme Court is only advisory.

Choose the correct answer using codes below

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

Q.22) Solution (b)

Statement 1	Statement 2
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Incorrect	Correct
<p>The Constitution (Article 143) authorises the president to seek the opinion of the Supreme Court in the two categories of matters:</p> <p>(a) On any question of law or fact of public importance which has arisen or which is likely to arise.</p> <p>(b) On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, sanador other similar instruments.</p> <p>In the first case, the Supreme Court may tender or may refuse to tender its opinion to the president. But, in the second case, the Supreme Court 'must' tender its opinion to the president. In both the cases, the opinion expressed by the Supreme Court is only advisory and not a judicial pronouncement.</p>	

Q.23) As a Court of Record, which of the following powers have been bestowed upon the Supreme Court?

1. The recorded judgments of Supreme Court cannot be questioned when produced before any court.
2. Supreme Court has power to punish for contempt of court

Choose the correct answer using codes below

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



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Q.23) Solution (c)

Statement 1	Statement 2
Correct	Correct
<p>As a Court of Record, the Supreme Court has two powers:</p> <p>(a) The judgements, proceedings and acts of the Supreme Court are recorded for perpetual memory and testimony. These records are admitted to be of evidentiary value and cannot be questioned when produced before any court. They are recognised as legal precedents and legal references.</p> <p>(b) It has power to punish for contempt of court, either with simple imprisonment for a term up to six months or with fine up to 2,000 or with both. In 1991, the Supreme Court has ruled that it has power to punish for contempt not only of itself but also of high courts, subordinate courts and tribunals functioning in the entire country.</p>	

Q.24) Consider the following statements regarding National Emergency

1. Proclamation of emergency can survive beyond 6 months without approval from both the houses.
2. It can be revoked by the President without Parliamentary approval.
3. It has been proclaimed only once in India, post 1975.

Choose the correct answer using codes below

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

Q.24) Solution (a)

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
<p>The proclamation of Emergency must be approved by both the Houses of Parliament within one month from the date of its issue. However, if the proclamation of emergency is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of one month without approving the proclamation, then the proclamation survives until 30 days from the first sitting of the Lok</p>	<p>A proclamation of emergency may be revoked by the President at any time by a subsequent proclamation. Such a proclamation does not require the parliamentary approval.</p>	<p>There has not been any emergency post 1975, not even during Kargil war.</p>

Sabha after its reconstitution (it can take upto 6 months), provided the Rajya Sabha has in the meantime approved it.		
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Q.25) Which of the following statements regarding National Emergency are incorrect?

1. The state governments might be suspended while emergency is in operation.
2. The laws made by Parliament on the state subjects during a National Emergency remain in operation even after the emergency has ceased to operate.
3. During the emergency, the President can cancel the transfer of finances from Centre to the states without approval of Parliament.

Choose the correct answer using codes below

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

Q.25) Solution (d)

Statement 1	Statement 2	Statement 3
Incorrect	Incorrect	Incorrect
During a national emergency, the executive power of the Centre extends to directing any state regarding the manner in which its executive power is to be exercised. In normal times, the Centre can give executive directions to a state only on certain specified matters. However, during a national emergency, the Centre becomes entitled to give executive directions to a state on 'any' matter. Thus, the	The laws made by Parliament on the state subjects during a National Emergency become inoperative six months after the emergency has ceased to operate.	While a proclamation of national emergency is in operation, the President can modify the constitutional distribution of revenues between the Centre and the states. This means that the president can either reduce or cancel the transfer of finances from Centre to the states. Such modification continues till the end of the financial year in which the Emergency ceases to operate. Also, every such order of the

state governments are brought under the complete control of the Centre, though they are not suspended.		President has to be laid before both the Houses of Parliament.
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Q.26) Consider the following statements regarding effect of National emergency on fundamental rights

1. When a proclamation of national emergency is made, the six Fundamental Rights under Article 19 are automatically suspended.
2. Article 20 and 21 remain enforceable during emergency.
3. The legislative and executive actions taken during the emergency cannot be challenged even after the Emergency ceases to operate.

Choose the correct answer using codes below

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

Q.26) Solution (b)

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Incorrect
According to Article 358, when a proclamation of national emergency is made, the six Fundamental Rights under Article 19 are automatically suspended. No separate order for their suspension is required. However, the 44th Amendment Act of 1978 restricted the scope of Article 358. The six Fundamental Rights under Article 19 can be suspended only when the National Emergency is	After the 44th Amendment Act, the right to protection in respect of conviction for offences (Article 20) and the right to life and personal liberty (Article 21) remain enforceable even during emergency.	As per 44th amendment, only the executive action taken during emergency under concerned law is protected and legislative action is not.

declared on the ground of war or external aggression and not on the ground of armed rebellion.		
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Q.27) Consider the following statements regarding President's rule

1. President's rule can be imposed when a state fails to comply with the direction from the Centre.
2. A resolution approving the proclamation of President's Rule can be passed by either House of Parliament only by a simple majority.
3. The Parliament passes the state budget during imposition of President's rule.

Choose the correct answer using codes below

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

Q.27) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
Article 365 says that whenever a state fails to comply with or to give effect to any direction from the Centre, it will be lawful for the president to hold that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the Constitution.	Every resolution approving the proclamation of President's Rule or its continuation can be passed by either House of Parliament only by a simple majority, that is, a majority of the members of that House present and voting.	The President either suspends or dissolves the state legislative assembly. The Parliament passes the state legislative bills and the state budget.

Q.28) Consider the following statements regarding President's rule

1. During imposition of the President's rule, state executive is dismissed and state legislature is either suspended or dissolved.
2. Lok Sabha should pass a resolution for revocation of the President's rule.

Choose the correct answer using codes below

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

Q.28) Solution (a)

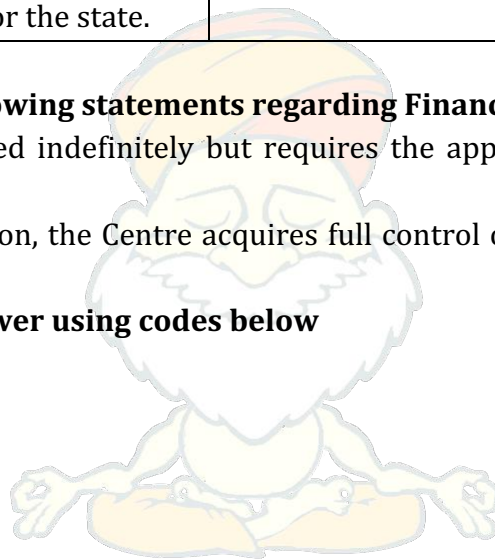
Statement 1	Statement 2
Correct	Incorrect
During its operation, the state executive is dismissed and the state legislature is either suspended or dissolved. The president administers the state through the governor and the Parliament makes laws for the state.	There is no such provision. It can be revoked by the President only on his own.

Q.29) Consider the following statements regarding Financial Emergency

1. It can be continued indefinitely but requires the approval of Parliament every year.
2. During its operation, the Centre acquires full control over the states in financial matters.

Choose the correct answer using codes below

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



Q.29) Solution (b)

Statement 1	Statement 2
Incorrect	Correct
Once approved by both the Houses of Parliament, the Financial Emergency continues indefinitely till it is revoked. This implies two things: 1. There is no maximum period prescribed for its operation; and 2. Repeated parliamentary approval is not required for its continuation.	During the operation of a financial emergency, the Centre acquires full control over the states in financial matters.

Q.30) The Supreme Court in Bommai case (1994) enlisted the situations where the exercise of power under Article 356 could be proper or improper. Which of

the following situations amount to proper imposition of President's rule in a state?

1. Hung assembly
2. Maladministration
3. Disregard of constitutional directions given by the Central government
4. Stringent financial exigencies

Choose the correct answer using codes below

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

Q.30) Solution (a)

Statement 1	Statement 3	Statement 2	Statement 4
Correct	Correct	Incorrect	Incorrect
<p>Imposition of President's Rule in a state would be proper in the following situations:</p> <ol style="list-style-type: none"> 1. Where after general elections to the assembly, no party secures a majority, that is, 'Hung Assembly'. 2. Where the party having a majority in the assembly declines to form a ministry and the governor cannot find a coalition ministry commanding a majority in the assembly. 3. Where a ministry resigns after its defeat in the assembly and no other party is willing or able to form a ministry commanding a majority in the assembly. 4. Where a constitutional direction of the Central government is disregarded by the state government. 5. Internal subversion where, for example, a government is deliberately acting against the Constitution and the law or is fomenting a violent revolt. 6. Physical breakdown where the government wilfully refuses to discharge its constitutional obligations endangering the security of the state. 		<p>The imposition of President's Rule in a state would be improper under the following situations:</p> <ol style="list-style-type: none"> 1. Where a ministry resigns or is dismissed on losing majority support in the assembly and the governor recommends imposition of President's Rule without probing the possibility of forming an alternative ministry. 2. Where the governor makes his own assessment of the support of a ministry in the assembly and recommends imposition of President's Rule without allowing the ministry to prove its majority on the floor of the Assembly. 3. Where the ruling party enjoying majority support in the assembly has suffered a massive defeat in the general elections to the Lok Sabha such as in 1977 and 1980. 4. Internal disturbances not amounting to internal subversion or physical breakdown. 5. Maladministration in the state or allegations of corruption against the ministry or stringent financial exigencies of the state. 6. Where the state government is not 	

	<p>given prior warning to rectify itself except in case of extreme urgency leading to disastrous consequences.</p> <p>7. Where the power is used to sort out intra-party problems of the ruling party, or for a purpose extraneous or irrelevant to the one for which it has been conferred by the Constitution.</p>
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Q.31) Consider the following statements regarding Supreme Court

1. It has the original, exclusive and final authority in deciding the disputes regarding the election of the President and the Vice President.
2. Its jurisdiction and powers with respect to matters in the Union list can be enlarged by the Parliament.

Choose the correct answer using codes below

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

Q.31) Solution (c)

Statement 1	Statement 2
Correct	Correct
It decides the disputes regarding the election of the president and the vice president. In this regard, it has the original, exclusive and final authority.	The Supreme Court's jurisdiction and powers with respect to matters in the Union list can be enlarged by the Parliament. Further, its jurisdiction and powers with respect to other matters can be enlarged by a special agreement of the Centre and the states.

Q.32) Consider the following statements regarding Supreme Court of India

1. Unlike Supreme Court of USA, Supreme Court in India has wide discretion to grant special leave to appeal in any matter against the judgement of any court or tribunal.
2. Unlike in USA, scope of judicial review by Supreme Court in India is very wide.

Choose the correct answer using codes below

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

Q.32) Solution (a)

Statement 1	Statement 2
Correct	Incorrect
Indian Supreme Court has a very wide discretion to grant special leave to appeal in any matter against the judgement of any court or tribunal (except military). American Supreme Court has no such plenary power.	Indian Supreme Court's scope of judicial review is limited. American Supreme Court's scope of judicial review is very wide.

Q.33) According to the Indian Constitution, scope of judicial review is limited to

1. Infringement of Fundamental rights
2. Law is outside the competence of the authority which has framed it
3. Question of reasonableness, suitability or policy implications

Choose the correct answer using codes below

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

Q.33) Solution (a)

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
<p>The constitutional validity of a legislative enactment or an executive order can be challenged in the Supreme Court or in the High Courts on the following three grounds.</p> <p>(a) it infringes the Fundamental Rights (Part III), (b) it is outside the competence of the authority which has framed it, and (c) it is repugnant to the constitutional provisions.</p> <p>Our Supreme Court, while determining the constitutionality of a law, examines only the substantive question i.e., whether the law is within the powers of the authority concerned or not. It is not expected to go into the question of its reasonableness, suitability or policy implications.</p>		

Q.34) In accordance with the Supreme Court guidelines, petitions belonging to which of the following categories alone can be entertained as PIL?

1. Petitions against atrocities on women

2. Petitions pertaining to environmental pollution
3. Petitions for early hearing of cases pending in High Courts and Subordinate Courts

Choose the correct answer using codes below

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

Q.34) Solution (a)

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
<p>In 1998, the Supreme Court formulated a set of guidelines to be followed for entertaining letters or petitions received by it as PIL. These guidelines were modified in 1993 and 2003. According to them, the letters or petitions falling under the following categories alone will ordinarily be entertained as PIL:</p> <ol style="list-style-type: none"> 1. Bonded labour matters 2. Neglected children 3. Non-payment of minimum wages to workers and exploitation of casual workers and complaints of violation of Labour Laws (except in individual cases) 4. Petitions from jails complaining of harassment, for pre-mature release and seeking release after having completed 14 years in jail, death in jail, transfer, release on personal bond, speedy trial as a fundamental right 5. Petitions against police for refusing to register a case, harassment by police and death in police custody 6. Petitions against atrocities on women, in particular harassment of bride, bride-burning, rape, murder, kidnapping, etc. 7. Petitions complaining of harassment or torture of villagers by co-villagers or by police from persons belonging to Scheduled Caste and Scheduled Tribes and economically backward classes 8. Petitions pertaining to environmental pollution, disturbance of ecological balance, drugs, food adulteration, maintenance of heritage and culture, 		<p>The cases falling under the following categories will not be entertained as PIL:</p> <ol style="list-style-type: none"> 1. Landlord-tenant matters 2. Service matter and those pertaining to pension and gratuity 3. Complaints against Central/ State Government departments and Local Bodies except those relating to item numbers. (1)-(10) above 4. Admission to medical and other educational institution 5. Petitions for early hearing of cases pending in High Courts and Subordinate Courts

antiques, forest and wild life and other matters of public importance 9. Petitions from riot-victims 10. Family pension	
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Q.35) Consider the following statements with respect to high courts in India

1. The Parliament can extend the jurisdiction of a high court to any union territory.
2. The Parliament can exclude the jurisdiction of a high court from any union territory.
3. The Parliament determines the strength of high court from time to time.

Choose the correct answer using codes below

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

Q.35) Solution (a)

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
The Parliament can extend the jurisdiction of a high court to any union territory or exclude the jurisdiction of a high court from any union territory.		The Constitution does not specify the strength of a high court and leaves it to the discretion of the president. Accordingly, the President determines the strength of a high court from time to time depending upon its workload.

Q.36) Which of the following are the qualifications prescribed in the Constitution for a judge of High Court?

1. He should be a citizen of India.
2. He should have completed 35 years of age.
3. He should have been an advocate of a high court for ten years.

Choose the correct answer using codes below

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

Q.36) Solution (c)

Statement 1	Statement 2	Statement 3
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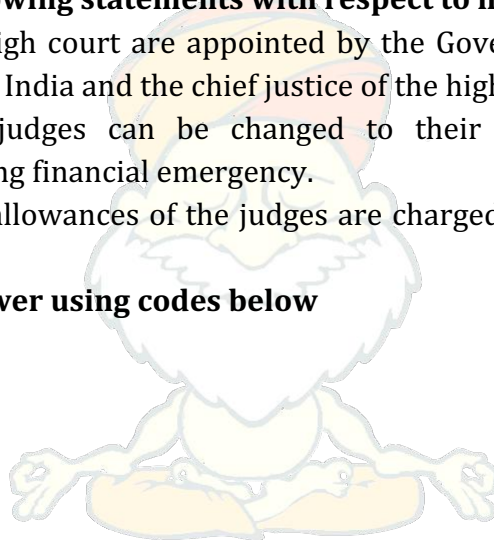
Correct	Incorrect	Correct
<p>A person to be appointed as a judge of a high court, should have the following qualifications:</p> <ol style="list-style-type: none"> 1. He should be a citizen of India. 2. (a) He should have held a judicial office in the territory of India for ten years; or (b) He should have been an advocate of a high court (or high courts in succession) for ten years. <p>From the above, it is clear that the Constitution has not prescribed a minimum age for appointment as a judge of a high court. Moreover, unlike in the case of the Supreme Court, the Constitution makes no provision for appointment of a distinguished jurist as a judge of a high court.</p>		

Q.37) Consider the following statements with respect to high courts in India

1. The judges of a high court are appointed by the Governor in consultation with the chief justice of India and the chief justice of the high court.
2. The salaries of judges can be changed to their disadvantage after their appointment during financial emergency.
3. The salaries and allowances of the judges are charged on the consolidated fund of the state.

Choose the correct answer using codes below

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



Q.37) Solution (b)

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Correct
The judges of a high court are appointed by the president (which means the cabinet) in consultation with the members of the judiciary itself (i.e., chief justice of India and the chief justice of the high court). This provision curtails the	The salaries, allowances, privileges, leave and pension of the judges of a high court are determined from time to time by the Parliament. But, they cannot be changed to their disadvantage after their appointment except	The salaries and allowances of the judges, the salaries, allowances and pensions of the staff as well as the administrative expenses of a high court are charged on the consolidated fund of the state. Thus, they are non-

absolute discretion of the executive as well as ensures that the judicial appointments are not based on any political or practical considerations.	during a financial emergency. Thus, the conditions of service of the judges of a high court remain same during their term of office.	votable by the state legislature (though they can be discussed by it). It should be noted here that the pension of a high court judge is charged on the Consolidated Fund of India and not the state.
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Q.38) In which of the following cases, high courts enjoy original jurisdiction in India?

1. Disputes relating to the election of members of Parliament
2. Enforcement of fundamental rights of citizens
3. Matters of marriage and divorce

Choose the correct answer using codes below

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

Q.38) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
<p>Original jurisdiction means the power of a high court to hear disputes in the first instance, not by way of appeal. It extends to the following:</p> <p>(a) Matters of admiralty, will, marriage, divorce, company laws and contempt of court.</p> <p>(b) Disputes relating to the election of members of Parliament and state legislatures.</p> <p>(c) Regarding revenue matter or an act ordered or done in revenue collection.</p> <p>(d) Enforcement of fundamental rights of citizens.</p> <p>(e) Cases ordered to be transferred from a subordinate court involving the interpretation of the Constitution to its own file.</p> <p>(f) The four high courts (i.e., Calcutta, Bombay, Madras and Delhi High Courts) have original civil jurisdiction in cases of higher value.</p>		

Q.39) Primary functions of Legal Services Authorities, established under the National Legal Services Authority (NALSA) are

1. To provide free legal services to the eligible persons
2. To organize Lok Adalats
3. To organize legal awareness camps in the rural areas

Choose the correct answer using codes below

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

Q.39) Solution (d)

Statement 1	Statement 2	Statement 3
Correct	Correct	Correct
Legal Services Authorities, established under the National Legal Services Authority (NALSA) discharge the following main functions on regular basis: <ol style="list-style-type: none"> 1. To provide free and competent legal services to the eligible persons. 2. To organize Lok Adalats for amicable settlement of disputes. 3. To organize legal awareness camps in the rural areas. 		

Q.40) Which of the following statement regarding Lok Adalats is incorrect?

- a) The award by the Lok Adalat is binding on the parties.
- b) The Lok Adalat has the same powers as are vested in a Civil Court.
- c) Appeal against the award of the Lok Adalat lies in the High Court.
- d) All of the above are correct.

Q.40) Solution (c)

Statement a	Statement b	Statement c
Correct	Correct	Incorrect
An award of a Lok Adalat shall be deemed to be a decree of a Civil Court or an order of any other court. Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute.	The Lok Adalat has the same powers as are vested in a Civil Court under the Code of Civil Procedure (1908)	No appeal shall lie to any court against the award of the Lok Adalat.