



IASBABA'S

60 DAYS PLAN

PRELIMS 2021

COMPILATIONS

POLITY - PART 2

www.iasbaba.com

Q.1) Consider the following statements about the President's Rule?

1. A proclamation imposing President's Rule must be approved by both the Houses of Parliament within two months from the date of its issue.
2. With the approval of the Parliament every year, the President's Rule can be extended for a maximum period of three years.

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.1) Solution (a)

Basic Information:

- Centre takes over the Government of a State under Article 356 in case of failure of constitutional machinery in state. This is popularly known as 'President's Rule'.
- The President's Rule can be proclaimed under Article 356 on two grounds—one mentioned in Article 356 itself and another in Article 365.

Statement Analysis:

Statement 1	Statement 2
Correct	Incorrect
<p>The President's Rule can be proclaimed under Article 356 on two grounds—one mentioned in Article 356 (If President is satisfied that a situation has arisen in which the government of a state cannot be carried on in accordance with the provisions of the Constitution) and another in Article 365 (whenever a state fails to comply with or to give effect to any direction from the Centre).</p> <p>A proclamation imposing President's Rule must be approved by both the Houses of Parliament within two months from the date of its issue. Every resolution approving the</p>	<p>If approved by both the Houses of Parliament, the President's Rule continues for six months. It can be extended for a maximum period of three years with the approval of the Parliament, every six months.</p>

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.	
--	--

Q.2) From the below, identify the correct statement with reference to the legislative powers of Governor:

- a) He can dissolve the state legislative assembly.
- b) He can appoint any member of the State legislative assembly to preside over its proceedings when the office of the Speaker falls vacant.
- c) He can promulgate an ordinance only when the legislative assembly is not in session in case of a bicameral legislature.
- d) He nominates only one-third of the members of the state legislative council.

Q.2) Solution (a)

Note: The Statement 1 is correct and you can eliminate other statements just by reading first statement.

The Governor can summon or prorogue the state legislature and dissolve the state legislative assembly. These powers are formal and the governor's use of these powers must comply with the advice of the Council of Ministers headed by the Chief Minister.

The Governor can appoint any member of the State legislative assembly to preside over its proceedings when the offices of **both the Speaker and the Deputy Speaker fall vacant**. Similarly, he can appoint any member of the state legislature council to preside over its proceedings when the offices of both Chairman and Deputy Chairman fall vacant.

The Governor can promulgate an ordinance only when the legislative assembly (in case of a unicameral legislature) is not in session or **(in case of a bicameral legislature) when both the Houses of the state legislature are not in session** or when either of the two Houses of the state legislature is not in session.

Governor **nominates one-sixth** of the members of the state legislative council.

Q.3) With reference to immunities to the President of India and Governor of states, consider the following statements:

1. No proceedings can be started against the President and the Governors in respect of their personal acts during the term of their office.
2. The President and the Governors can be sued after their term of office, for any act done by them in the exercise and performance of their official powers and duties.

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.3) Solution (d)

Basic Information:

- The Constitution confers certain immunities to the President of India and Governor of states with regard to their official acts and personal acts.

Statement Analysis:

Statement 1	Statement 2
Incorrect	Correct
No criminal proceedings can be started against the president and the governors in respect of their personal acts nor can they be arrested or imprisoned. This immunity is limited to the period of the term of their office only and does not extend beyond that. However, civil proceedings can be started against them during their term of office in respect of their personal acts after giving two months' advance notice.	The president and the governors cannot be sued during the term of their office or thereafter, for any act done by them in the exercise and performance of their official powers and duties. However, the official conduct of the President can be reviewed by a court, tribunal or any other body authorised by either House of Parliament to investigate charges for impeachment.

Q.4) With reference to laws enacted by Parliament on the subjects in the State List, consider the following statements:

1. Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.
2. Such laws enacted after the resolution of Rajya Sabha continue to be in force

indefinitely.

3. Such laws enacted during a national emergency will cease to have effect once the emergency has ceased to operate.

Which of the statements given above is/are correct?

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

Q.4) Solution (b)

Basic Information:

- The Constitution empowers the Parliament to make laws on any matter enumerated in the State List under the following extraordinary circumstances - when Rajya Sabha passes a resolution; during a National Emergency; during President's Rule; when States make a request and to Implement International Agreements.

Statement 1	Statement 2	Statement 3
Correct	Incorrect	Incorrect
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. Such a law can be amended or repealed only by the Parliament and not by the legislatures of the concerned states.	Parliament can make laws on a matter in state list, if the Rajya Sabha passes a resolution to that effect in the national interest. 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.	The Parliament acquires the power to legislate with respect to goods and services tax or matters in the State List, while a proclamation of national emergency is in operation. The laws become inoperative on the expiration of six months after the emergency has ceased to operate.

Q.5) Consider the following statements:

1. The Constitution lays down that a person shall be disqualified from being a member of Parliament if he is so disqualified on the ground of defection under the provisions of the Tenth Schedule.
2. Once a member of the House incurs disqualification under the Tenth Schedule, he cannot be permitted to contest again during the term for which he was elected.

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.5) Solution (c)

Disqualification on Ground of Defection

The Constitution also down that a person shall be disqualified from being a member of Parliament if he is so disqualified on the ground of defection under the provisions of the Tenth Schedule.

A member incurs disqualification under the defection law:

1. if he voluntary gives up the membership of the political party on whose ticket he is elected to the House;
2. if he votes or abstains from voting in the House contrary to any direction given by his political party;
3. if any independently elected member joins any political party; and
4. if any nominated member joins any political party after the expiry of six months.

The question of disqualification under the Tenth Schedule is decided by the Chairman in the case of Rajya Sabha and Speaker in the case of Lok Sabha (and not by the president of India). In 1992, the Supreme Court ruled that the decision of the Chairman/Speaker in this regard is subject to judicial review.

Do you know?

- Once a member of the House incurs disqualification under the Tenth Schedule, he cannot be permitted to contest again during the term for which he was elected.
- Article 172 makes a membership of a House co terminus with the term of five years of the House except in circumstances mentioned there in.

Q.6) In the case of Puducherry, the President of India can legislate by making regulations only

- a) When the Parliament passes a resolution to that effect
- b) When the Assembly passes a resolution to that effect
- c) When the Assembly is suspended or dissolved
- d) When the Lt. Governor requests him to do so

Q.6) Solution (c)

Explanation:

The President can make regulations for the peace, progress and good government of the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, and Daman and Diu.

In the case of Puducherry also, the President can legislate by making regulations but only when the assembly is suspended or dissolved.

Q.7) Which Article of the Indian Constitution mentions about 'Power of Governor to grant pardons, etc. and to suspend, remit or commute sentences in certain cases'?

- a) Article 167
- b) Article 164
- c) Article 161
- d) Article 165

Q.7) Solution (c)

Explanation:

- Article 161 of Constitution of India deals with 'Power of Governor to grant pardons, etc, and to suspend, remit or commute sentences in certain cases'.
- Article 164 of Constitution of India deals with 'Other provisions as to Ministers'.
- Article 165 of Constitution of India deals with ' Advocate General for the State'.
- Article 167 of Constitution of India deals with 'Duties of Chief Minister as respects the furnishing of information to Governor', etc.

Q.8) With reference to the Constitution of India, consider the following statements:

1. A person must prove his majority before he/she is appointed as a Chief Minister.
2. To be appointed as Chief Minister, person must be a member of State Legislature.

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.8) Solution (d)

Statement Analysis:

Statement 1	Statement 2
Incorrect	Incorrect
The constitution doesn't require that a person must prove his majority in the legislative assembly before he is appointed as a chief minister. The governor may first appoint as chief minister and then ask him to prove his majority in a reasonable period.	A Person who is not a member of state legislature can be appointed as a chief minister for six months within which he should be elected to the state legislature, failing which he ceases to be the chief minister.

Q.9) With reference to the official language of the States in India, consider the following statements:

1. A State can have more than one official language.
2. States can choose their official language only from the ones enumerated in the Eighth schedule.
3. English is the only link language for communications between various States.

Which of the statements given above is/are correct?

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

Q.9) Solution (a)

Elimination Method –

- Here Statement 1 is correct and you can eliminate Option (b). Both Statement 2 and Statement 3 have 'only' (extreme word) and you have to be more careful while reading these Statements.
- In this question, if one knows that even Hindi can also be used in addition to English for communication between States (Statement 3 is incorrect), he/she can eliminate three Options and mark Option (a) as their answer.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Correct	Incorrect	Incorrect
The legislature of a state may adopt any one or more of the languages in use in the state or Hindi as the official language of that state. Under this provision, most of the states have adopted the major regional language as their official language. For example, Andhra Pradesh has adopted Telugu, Kerala-Malayalam, Assam-Assamese etc. Gujarat has adopted Hindi in addition to Gujarati.	The choice of the state is not limited to the languages enumerated in the Eighth Schedule of the Constitution.	The official language of the Union (i.e., English) is the link language for communications between the Union and the states or between various states. But, two or more states are free to agree to use Hindi (instead of English) for communication between themselves. Rajasthan, Uttar Pradesh, Madhya Pradesh and Bihar are some of the states that have entered into such agreements.

Q.10) Which of the following is NOT the essential feature of a 'State'?

- Well defined territory
- Homogenous cultural beliefs
- Sovereignty
- Population

Q.10) Solution (b)

Basic Information:

- The state is an independent, sovereign government exercising control over a certain spatially defined and bounded area, whose borders are usually clearly defined and internationally recognized by other states.

- **There are four defining features of a State: Territory, Sovereignty, A form of Government and a Population.**
- States are tied to territory - Sovereign or state as absolute ruler over territory; Have clear borders; Defends and controls its territory within those borders and Is recognized by other countries (diplomatic recognition, passports, treaties, etc.)
- States have bureaucracies staffed by state's own personnel - Has a national bureaucracy staffed by government personnel (legal system, educational system, hierarchical governmental units, etc.)
- States monopolize certain functions within its territory (sovereign) - controls legitimate use of force within its territory; Controls money at the national scale (prints currency; collects taxes); Makes rules within its territory (law, regulations, taxes, citizenship, etc.); Controls much information within its territory; States try to form nations within their borders (through symbols, education, national interest etc.).
- **A nation is a group of people who see themselves as a cohesive and coherent unit based on shared cultural or historical criteria.** Hence 'Homogenous cultural beliefs' is not essential feature of 'State'.
- Nations are socially constructed units, not given by nature. Their existence, definition, and members can change dramatically based on circumstances. Nations in some ways can be thought of as - imagined communities that are bound together by notions of unity that can pivot around religion, ethnic identity, language, cultural practice and so forth.
- The concept and practice of a nation often ignore political boundaries such that a single nation may - spill over into multiple states. Furthermore, states \neq nations: not every nation has a state (e.g., Kurds; Roma; Palestine). Some states may contain all or parts of multiple nations.
- Nation-State is the idea of a homogenous nation governed by its own sovereign state - where each state contains one nation. This idea is almost never achieved.

Q.11) Arrange the following States in decreasing order of Lok Sabha Constituencies they have:

1. West Bengal
2. Maharashtra
3. Tamil Nadu
4. Bihar

Select the correct answer using the code given below:

- a) 4 – 1 – 2 – 3
- b) 4 – 3 – 2 – 1
- c) 2 – 1 – 4 – 3
- d) 2 – 3 – 4 – 1

Q.11) Solution (c)

Basic Information:

- Currently, there are 543 (530 States+13 UTs) Lok Sabha constituencies in India. Its distribution across states is Uttar Pradesh (80) > **Maharashtra (48) > West Bengal (42) > Bihar (40) > Tamil Nadu (39)** > Madhya Pradesh (29) > Karnataka (28) > Gujarat (26) > Rajasthan (25), Andhra Pradesh (25) > Orissa (21) > Kerala (20) > Telangana (17) > Assam (14), Jharkhand (14) > Punjab (13) > Chhattisgarh (11) > Haryana (10) > Delhi (7) > Jammu and Kashmir (5), Uttarakhand (5) > Himachal Pradesh (4).
- The Arunachal Pradesh, Goa, Manipur, Meghalaya and Tripura has 2 Lok Sabha constituencies each) while Mizoram, Nagaland, Sikkim, Puducherry, Chandigarh, Lakshadweep, Ladakh, Daman and Diu, Dadra and Nagar Haveli, Andaman and Nicobar Islands has 1 Lok Sabha constituencies each.
- Therefore **the correct decreasing order is: Maharashtra (48) > West Bengal (42) > Bihar (40) > Tamil Nadu (39).**

Q.12) Which of the following is not a correct difference between States and Union Territories (UTs)?

- a) The relationship of states with centre is federal while it is unitary for UTs.
- b) States share a distribution of power with the Centre, while UTs are under the direct control and administration of the Centre.
- c) A governor is a constitutional head of the state, whereas for UTs administrator is constitutional head.
- d) None of the above.

Q.12) Solution (c)

Basic Information:

Table 40.2 *Comparing States and Union Territories*

	<i>States</i>		<i>Union Territories</i>
1.	Their relationship with Centre is federal.	1.	Their relationship with Centre is unitary.
2.	They share a distribution of power with the Centre.	2.	They are under the direct control and administration of the Centre.
3.	They have autonomy.	3.	They do not have any autonomy.
4.	There is uniformity in their administrative set-up.	4.	There is no uniformity in their administrative set-up.
5.	Their executive head is known as governor.	5.	Their executive head is known by various designations—administrator or lieutenant governor or chief commissioner.
6.	A governor is a constitutional head of the state.	6.	An administrator is an agent of the president.
7.	Parliament cannot make laws on the subjects of the state list in relation to the states except under extraordinary circumstances.	7.	Parliament can make laws on any subject of the three lists in relation to the union territories.

Q.13) Consider the following statements:

1. The governor of concerned state with scheduled areas and scheduled tribes is empowered to increase or decrease the area of scheduled areas.
2. The governor of state with scheduled areas has to submit a report to the president regarding the administration of such areas, annually or whenever so required by the president.
3. Each state having scheduled areas has to establish a tribes advisory council to advise on welfare and advancement of the scheduled tribes.

Which of the above statements is/are incorrect?

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

Q.13) Solution (a)

Basic Information:

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

- Declaration of Scheduled Areas
- Executive Power of State and Centre: The executive power of a state extends to the scheduled areas therein. But the governor has a special responsibility regarding such areas.
- Tribes Advisory Council
- Law applicable to Scheduled Areas: The governor is empowered to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Correct
It is not the governor but the president is empowered to declare an area to be a scheduled \ area. He can also increase or decrease its area, alter its boundary lines, rescind such designation or make fresh orders for such redesignation on an area in consultation with the governor of the state concerned.	The governor has a special responsibility regarding such areas. He has to submit a report to the president regarding the administration of such areas, annually or whenever so required by the president.	Each state having scheduled areas has to establish a tribes advisory council to advise on welfare and advancement of the scheduled tribes. It is to consist of 20 members, three-fourths of whom are to be the representatives of the scheduled tribes in the state legislative assembly.

Q.14) Which of the following conditions is not true for the governor to reserve the bill for the consideration of the President:

- a) A state bill that endangers the position of the high court.
- b) A state bill that is opposed to the Directive Principles of State Policy.
- c) A state bill dealing with compulsory acquisition of property under Article 31A of the Constitution.
- d) A bill that originated and passed by the legislative council of the state but was rejected by the state legislative assembly.

Q.14) Solution (d)

Basic Information:

When a bill is sent to the governor after it is passed by state legislature, the Governor can:

- Give his assent to the bill, or
- Withhold his assent to the bill, or
- Return the bill (if it is not a money bill) for reconsideration of the state legislature.
- Reserve the bill for the consideration of the president. (Article 201)

Other conditions when governor can also reserve the bill for the consideration of the President:

- Ultra-vires, that is, against the provisions of the Constitution.
- Against the larger interest of the country.
- Of grave national importance.

Q.15) Consider the following statements with reference to passage of ordinary bill in state legislature with legislative council:

1. The council can detain or delay the bill for a maximum period of three months.
2. The constitution provides for joint sitting of both the houses of state legislature to resolve the disagreement over a bill.
3. If a bill that originated in the council and is transmitted to assembly, is rejected by the assembly, the bill ends and becomes dead.

Which of the statements given above is/are correct?

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

Q.15) Solution (c)

Basic Information:

- In a state legislature an ordinary bill can originate in either House of the state legislature (in case of a bicameral legislature).
- The ultimate power of passing an ordinary bill is vested in the assembly.
- The council has been given much lesser significance, position and authority than that of the Rajya Sabha at the Centre.
- After the bill is passed by the originating House, it is transmitted to the second House for consideration and passage. The council may pass it with or without amendment, or may reject it or may keep it pending.
- If the assembly rejects the amendments suggested by the council or the council rejects the bill altogether or the council does not take any action for three months, then the assembly may pass the bill again and transmit the same to the council.
- If the council rejects the bill again or passes the bill with amendments not acceptable to the assembly or does not pass the bill within one month, then the bill is deemed to have been passed by both the Houses in the form in which it was passed by the assembly for the second time.

Elimination:

If you know (and you must) that the provision for joint sitting is only for Union Legislature and not for states, so all options having Statement 2 can be eliminated. And by doing so, you are only left with option (c) as your answer.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Incorrect	Correct
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.	The Constitution does not provide for the mechanism of joint sitting of both the Houses of state legislature to resolve the disagreement over bill.	The Council has lesser authority over the passage of bills in state legislature.

Q.16) Consider the following statements with reference to the Chief Minister of a state:

1. The Constitution does not have specific procedure for the selection and appointment of the Chief Minister.

2. The Constitution does not require that a person must prove his majority in the legislative assembly before he is appointed as the Chief Minister.
3. A person who is not a member of the state legislature cannot be appointed as Chief Minister in any circumstances.

Which of the statements given above is/are correct?

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

Q.16) Solution (b)

Basic Information:

- The position of the Chief Minister at the state level is analogous to the position of prime minister at the Centre.
- CM finds mention in article 163, 164 and 167 of the Constitution. Article 164 says that CM shall be appointed by the Governor.
- According to the Constitution, the Chief Minister may be a member of any of the two Houses of a state legislature.
- In accordance with the conventions of the parliamentary system of government, the governor has to appoint the leader of the majority party in the state legislative assembly as the Chief Minister.
- If no political party has clear majority the governor may exercise his discretion in selecting CM and ask him to seek a vote of confidence in the House within a reasonable time.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Correct	Correct	Incorrect
Selection and appointment of CM is made through indirect references in various articles of Constitution and in accordance to some conventions.	The governor may first appoint a person as the CM and then ask him to prove his majority within a reasonable time.	Such a person can be appointed as the CM for six months, within which he has to get elected to the state legislature.

Q.17) With reference to the parliament of India, which of the following Parliamentary committees scrutinizes the assurances, promises, undertakings etc. given by ministers from time to time and report to the respective house and see whether such implementation has taken place within the minimum time necessary for the purpose?

- a) Committee on Government Assurances
- b) Committee on Subordinate Legislation
- c) Business Advisory Committee
- d) Committee on Public Accounts

Q.17) Solution (a)

Committee on Government Assurances

This committee scrutinizes the assurances, promises, undertakings etc. given by ministers from time to time and to report to the respective house and to see whether such implementation has taken place within the minimum time necessary for the purpose. The committee consists of 15 members in Lok Sabha and 10 members in Rajya Sabha.

Q.18) Who among the following are prohibited from receiving any foreign contributions/donations?

- 1. Government officials
- 2. Judges
- 3. Media persons

Choose correct answer:

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

Q.18) Solution (d)

Members of the legislature and political parties, government officials, judges and media persons are prohibited from receiving any foreign contribution.

Section 29B of the Representation of the People (1951) Act prohibits all political parties registered with the Election Commission from accepting any contribution from a "foreign source." Moreover, section 3 of the 2010 Foreign Contribution (Regulation) Act bars candidates,

legislative members, political parties and party officeholders from accepting foreign contributions.

Q.19) Consider the following statements about Skill India Mission Pradhan Mantri Kaushal Vikas Yojana (PMKVY 3.0):

1. It envisages training of eight lakh candidates over a scheme period of 2020-2021 with an outlay of Rs. 948.90 crore.
2. In this third version, the government wants to focus on matching local skilling requirements with local job opportunities.

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.19) Solution (c)

Explanation

On January 15, 2021, the Ministry of Skill Development and Entrepreneurship (MSDE) launched the Pradhan Mantri Kaushal Vikas Yojana (PMKVY) 3.0. This is the third phase of the scheme which was launched in 2015 to give a boost to skilling in the country. In this third version, the government wants to focus on matching local skilling requirements with local job opportunities. The thrust of PMKVY 3.0 is on empowering States and districts to implement skilling schemes by making regional-level plans.

The scheme guidelines state that the scheme shall be implemented in two phases. The first is being implemented on a pilot basis during the 2020-21 fiscal year, while simultaneously initiating the creation of an implementation framework for the second phase (2021-2026).

Skill India Mission PMKVY 3.0 envisages training of eight lakh candidates over a scheme period of 2020-2021 with an outlay of Rs. 948.90 crore. The 729 Pradhan Mantri Kaushal Kendras (PMKKs), empaneled non-PMKK training centres and more than 200 ITIs under Skill India will be rolling out PMKVY 3.0 training to build a robust pool of skilled professionals. On the basis of the learning gained from PMKVY 1.0 and PMKVY 2.0, the Ministry has improved the newer version of the scheme to match the current policy doctrine and energize the skilling ecosystem affected due to the COVID-19 pandemic.

Q.20) Consider the following statements with reference to Pradhan Mantri Matri Vandana Yojana (PMMVY):

1. It is a Maternity Benefit Programme that is implemented in all the districts of the country in accordance with the provision of the National Food Security Act, 2013.
2. It is a conditional cash transfer scheme for pregnant and lactating women of 19 years of age or above for the first live birth.

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.20) Solution (c)

Pradhan Mantri Matri Vandana Yojana (PMMVY) is a maternity benefit program run by the government of India. It was introduced in 2017 and is implemented by the Ministry of Women and Child Development.

- It is a conditional cash transfer scheme for pregnant and lactating women of 19 years of age or above for the first live birth.
- It provides a partial wage compensation to women for wage-loss during childbirth and childcare and to provide conditions for safe delivery and good nutrition and feeding practices.
- In 2013, the scheme was brought under the National Food Security Act, 2013 to implement the provision of cash maternity benefit of ₹6,000 (US\$84) stated in the Act.

Q.21) Which of the statements given below is/are correct?

1. Constitution of India provides for a federal system of government.
2. The Indian federal system is based on the 'American model'.
3. The Indian federal system is based on the 'Canadian model'.

Choose correct answer:

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

Q.21) Solution (d)

Statement Analysis:

Statement 1	Statement 2	Statement 3
Correct	Incorrect	Correct
The Constitution of India provides for a federal system of government in the country. However, the term 'federation' has nowhere been used in the Constitution.	The Indian federal system is based on the 'Canadian model' and not on the 'American model'.	The Indian federation resembles the Canadian federation <ul style="list-style-type: none"> (i) in its formation (i.e., by way of disintegration); (ii) in its preference to the term 'Union' (the Canadian federation is also called a 'Union'); and (iii) in its centralising tendency (i.e., vesting more powers in the centre vis-a-vis the states)

Do you know?

- The framers adopted the federal system due to two main reasons —the large size of the country and its socio-cultural diversity.
- They realized that the federal system not only ensures the efficient governance of the country but also reconciles national unity with regional autonomy.

Q.22) Which among the following trends in the working of Indian political system reflects its federal spirit?

1. Territorial disputes between states
2. Disputes between states over sharing of river water

3. The emergence of regional parties and their coming to power in some states
4. The creation of new states to fulfill the regional aspirations

Choose appropriate code:

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

Q.22) Solution (d)

The following trends in the working of Indian political system reflects its federal spirit:

- (i) Territorial disputes between states, for example, between Maharashtra and Karnataka over Belgaum;
- (ii) Disputes between states over sharing of river water, for example, between Karnataka and Tamil Nadu over Cauvery Water;
- (iii) The emergence of regional parties and their coming to power in states like Andhra Pradesh, Tamil Nadu, etc.;
- (iv) The creation of new states to fulfil the regional aspirations, for example, Mizoram or recently Jharkhand;
- (v) Demand of the states for more financial grants from the Centre to meet their developmental needs;
- (vi) Assertion of autonomy by the states and their resistance to the interference from the Centre;
- (vii) Supreme Court's imposition of several procedural limitations on the use of Article 356 (President's Rule in the States) by the Centre.

Q.23) Which of the statements given below is/are *not true* with regard to Constitution of India?

1. Constitution of India divides all powers - legislative, executive, judicial and financial - between the Centre and the states.
2. Constitution does not contain elaborate provisions to regulate the various dimensions of the relations between the Centre and the states.

Choose appropriate code:

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

Q.23) Solution (c)

Statement Analysis:

Statement 1	Statement 2
Not True	Not True
<p>The Constitution of India, being federal in structure, divides all powers (legislative, executive and financial) between the Centre and the states.</p> <p>However, there is no division of judicial power as the Constitution has established an integrated judicial system to enforce both the Central laws as well as state laws.</p>	<p>Constitution contains elaborate provisions to regulate the various dimensions of the relations between the Centre and the states.</p> <p>The Centre-state relations can be studied under three heads:</p> <ul style="list-style-type: none"> • Legislative relations. • Administrative relations. • Financial relations.

Q.24) Consider the following statements and identify the correct ones:

1. Indian Constitution divides the legislative powers between the Centre and the states with respect to both the territory and the subjects of legislation.
2. The Seventh Schedule contains three Legislative Lists which enumerate subjects of administration, viz., Union, State and Concurrent Legislative Lists.

Choose appropriate code:

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

Q.24) Solution (c)

Statement Analysis:

Statement 1	Statement 2
Correct	Correct
<p>Like any other Federal Constitution, the Indian Constitution also divides the legislative powers between the Centre and the states with respect to both the territory and the subjects of legislation.</p> <p>Do you know?</p> <p>There are four aspects in the Centre–states legislative relations, viz.,</p> <ul style="list-style-type: none"> • Territorial extent of Central and state legislation; • Distribution of legislative subjects; • Parliamentary legislation in the state field; and • Centre's control over state legislation. 	<p>The Seventh Schedule contains three Legislative Lists which enumerate subjects of administration, viz., Union, State and Concurrent Legislative Lists.</p> <p>The Union List consisted of 97 subjects, the more important of which are defence, foreign affairs, railways, posts and tele-graphs, currency, etc.</p> <p>The State List consisted of 66 subjects, including, inter-alia public order, police, administration of justice, public health, education, agriculture etc.</p> <p>The Concurrent List embraced 47 subjects including criminal law, marriage, divorce, bankruptcy, trade unions, elec-tricity, economic and social planning, etc.</p>

Q.25) Consider the following statements:

1. In case of a conflict between the Central law and the state law on a subject enumerated in the Concurrent List, the Central law prevails over the state law
2. If the state law has been reserved for the consideration of the president and has received his assent, then the state law prevails in that state
3. It means, only in the above case [statement (2)], Parliament cannot override over the state law

Which of the statements given above is/are correct?

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

d) None of the above

Q.25) Solution (a)

Statement Analysis:

Statement 1 and 2	Statement 3
Correct	Incorrect
<p>In case of a conflict between the Central law and the state law on a subject enumerated in the Concurrent List, the central law prevails over the state law. But, there is an exception.</p> <p>If the state law has been reserved for the consideration of the president and has received his assent, then the state law prevails in that state.</p>	<p>As it would still be competent for the Parliament to override such a law by subsequently making a law on the same matter.</p>

Q.26) The objectives (or the functions) of the zonal councils does not include which of the following:

- a) To help in arresting the growth of acute state-consciousness, regionalism, linguism and particularistic trends
- b) To help in removing the after-effects of separation in some cases so that the process of reorganisation, integration and economic advancement may synchronise
- c) To secure some kind of political equilibrium between different regions of the country
- d) None of the above

Q.26) Solution (d)

The objectives (or the functions) of the zonal councils, in detail, are as follows:

- (i) To achieve an emotional integration of the country.
- (ii) To help in arresting the growth of acute state-consciousness, regionalism, linguism and particularistic trends.
- (iii) To help in removing the after-effects of separation in some cases so that the process of reorganisation, integration and economic advancement may synchronise.

- (iv) To enable the Centre and states to cooperate with each other in social and economic matters and exchange ideas and experience in order to evolve uniform policies.
- (v) To cooperate with each other in the successful and speedy execution of major development projects.
- (vi) To secure some kind of political equilibrium between different regions of the country.

Q.27) Which schedule deals with the provisions relating to disqualification of the members of Parliament and State Legislatures on the ground of defection?

- a) Seventh schedule
- b) Tenth schedule
- c) Eighth schedule
- d) Ninth schedule

Q.27) Solution (b)

Tenth Schedule deals with the provisions relating to disqualification of the members of Parliament and State Legislatures on the ground of defection. This schedule was added by the 52nd Amendment Act of 1985, also known as Anti-defection Law.

Q.28) Consider the following statements:

1. The power to declare a scheduled area is vested in President
2. The power to alter the boundary of scheduled area is vested in Governor
3. The alteration in boundaries of scheduled areas is done by legislation

Which of the above statements is/are correct?

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

Q.28) Solution (a)

Statement Analysis:

Statement 1	Statement 2 and 3
Correct	Incorrect
<p>In India, the scheduled areas can be declared by President by order.</p> <p>This means a scheduled area, there is no need of any legislation.</p>	<p>The President at any time can order that the whole or part of a scheduled area ceases to be scheduled area.</p> <p>Thus, the President of India has the power to declare an area as scheduled area and also the power to declare a scheduled area to be ceased to be known as scheduled area.</p> <p>The power to alter boundaries of Scheduled area, President can also by order alter the boundaries of the scheduled areas.</p> <p>However, to change the boundary of a scheduled area, the president is required to consult the Governor of the state in which the area is located.</p>

Q.29) With regard to Sixth Schedule of the Constitution, consider the following statements

1. The Governor is empowered to organise and re-organise the autonomous districts
2. Each autonomous district has a district council consisting of both elected and nominated members

Which of the above statements is/are correct?

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

Q.29) Solution (c)

Basic information:

The Constitution, under Sixth Schedule, contains special provisions for the administration of tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram. The

rationality behind the special arrangements in respect of only these four states lies in the following:

“The tribes in Assam, Meghalaya, Tripura and Mizoram have not assimilated much the life and ways of the other people in these states. These areas have hitherto been anthro-pological specimens. The tribal people in other parts of India have more or less adopted the culture of the majority of the people in whose midst they live. The tribes in Assam, Meghalaya, Tripura and Mizoram, on the other hand, still have their roots in their own culture, customs and civilization.

These areas are, therefore, treated differently by the Constitution and sizeable amount of autonomy has been given to these people for self-government.

Statement Analysis:

Statement 1	Statement 2
Correct	Correct
The governor is empowered to organise and re-organise the autonomous districts. Thus, he can increase or decrease their areas or change their names or define their boundaries and so on.	Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.

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

1. The tribal areas in the four states of Assam, Meghalaya, Tripura and Mizoram have been constituted as autonomous districts. But, they do not fall outside the executive authority of the state concerned.
2. The governor is empowered to organise and re-organise the autonomous districts. Thus, he can increase or decrease their areas or change their names or define their boundaries and so on.
3. If there are different tribes in an autonomous district, the governor can divide the district into several autonomous regions.
4. Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise. The elected members hold office for a term of five years (unless the council is

dissolved earlier) and nominated members hold office during the pleasure of the governor. Each autonomous region also has a separate regional council.

5. The district and regional councils administer the areas under their jurisdiction. They can make laws on certain specified matters like land, forests, canal water, shifting cultivation, village administration, inheritance of property, marriage and divorce, social customs and so on. But all such laws require the assent of the governor.
6. The district and regional councils within their territorial jurisdictions can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of high court over these suits and cases is specified by the governor.
7. The district council can establish, construct or manage primary schools, dispensaries, markets, ferries, fisheries, roads and so on in the district. It can also make regulations for the control of money lending and trading by non-tribals. But, such regulations require the assent of the governor.
8. The district and regional councils are empowered to assess and collect land revenue and to impose certain specified taxes.
9. The acts of Parliament or the state legislature do not apply to autonomous districts and autonomous regions or apply with specified modifications and exceptions.
10. The governor can appoint a commission to examine and report on any matter relating to the administration of the autonomous districts or regions. He may dissolve a district or regional council on the recommendation of the commission.

Q.30) Constitution has provided for certain provisions with regard to inter-state comity or harmony. Identify the correct ones from the below:

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

Choose the correct codes from below options:

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

Q.30) Solution (a)

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

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

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

Q.31) Consider the following statements:

1. The governor of concerned state with scheduled areas and scheduled tribes is empowered to increase or decrease the area of scheduled areas.
2. The governor of state with scheduled areas has to submit a report to the president regarding the administration of such areas, annually or whenever so required by the president.
3. Each state having scheduled areas has to establish a tribes advisory council to advise on welfare and advancement of the scheduled tribes.

Which of the above statements is/are incorrect?

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

Q.31) Solution (a)

Basic Information:

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

- Declaration of Scheduled Areas

- Executive Power of State and Centre: The executive power of a state extends to the scheduled areas therein. But the governor has a special responsibility regarding such areas.
- Tribes Advisory Council
- Law applicable to Scheduled Areas: The governor is empowered to direct that any particular act of Parliament or the state legislature does not apply to a scheduled area or apply with specified modifications and exceptions.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Correct
It is not the governor but the president is empowered to declare an area to be a scheduled \ area. He can also increase or decrease its area, alter its boundary lines, rescind such designation or make fresh orders for such redesignation on an area in consultation with the governor of the state concerned.	The governor has a special responsibility regarding such areas. He has to submit a report to the president regarding the administration of such areas, annually or whenever so required by the president.	Each state having scheduled areas has to establish a tribes advisory council to advise on welfare and advancement of the scheduled tribes. It is to consist of 20 members, three-fourths of whom are to be the representatives of the scheduled tribes in the state legislative assembly.

Q.32) Which of the following provisions is/are provided in the Constitution to secure cooperation and coordination between the Centre and the states?

1. President can establish an Inter-State Council to investigate and discuss subject of common interest between the Centre and the states.
2. Parliament can 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.

Choose correct answer:

- a) 1 only

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

Q.32) Solution (c)

Explanation:

Cooperation Between the Centre and States

The Constitution contains the following provisions to secure cooperation and coordination between the Centre and the states:

- (i) The Parliament can 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) The President can establish (under Article 263) an Inter-State Council to investigate and discuss subject of common interest between the Centre and the states. Such a council was set up in 1990.
- (iii) Full faith and credit is to be given throughout the territory of India to public acts, records and judicial proceedings of the Centre and every state.
- (iv) The Parliament can appoint an appropriate authority to carry out the purposes of the constitutional provisions relating to the interstate freedom of trade, commerce and intercourse. But, no such authority has been appointed so far.

Q.33) Article 262 of the Constitution provides for the adjudication of inter-state water disputes. Which of the following is/are part of provisions provided by the Constitution with regard to it?

- 1. Constitution provides for setting up of Inter-State Water Disputes 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.
- 2. Constitution provides for the establishment of River Boards for the regulation and development of inter-state river and river valleys.

Choose correct answer:

- a) 1 only
- b) 2 only

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

Q.33) Solution (d)

Basic information:

Article 262 of the Constitution provides for the adjudication of inter-state 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.

Note: **Article 262** or **Constitution itself does not provide for** setting up of Inter-State Water Disputes tribunals or River Boards, hence both the statements are incorrect.

Under the Article 262 provisions, the Parliament has enacted two laws [the River Boards Act (1956) and the Inter-State Water Disputes Act (1956)].

- The **River Boards Act** provides for the establishment of river boards for the regulation and development of inter-state river and river valleys. A river board is established by the Central government on the request of the state governments concerned to advise them.
- 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.34) Zonal Councils are the statutory bodies established by an Act of the Parliament. The act divided the country into five zones and provided a zonal council for each zone. Each Zonal Council consists of which of the following members?

1. Home minister of Central government
2. Home ministers of all the States in the zone
3. Chief ministers of all the States in the zone

4. Administrator of each union territory in the zone

Choose correct answer:

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

Q.34) Solution (b)

Basic information: Zonal Councils

The Zonal Councils are the statutory (and not the constitutional) bodies. They are established by an Act of the Parliament, that is, States Reorganisation Act of 1956. The act divided the country into five zones (Northern, Central, Eastern, Western and Southern) and provided a zonal council for each zone.

While forming these zones, several factors have been taken into account which include: the natural divisions of the country, the river systems and means of communication, the cultural and linguistic affinity and the requirements of economic development, security and law and order.

Each zonal council consists of the following members:

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

Besides, the following persons can be associated with the zonal council as advisors (i.e., without the right to vote in the meetings):

- (i) a person nominated by the Planning Commission;
- (ii) chief secretary of the government of each state in the zone; and
- (iii) development commissioner of each state in the zone.

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

Q.35) Consider the following statements about Indian federal system

1. The Indian federal system is based on the British model
2. The Indian federation is not the result of an agreement among the states but they have right to secede from the federation

Which of the above statements is/are correct?

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

Q.35) Solution (d)

The Constitution of India provides for a federal system of government in the country. The framers adopted the federal system due to two main reasons—the large size of the country and its sociocultural diversity. They realised that the federal system not only ensures the efficient governance of the country but also reconciles national unity with regional autonomy.

However, the term 'federation' has nowhere been used in the Constitution.

Instead, Article 1 of the Constitution describes India as a 'Union of States'. According to Dr B R Ambedkar, the phrase 'Union of States' has been preferred to 'Federation of States' to indicate two things:

- (i) The Indian federation is not the result of an agreement among the states like the American federation; and
- (ii) The states have no right to secede from the federation. The federation is union because it is indestructible.

The Indian federal system is based on the 'Canadian model' and not on the 'American model'. The 'Canadian model' differs fundamentally from the 'American model' in so far as it establishes a very strong centre. The Indian federation resembles the Canadian federation (i) in its formation (i.e., by way of disintegration); (ii) in its preference to the term 'Union' (the Canadian federation is also called a 'Union'); and (iii) in its centralising tendency (i.e., vesting more powers in the centre vis-a-vis the states).

Q.36) Constitution has defined the territorial limits of the legislative powers vested in the Centre and the states. Which of the below statement is not true in regard to it?

- a) A state legislature can make laws for the whole or any part of the state.
- b) The laws made by a state legislature are not applicable outside the state, except when there is a sufficient nexus between the state and the object.
- c) Parliament can make laws for the whole or any part of the territory of India.
- d) Neither parliament nor state legislature can make 'extra-territorial legislation'.

Q.36) Solution (d)

Explanation:

Statement (d) is not true. The Constitution defines the territorial limits of the legislative powers vested in the Centre and the states.

Constitution provides that Parliament alone can make 'extra-territorial legislation'. Thus, the laws of the Parliament are also applicable to the Indian citizens and their property in any part of the world.

Statement Analysis:

Statement 1	Statement 2	Statement 3	Statement 4
True	True	True	Not True
A state legislature can make laws for the whole or any part of the state.	The laws made by a state legislature are not applicable outside the state, except when there is a sufficient nexus between the state and the object.	The Parliament can make laws for the whole or any part of the territory of India. The territory of India includes the states, the union territories, and any other area for the time being included in the territory of India.	The Parliament alone can make 'extra-territorial legislation'. The laws of the Parliament are also applicable to the Indian citizens and their property in any part of the world.

Q.37) 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 1 and 2
- d) Neither 1 nor 2

Q.37) 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.

Q.38) Consider the following statements about Rashtriya Arogya Nidhi (RAN) scheme

1. It provides for financial assistance to only patients, living below poverty line who are suffering from major life threatening diseases
2. The RAN Fund could also be subscribed by individuals in India or abroad with the approval of FCRA

Which of the above statements is/are correct?

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

Q.38) Solution (c)

The Scheme provides for financial assistance to patients, living below poverty line who are suffering from major life threatening diseases, to receive medical treatment at any of the super specialty Govt. hospitals / institutes or other Govt. hospitals. The financial assistance to such patients is released in the form of 'one time grant' to the Medical Superintendent/Director of the hospital in which the treatment is being received.

It has been registered under the Society Registration Act, 1860, as an Autonomous Society. This was set up with an initial contribution of Rs. 5 crore from Ministry of Health & Family Welfare. The Fund could also be subscribed by individuals in India or abroad with the approval of FCRA, Corporate bodies in private or public sector, philanthropic organisations and all contributions made to this fund are exempt from payment of Income-Tax under section 80-G of Income-Tax Act, 1961

Eligibility for Assistance under RAN:

- (i) Only for persons below the poverty line suffering from specified life threatening disease.
- (ii) Assistance admissible for treatment in Government Hospital only.
- (iii) Central Government/State Government/PSU employees not eligible.
- (iv) Re-imbursement of Medical Expenditure already incurred by the patient shall not be permissible.
- (v) Diseases of common nature and disease for which treatment is available free of cost under other health programmes/schemes are not eligible for grant.
- (vi) Patient taking treatment in his/her State should preferentially avail assistance from State Illness Fund (where such fund has been set up) provided medical estimate does not exceed Rs. 1.50 lakh.
- (vii) Cases of estimates above Rs.1.50 lakh to be referred by States for assistance from Rashtriya Arogya Nidhi (Central Fund) of the Ministry of Health & Family Welfare.

Q.39) Consider the following statements about 'Cities Innovation Exchange':

- 1. This platform is released by NITI Aayog for assessment of cities.
- 2. This platform will lead to comparison of different cities based on the innovation among people.

Form the following options, choose the correct answer:

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

Q.39) Solution (d)

Explanation:

Cities Innovation Exchange

City Innovation Exchange was launched by Ministry of Housing & Urban Affairs.

Designed on the philosophy of 'everyone is an innovator', the platform will bring together Citizen Organisations-Academia- Businesses- Government to co-create for the future of Urban India in a transparent and sustainable manner. The Smart Cities Mission will partner and effectively collaborate with Startup India, Atal Innovation Mission, AGNli and other initiatives in the Indian Innovation ecosystem.

Built on the concept of 'open innovation', the platform will help in the flow of ideas 'outside in and inside out', enhancing the skills and capacity required to deliver smart urban governance. Through interaction with the Academia and Businesses/Start-ups, the platform will benefit cities in the transfer of ideas from 'labs' to real environment. Similarly, by helping urban governments interact with citizens, the platform will ensure adoption of tested solutions that will be impactful and sustainable.

The platform in due time will help our cities in adopting solutions that will enhance the quality of life for its residents and significantly improve the Ease of Doing Business.

The Platform has more than 400 start-ups, 100 smart cities, more than 150 challenges statements and over 215 solutions at the time of launch.

Q.40) Consider the following statements about recent launched schemes –

1. National Urban Digital Mission (NUDM) will create a shared digital infrastructure for urban India.
2. India Urban Data Exchange has been developed by NITI Aayog.

Choose the correct answer form the given option below –

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

Q.40) Solution (a)

Explanation:

National Urban Digital Mission (NUDM)

The National Urban Digital Mission (NUDM) will create a shared digital infrastructure for urban India, working across the three pillars of people, process, and platform to provide holistic

support to cities and towns. It will institutionalise a citizen-centric and ecosystem-driven approach to urban governance and service delivery in 2022 cities by 2022, and across all cities and towns in India by 2024.

- NUDM is citizen-centric, ecosystem-driven, and principles-based in both design and implementation.
- NUDM has articulated a set of governing principles, and inherits the technology design principles of the National Urban Innovation Stack (NUIS), whose strategy and approach was released by MoHUA in February, 2019.
- The principles in turn give rise to standards, specifications, and certifications, across the three pillars of people, process, and platforms.

India Urban Data Exchange (IUDX)

- The India Urban Data Exchange has been developed in partnership between the Smart Cities Mission and the Indian Institute of Science (IISc), Bengaluru.
- IUDX serves as a seamless interface for data providers and data users, including ULBs, to share, request, and access datasets related to cities, urban governance, and urban service delivery.
- IUDX is an open-source software platform which facilitates the secure, authenticated, and managed exchange of data amongst various data platforms, 3rd party authenticated and authorised applications, and other sources.

Q.41) Article 142 is associated with

- a) Enforcement of orders of Supreme Court
- b) Special Leave Petition of Supreme Court
- c) Advisory jurisdiction of Supreme Court
- d) Review of judgments by Supreme Court

Q.41) Solution (a)

Explanation:

Article 142 deals with the Enforcement of decrees and orders of Supreme Court.

As per it 'the Supreme Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for doing complete justice...'

The article is often in news for judicial activism or overreach.

Q.42) In the case of Puducherry, the President of India can legislate by making regulations only

- a) When the Parliament passes a resolution to that effect
- b) When the Assembly passes a resolution to that effect
- c) When the Assembly is suspended or dissolved
- d) When the Lt. Governor requests him to do so

Q.42) Solution (c)

Explanation:

The President can make regulations for the peace, progress and good government of the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, and Daman and Diu.

In the case of Puducherry also, the President can legislate by making regulations but only when the assembly is suspended or dissolved.

Q.43) Consider the following statements:

- 1. Transfer of judges from one High Court to any other High Court is provided under Article 222 of the Constitution
- 2. The power of transferring High court judges lies only in the hands of CJI.

Which of the above statements is/are correct?

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

Q.43) Solution (a)

Procedure of transfer of HC judge:

- Article 222 of the Constitution makes provision for the transfer of a Judge (including Chief Justice) from one High Court to any other High Court.
- The initiation of the proposal for the transfer of a Judge should be made by the Chief

Justice of India(CJI).

- The opinion of the CJI “is determinative”.
- Consent of the Judge for his first or subsequent transfer would not be required.
- CJI is expected to take into account the views of the Chief Justice of the High Court from which the Judge is to be transferred and Chief Justice of the High Court to which the transfer is to be effected.
- The views of one or more Supreme Court Judges who are in a position to offer his/their views are also taken into account.
- In the case of transfer of a Chief Justice, only the views of one or more knowledgeable Supreme Court Judges need to be taken into account.
- The views on the proposed transfer of a Judge or a Chief Justice of the High Court should be expressed in writing and should be considered by the CJI and the four senior most Judges of the Supreme Court.
- The proposal once referred to the Government, the Union Minister of Law, Justice and Company Affairs would submit a recommendation to the Prime Minister who will then advise the President as to the transfer of the Judge concerned.
- After the President approves the transfer, the notification will be gazetted and the judge remains transferred.

Q.44) Which of the following statements says about Article 143:

- a) President to seek the opinion of Supreme court
- b) The executive power of the State shall be vested in the Governor
- c) There shall be a Comptroller and Auditor General of India
- d) Supreme Court the can take up cases straight instead of going through a lower court

Q.44) Solution (a)

Article 143 is about Advisory Jurisdiction

The Constitution under Article 143 authorises the President to seek the opinion of the Supreme Court in the two categories of matters:

- On any question of law or fact of public importance which has arisen or which is likely to arise. The SC may tender or may refuse to tender its opinion to the President.
- On any dispute arising out of any pre-constitution treaty, agreement, covenant, engagement, sanador other similar instruments. Here, the SC 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. Hence, it is not binding on the President.

The references made by the President under Article 143 are decided by a Bench consisting of at least five judges.

Few important references made by the President to the SC under its advisory jurisdiction are:

- Berubari Union, 1960.
- Cauvery Water Disputes Tribunal, 1992.
- Rama Janma Bhumi case, 1993.
- Punjab Termination of Agreements Act, 2004.
- 2G spectrum case verdict and the mandatory auctioning of natural resources across all sectors, 2012.

Q.45) Consider the following statements with reference to National Green tribunal:

1. NGT is mandated to make disposal of applications or appeals finally within 6 months of filing the same.
2. It draws inspiration from India's constitutional provision of Article 21.

Which of the above statements is/are incorrect?

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

Q.45) Solution (d)

National Green Tribunal

- It is a specialised body set up under the National Green Tribunal Act, 2010 for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources.
- It draws inspiration from India's constitutional provision of Article 21, which assures the citizens of India the right to a healthy environment.

- Original Jurisdiction: It is related to matters of “substantial question relating to the environment” and “damage to the environment due to specific activity”.
- It follows principles of Natural Justice.
- NGT is mandated to make disposal of applications or appeals finally within 6 months of filing the same.
- The NGT has five places of sittings, New Delhi is the Principal place of sitting and Bhopal, Pune, Kolkata and Chennai are the other four.

Q.46) Which of the following jurisdiction is/are enjoyed by the High Court?

1. Original Jurisdiction
2. Writ Jurisdiction
3. Appellate Jurisdiction
4. Advisory Jurisdiction

Select the correct code:

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

Q.46) Solution (c)

Basic Information:

The Constitution does not contain detailed provisions with regard to the jurisdiction and powers of a high court. It only lays down that the jurisdiction and powers of a high court are to be the same as immediately before the commencement of the Constitution.

The Constitution empowers the Parliament and the state legislature to change the jurisdiction and powers of a high court.

At present, a high court enjoys the following jurisdiction and powers:

- Original jurisdiction.
- Writ Jurisdiction
- Appellate Jurisdiction
- Supervisory jurisdiction

- Control over subordinate courts.
- A court of record.
- Power of judicial review.

The advisory jurisdiction is enjoyed only by Supreme Court under article 143 of the constitution.

Elimination:

If you know (and you must) the advisory jurisdiction of SC under article 143, so all options having Statement 4 can be eliminated. And by doing so, you are only left with option (c) as your answer.

Additional Information:

The Constitution gives a high court jurisdiction over revenue matters (which it did not enjoy in the pre-constitution era).

Q.47) Consider the following statements:

1. Contempt of court is defined in the constitution.
2. The term 'judicial review' is not mentioned in the Constitution.
3. The writ jurisdiction of Supreme Court is not wider than High Court.

Which of the statements given above is/are correct?

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

Q.47) Solution (c)

Basic Information:

- As a court of record, HC has power to punish for contempt of court, either with simple imprisonment or with fine or with both. The expression 'contempt of court' has not been defined by the Constitution, but it has been defined by the Contempt of Court Act of 1971.
- Judicial review is the power of a high court to examine the constitutionality of legislative enactments and executive orders of both the Central and state governments.

- The Supreme Court can issue writs only for the enforcement of fundamental rights and not for any other purpose. It does not extend to a case where the breach of an ordinary legal right is alleged but these are included under writ jurisdiction of HC along with the enforcement of fundamental rights.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Correct
Contempt of court not defined in the Constitution. Is defined in the Contempt of Court Act of 1971.	Judicial review though not defined in the constitution but can be derived from Article 13 and 226.	The writ jurisdiction of the high court (Article 226) is wider than that of the Supreme Court (32).

Additional Information:

- The 42nd Amendment Act of 1976 curtailed the judicial review power of high court. It debarred the high courts from considering the constitutional validity of any central law. However, the 43rd Amendment Act of 1977 restored the original position.
- In the Chandra Kumar case (1997), the Supreme Court ruled that the writ jurisdiction of both the high court and the Supreme Court constitute a part of the basic structure of the Constitution.

Q.48) Consider the following statements with reference to establishment of High Courts:

- The Constitution originally provided for establishment of a common high court for two or more states or two or more states and a union territory.
- The territorial jurisdiction of a high court is co-terminus with the territories of concerned states and union territory.

Which of the statements given above is/are correct?

- 1 only
- 2 only
- Both 1 and 2

d) Neither 1 nor 2

Q.48) Solution (b)

Basic Information:

- The judiciary in a state consists of a high court and a hierarchy of subordinate courts. The high court occupies the top position in the judicial administration of a state.
- The Constitution of India provides for a high court for each state, but the Seventh Amendment Act of 1956 authorised the Parliament to establish a common high court for two or more states or for two or more states and a union territory.
- The territorial jurisdiction of a high court is co-terminus with the territory of a state. Similarly, the territorial jurisdiction of a common high court is co-terminus with the territories of the concerned states and union territory.

Statement Analysis:

Statement 1	Statement 2
Incorrect	Correct
Mentioned provision was introduced by 7 th Amendment act of 1956, so was not originally a part of constitution.	The territorial High Court jurisdiction is within the territory of a state. It is the highest court of appeal in the state.

Additional Information:

- The institution of high court originated in India in 1862 when the high courts were set up at Calcutta, Bombay and Madras.
- In 1866, a fourth high court was established at Allahabad. In the course of time, each province in British India came to have its own high court. After 1950, a high court existing in a province became the high court for the corresponding state.

Q.49) Which of the following statement is/are correct with reference to organisation of High Court?

1. The Constitution does not specify the strength of a high court.

2. The Parliament determines the strength of a high court from time to time depending upon the workload.

Select the correct code:

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

Q.49) Solution (a)

Basic Information:

- Articles 214 to 231 in Part VI of the Constitution deal with the organisation, independence, jurisdiction, powers, procedures and so on of the high courts.
- Every high court (whether exclusive or common) consists of a chief justice and such other judges as the president may from time to time deem necessary to appoint.
- Thus, 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.

Statement Analysis:

Statement 1	Statement 2
Correct	Incorrect
The President decides on the strength of high court.	It is not the Parliament but President, who determines the strength of a high court from time to time depending upon the workload.

Q.50) Consider the following statements related to the appointment of High Court judges:

- 1. The Chief Justice of High Court is appointed by the President after consultation only with the Chief Justice of India.
- 2. The other judges of High Court are appointed by the President after consultation only with the Chief Justice of High Court and Governor of the concerned state.

3. The constitution provides for the mechanism of collegium system of judges.

Which of the statements given above is/are *incorrect*?

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

Q.50) Solution (d)

Basic Information:

- The judges of a high court are appointed by the President.
- The chief justice of high court is appointed by the President after consultation with the chief justice of India(CJI) and the governor of the state concerned.
- For appointment of other judges, the chief justice of the concerned high court is also consulted.
- In case of a common high court for two or more states, the governors of all the states concerned are consulted by the president.

Elimination:

If you know (and you must) that the collegium system is not a constitutional provision, so all options **not having** Statement 3 can be eliminated. And by doing so, you are only left with option (d) as your answer.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Incorrect	Incorrect
Chief Justice of High court is appointed by the President after consultation with the chief justice of India(CJI) and the governor of the state concerned.	For the appointment of other judges of High Court, along with CJI and governor, the President also consults with the Chief justice of High Court.	The Collegium System of appointing judges was introduced by Three judges cases and not by the Constitution.

Additional Information:

The Three Judges Cases for appointment of Supreme and high court judges:

- In the Second Judges case (1993), the Supreme Court held that no appointment of a judge of the high court can be made, unless it is in conformity with the opinion of the CJI.
- In the Third Judges case (1998), the Supreme Court held that in case of the appointment of high court judges, the CJI should consult a collegium of two senior-most judges of the Supreme Court.
- Thus, the sole opinion of the chief justice of India alone does not constitute the 'consultation' process.
- The 99th Constitutional Amendment Act of 2014 and the National Judicial Appointments Commission Act of 2014 aimed to replace the Collegium System of appointing judges with a new body called the National Judicial Appointments Commission (NJAC).
- However, in 2015, the Supreme Court has declared both the 99th Constitutional Amendment as well as the NJAC Act as unconstitutional and void.

Q.51) Consider the following statements with reference to qualification of judges of high court:

1. He should have held a judicial office in the territory of India for ten years
2. He should have been an advocate of a high court (or high courts in succession) for ten years.
3. He must be distinguished jurist in the opinion of the President.

Which of the statements given above is/are correct?

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

Q.51) Solution (b)

Basic Information:

Qualifications of Judges:

- He should be a citizen of India.
- He should have held a judicial office in the territory of India for ten years; or
- He should have been an advocate of a high court (or high courts in succession) for ten years.
- 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.
- The Constitution has not prescribed a minimum age for appointment as a judge of a high court

Elimination:

If you know (and you must) that the provision of distinguished jurist is only applicable to Supreme Court judges, so all options having Statement 3 can be eliminated. And by doing so, you are only left with option (b) as your answer.

Q.52) Consider the following statements with reference to tenure of judges of high court:

1. The Constitution has fixed the tenure of a judge of a high court.
2. The Constitution originally fixed the retirement age of high court judge at 62.

Which of the statements given above is/are INCORRECT?

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

Q.52) Solution (c)

Basic Information:

The Constitution has not fixed the tenure of a judge of a high court.

The Constitution makes following four provisions in this regard:

- He holds office until he attains the age of 62 years. Any questions regarding his age is to be decided by the president after consultation with the chief justice of India and the decision of the president is final.
- He can resign his office by writing to the president.

- He can be removed from his office by the President on the recommendation of the Parliament.
- He vacates his office when he is appointed as a judge of the Supreme Court or when he is transferred to another high court.

Statement Analysis:

Statement 1	Statement 2
Incorrect	Incorrect
The Constitution has not fixed the tenure of a judge of a high court.	The retirement age has been raised from 60 to 62 years by the 15 th Amendment Act of 1963.

Q.53) Which of the following is not true in regard to the proclamation of Emergency?

- a) The proclamation of Emergency must be approved by both the Houses of Parliament within two months from the date of its issue
- b) Every resolution approving the proclamation of emergency or its continuance must be passed by either House of Parliament by a special majority
- c) 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
- d) Further, the President must revoke a proclamation if the Lok Sabha passes a resolution disapproving its continuation

Q.53) Solution (a)

Explanation:

The proclamation of Emergency must be approved by both the Houses of Parliament within one month from the date of its issue

Q.54) Consider the following statements with reference to appointment of the Judges in Subordinate Courts:

1. The appointment of district judges in a state is made by the President in consultation with the high court.
2. The appointment of judges other than the district judges in the judicial service of a state are made by the Governor of the state in consultation with the high court only.

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.54) Solution (d)

Basic Information:

- The appointment, posting and promotion of district judges in a state are made by the governor of the state in consultation with the high court.
- Appointment of persons (other than district judges) to the judicial service of a state are made by the governor of the state after consultation with the State Public Service Commission and the high court

Statement Analysis:

Statement 1	Statement 2
Incorrect	Incorrect
District Judges are appointed by the governor of the state in consultation with the high court and by not the President	Other Judges in judicial service of the state are appointed by the governor of the state after consultation with the State Public Service Commission and the high court.

Additional Information:

In practice, the State Public Service Commission conducts a competitive examination for recruitment to the judicial service of the state.

Q.55) Consider the following statements with reference to the qualifications required for the appointment of District Judge:

1. He should already be in the service of the Central or the state government.
2. He should have been an advocate or a pleader for seven years.
3. He should be recommended by the Governor of the state for appointment.

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.55) Solution (b)

Basic Information:

A person to be appointed as district judge should have the following qualifications:

- He should not already be in the service of the Central or the state government.
- He should have been an advocate or a pleader for seven years.
- He should be recommended by the high court for appointment.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Incorrect
He should not already be in the service of the Central or the state government.	He has to be an advocate or pleader for 7 years	He should be recommended by the High Court for appointment

Q.56) Which of the statements given below is/are correct with reference to the Lok Adalats?

1. They function as a voluntary and conciliatory agency without any statutory backing for its decisions.

2. It not only deals with the cases pending before a court but also with the disputes at pre-litigation stage.
3. Every Lok Adalat organized for an area, only consist of serving or retired judicial officers.

Select the correct code:

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

Q.56) Solution (b)

Basic Information:

- The Supreme Court has explained the meaning of the Lok Adalat as an old form of adjudicating system prevailed in ancient India and its validity has not been taken away even in the modern days too.
- Lok Adalat, therefore, provides alternative resolution or devise for expeditious and inexpensive justice to the common man by the way of settling disputes, which are pending in courts and also those, which have not yet reached courts by negotiation, conciliation.
- The institution of Lok Adalat has been given statutory status under the Legal Services Authorities Act, 1987.
- As per the Act, the State Legal Services Authority or the District Legal Services Authority or the Supreme Court Legal Services Committee or the High Court Legal Services Committee or the Taluk Legal Services Committee may organize Lok Adalats at such intervals and places and for exercising such jurisdiction and for such areas as it thinks fit.
- Generally, a Lok Adalat consists of a judicial officer as the chairman and a lawyer (advocate) and a social worker as members.
- The Lok Adalat can deal with not only the cases pending before a court but also with the disputes at pre-litigation stage.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Incorrect

It has a statutory status under the Legal Services Authorities Act, 1987.	It settles disputes, which are pending in courts and also those that are at pre-litigation stage.	It generally also has a social worker as one of its members.
---	---	--

Additional Information:

- The first Lok Adalat camp in the post-independence era was organized in Gujarat in 1982.
- The Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law.
- The Lok Adalat shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure (1908).

Q.57) Consider the following statements with reference to the Gram Nyayalayas:

1. They are established by the High Courts in consultation with the respective Governors of the states.
2. The presiding officer (Nyayadhikari) of the Gram Nyayalayas is appointed by the State Government in consultation with the High Court.
3. They are guided by the rules of evidence provided in the Indian Evidence Act, 1872 and are subject to any rule made by the High Court.

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.57) Solution (b)

Basic Information:

The Gram Nyayalayas Act, 2008 has been enacted to provide for the establishment of the Gram Nyayalayas at the grass roots level for the purposes of providing access to justice to the citizens at their doorsteps and to ensure that opportunities for securing justice are not denied to any citizen due to social, economic or other disabilities.

Under of the Gram Nyayalayas Act, 2008, it is for the State Governments to establish Gram Nyayalayas in consultation with the respective High Courts.

The Gram Nyayalaya shall be court of Judicial Magistrate of the first class and its presiding officer (Nyayadhikari) shall be appointed by the State Government in consultation with the High Court.

The Gram Nyayalaya shall not be bound by the rules of evidence provided in the Indian Evidence Act, 1872 but shall be guided by the principles of natural justice and subject to any rule made by the High Court.

Statement Analysis:

Statement 1	Statement 2	Statement 3
Incorrect	Correct	Incorrect
The State Governments establish Gram Nyayalayas in consultation with the respective High Courts.	Presiding officer appointed by state government in consultation with the high court.	They guided by the principles of natural justice and subject to any rule made by the High Court.

Additional Information:

- The Gram Nyayalaya shall be established for every Panchayat at intermediate level or a group of contiguous Panchayats at intermediate level in a district or where there is no Panchayat at intermediate level in any State, for a group of contiguous Panchayats.
- The Gram Nyayalaya shall be a mobile court and shall exercise the powers of both Criminal and Civil Courts.

Q.58) e-Sewa Kendra at court was recently inaugurated at Tripura High court, which of the following statement is not true with respect to e- Sewa Kendra

- It has been created at High courts and district courts of all States.
- These centres also extend assistance in e-filing of cases.
- It enables litigants to obtain information with respect to case status.
- Litigant can also obtain copies of judgments and orders in this kendra.

Q.58) Solution (a)

- In news: Recently, an e-Sewa Kendra was inaugurated by the Chief Justice of India (CJI) at the High Court of Tripura.
- e-Seva Kendras have been created in the High Courts and in one District Court in each State on a pilot basis.
- They are dedicated to serve as a one-stop center for all legal aid and assistance for common litigants and advocates.
- It enables litigants to obtain information with respect to case status and to obtain copies of judgments and orders.
- These centres also extend assistance in e-filing of cases.
- These Kendras represent a significant step for the common man and his right to access to justice.

Q.59) Supreme Court had declared in January 2020 that the right to access the Internet is one of our fundamental rights, under –

- a) Article 21
- b) Article 19
- c) Article 20
- d) Article 16

Q.59) Solution (b)

Currently, Indian laws have vague provisions for suspending telecommunication services, including the Internet, during times of public emergencies, or, if required, for protecting 'public interest'. Meanwhile, the Supreme Court had declared in January 2020 that the right to access the Internet is one of our fundamental rights, alongside the freedom to carry on any trade, business or occupation over the medium of Internet, under Article 19 of the Constitution.

Q.60) As per recent verdicts of Supreme court of India, Government is liable to follow certain conditions to extend reservation to SC/STs in promotion:

1. State has to provide proof for the backwardness of the class benefitting from the reservation.
2. State has to collect quantifiable data showing inadequacy of representation of that class in public employment.
3. State has to show how reservations in promotions would further administrative efficiency.

Which of the above condition should be fulfilled to expand reservation in promotion?

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

Q.60) Solution (b)

Explanation

Supreme Court in M. Nagaraj vs. Union of India (2006) validated parliament's decision to extend reservations for SCs and STs to include promotions with three conditions:

1. State has to provide proof for the backwardness of the class benefitting from the reservation.
2. State has to collect quantifiable data showing inadequacy of representation of that class in public employment
3. State has to show how reservations in promotions would further administrative efficiency.

Supreme Court in Jarnail Singh v. Lachhmi Narain Gupta (2018) held that the government need not collect quantifiable data to demonstrate backwardness of public employees belonging to the Scheduled Castes and the Scheduled Tribes (SC/STs) to provide reservations for them in promotions.

So now, Government need to follow just two conditions except quantifiable data for backwardness under Nagaraj Case (2006)

Q.61) Which of the statements given below with reference to Panchayats and state governments is/are true?

1. The state governments are under constitutional obligation to adopt the panchayati raj system.
2. Neither the formation of panchayats nor the holding of elections at regular intervals depends on the will of the state government.

Select correct code:

- a) 1 only

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

Q.61) Solution (c)

Explanation:

The 73rd Amendment Act of 1992 gave constitutional status to the panchayati raj institutions. It has brought them under the purview of the justiciable part of the Constitution.

In other words, the state governments are under constitutional obligation to adopt the new panchayati raj system in accordance with the provisions of the act. Consequently, neither the formation of panchayats nor the holding of elections at regular intervals depends on the will of the state government any more.

Q.62) Who among the below given Viceroy of India issued a resolution of Local Self-government and is hailed as the 'Magna Carta' of local self-government?

- a) Lord Hastings
- b) Lord Ripon
- c) Lord Lytton
- d) Lord Mayo

Q.62) Solution (b)

Explanation:

In the year 1882, the viceroy of India Lord Ripon issued a resolution of Local Self-government.

Lord Ripon's Resolution of 1882 has been hailed as the 'Magna Carta' of local self-government. Lord Ripon is called the "Father of Local Self Government" in India.

Q.63) Consider the following statements with reference to elections to the municipalities:

1. The superintendence, direction and control of the preparation of electoral rolls and the conduct of all elections to the municipalities shall be vested in the state election commission.

2. The state legislature may make provision with respect to all matters relating to elections to the municipalities.

Which of the statements given above is/are incorrect?

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

Q.63) Solution (d)

Note: Question asks to select incorrect statements.

In the above question, both statements are correct. Hence, (d) none is the correct answer.

The superintendence, direction and control of the preparation of electoral rolls and the conduct of all elections to the municipalities shall be vested in the state election commission.

The state legislature may make provision with respect to all matters relating to elections to the municipalities.

Q.64) Consider the following statements about Chief Election Commissioner (CEC) and Election Commissioners (ECs) and identify the incorrect one -

- a) The President of India appoints the CEC and ECs
- b) CEC shall be appointed for a term of 6 years or till he attain an age of 65 years.
- c) ECs are appointed by the President and the President need to consult Chief Election Commissioner in this regard.
- d) Election Commissioners will only be removed on the recommendation of Chief Election Commissioner.

Q.64) Solution (c)

The President of India appoints the CEC and ECs. The Election Commissioners are appointed by the President and the President need not have to consult Chief Election Commissioner in this regard. However, the Election Commissioners will only be removed on the recommendation of Chief Election Commissioner.

CEC shall be appointed for a term of 6 years or till he attain an age of 65 years.

Q.65) Consider the following statements about the Attorney General of India:

1. He is appointed by the President of India.
2. He must have the same qualifications as are required for a judge of the Supreme Court.
3. He can be removed by impeachment process by the Parliament.

Which of the above statements are correct?

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

Q.65) Solution (a)

Attorney General is appointed by the President. He should be qualified to be a Judge of Supreme Court i.e. must be citizen of India and

- Should have been Judge of some High court for at least 5 years
- Or should have been an advocate of some High court for at least 10 years
- Or eminent jurist in the eyes of the President

Under article 76, impeachment procedure of Attorney-General is not provided. He shall hold office during the pleasure of the President. He must not be a member of either House of Parliament.

Q.66) Consider the following statements about Comptroller and Auditor-General (CAG) of India:

1. CAG is appointed by the President by warrant under his hand and seal for a period of six years.
2. CAG can only be removed from office in like manner and on like grounds as a Judge of the Supreme Court.
3. CAG is not be eligible for further office either under the Government of India or under the Government of any State after he has ceased to hold his office.

Which of the above statements are correct?

- a) 1 and 2 only

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

Q.66) Solution (d)

Explanation:

Comptroller and Auditor-General (CAG)

- Is appointed by President
- Holds the office for 6 years or up to the age of 65 years whichever is earlier.
- Can resign anytime from his office addressing letter to President.
- Can be removed by President on same grounds and in same manner as a judge of S.C. i.e on the basis of the resolution passed by both the houses with special majority, either on the grounds of proved misbehaviour or incapacity.

Q.67) Consider the following statements about Finance Commission and identify the incorrect one -

- a) Finance Commission is a quasi-judicial body.
- b) It is constituted by the President every fifth year or even earlier.
- c) It is required to make recommendations to the Parliament on 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.
- d) The Constitution envisages the Finance Commission as the balancing wheel of fiscal federalism in India.

Q.67) Solution (c)

Explanation:

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

- The distribution of the net proceeds of taxes to be shared between the Centre and the states, and the allocation between the states, the respective shares of such proceeds.
- The principles which should govern the grants-in-aid to the states by the Centre (i.e., out of the Consolidated Fund of India).

- The measures needed to augment the Consolidated fund of a state to supplement the resources of the panchayats and the municipalities in the state on the basis of the recommendations made by the State Finance Commission.
- Any other matter referred to it by the President in the interests of sound finance.

The Constitution envisages the Finance Commission as the balancing wheel of fiscal federalism in India.

Q.68) The 73rd Amendment Act of 1992 added

1. Part-IX to the Constitution of India
2. Articles 243 to 243ZG
3. 11th Schedule to the Constitution

Select the appropriate code:

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

Q.68) Solution (c)

The 73rd Amendment Act of 1992 added –

- Part-IX to the Constitution of India i.e., The Panchayats and consists of provisions from Articles 243 to 243 O.
- In addition, the act has also added a new Eleventh Schedule to the Constitution.

Q.69) Which of the following are not the concerns of the UPSC?

1. Classification of services
2. Promotion
3. Training
4. Disciplinary matters
5. Talent hunting

Choose the appropriate code:

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

Q.69) Solution (c)

Among the powers and functions of the UPSC, only classification of services and training are not the concerns of the UPSC.

Powers and functions of UPSC:

1. Conduction of exams for All India services, Central services and public services of centrally administered territories
2. If two or more states request to hold Joint Public Service Exam, it assists them in doing so
3. Serves all need of States on request of Governor and with the permission of President
4. Consulted by government regarding
 - a) Methods of recruitment to above stated services
 - b) Principles to be followed during recruitment, promotions and transfer of such services
 - c) Suitability of the candidates for recruitment, transfers and promotions in such services
 - d) Disciplinary matters including censure or severe disapproval, withholding of increments and promotions, demotions, compulsory retirement, removal from service etc.
 - e) Any claims for pensions due to injuries sustained while working under Government of India
 - f) Any claims of legal expenses in legal cases concerning his duties
 - g) Matters of temporary appointments more than a year
 - h) Matters of granting extension of civil service and re-employment of retired civil servants
 - i) Any other matter related to personnel management of any authority, corporate body etc. can be conferred on the UPSC by Parliament

Q.70) Which of the following are Constitutional bodies?

1. UPSC
2. Finance Commission

3. CAG
4. CIC

Choose the appropriate code:

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

Q.70) Solution (a)

Constitutional Bodies

- Election Commission
- Union Public Service Commission
- State Public Service Commission
- Finance Commission
- National Commission for SCs
- National Commission for STs
- Special Officer for Linguistic Minorities
- Comptroller and Auditor General of India
- Attorney General of India
- Advocate General of the State

Q.71) The functions of the UPSC can be extended by:

- a) President
- b) Prime Minister
- c) Ministry of Personnel
- d) Parliament

Q.71) Solution (d)

The functions of the UPSC can be extended by Parliament.

Q.72) Which of the following statements with regard to the CAG are correct?

1. He is responsible only to the Parliament.
2. He audits all expenditure from the Contingency Fund of India and the Public Account of India as well as the contingency fund of each state and the public account of each state.
3. He compiles and maintains the accounts of state governments.

Choose the appropriate code:

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

Q.72) Solution (d)

All the statements are correct.

The duties and functions of the CAG as laid down by the Parliament and the Constitution are:

1. He audits the accounts related to all expenditure from the Consolidated Fund of India, consolidated fund of each state and consolidated fund of each union territory having a Legislative Assembly.
2. He audits all expenditure from the Contingency Fund of India and the Public Account of India as well as the contingency fund of each state and the public account of each state.
3. He audits all trading, manufacturing, profit and loss accounts, balance sheets and other subsidiary accounts kept by any department of the Central Government and state governments.
4. He audits the receipts and expenditure of the Centre and each state to satisfy himself that the rules and procedures in that behalf are designed to secure an effective check on the assessment, collection and proper allocation of revenue.
5. He compiles and maintains the accounts of state governments.

Q.73) The qualifications and manner in which the Chairman and members of the Finance Commission should be selected is determined by:

- a) President
- b) Parliament
- c) President in consultation with Supreme Court
- d) Union cabinet

Q.73) Solution (b)

Explanation:

The Constitution authorises the Parliament to determine the qualifications of members of the commission and the manner in which they should be selected.

Q.74) With reference to the National commission for backward classes, consider the following statements:

1. It is a constitutional body.
2. It was established as a result of a Supreme Court judgment.

Which of the above statements is/are not correct?

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

Q.74) Solution (c)

Explanation:

102nd Constitution Amendment Act provided constitutional status to National Commission for Backward Classes.

NCBC has the authority to examine complaints and welfare measures regarding socially and educationally backward classes.

Previously NCBC was a statutory body under the Ministry of Social Justice and Empowerment

Indra Sawhney case of 1992 - Supreme Court had directed the government to create a permanent body to entertain, examine and recommend the inclusion and exclusion of various Backward Classes for the purpose of benefits and protection.

Q.75) With reference to the Advocate general, consider the following statements:

1. He is appointed by governor but removed by President.
2. The remuneration of the advocate general is fixed by the Constitution
3. He enjoys all the privileges and immunities that are available to a member of the state legislature.

Which of the statements given above is/are correct?

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

Q.75) Solution (c)

Explanation:

The advocate general is appointed by the governor. The Constitution does not contain the procedure and grounds for his removal. He holds office during the pleasure of the governor. This means that he may be removed by the governor at any time. The remuneration of the advocate general is not fixed by the Constitution. He receives such remuneration as the governor may determine. He enjoys all the privileges and immunities that are available to a member of the state legislature.

Q.76) Which of the following is/are true regarding linguistic Minorities?

1. Commissioner for linguistic Minorities is appointed by President of India
2. Linguistic Minorities are determined on a state-wise basis
3. At the Central level, the Commissioner for linguistic Minorities falls under the Ministry of Minority Affairs

Choose the correct option:

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

Q.76) Solution (c)

Explanation:

Commissioner for linguistic Minorities is appointed by President of India.

At the Central level, the Commissioner falls under the Ministry of Minority Affairs. Hence, he submits the annual reports or other reports to the President through the Union Minority Affairs Minister. A linguistic minority is a group of people whose mother tongue is different from that

of the majority in the state or part of a state. Thus, the linguistic minorities are determined on a state wise basis.

Q.77) Which of these is/ are constitutional posts?

1. Special officer for linguistic minorities
2. Advocate general
3. Solicitor general

Select the correct answer using the codes given below.

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

Q.77) Solution (a)

Explanation:

Special officer for linguistic minorities is provided for in article 350-B. Advocate general of a state is provided under article 165. Solicitor general is not a constitutional post. Article 76 provides only for attorney general and not solicitor general.

Q.78) With reference to removal of chairman of a state public service commission, consider the following statements:

1. they can be removed for misbehavior.
2. they can be removed only by the President.

Which of the statements given above is/are correct?

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

Q.78) Solution (c)

Explanation:

Although the chairman and members of a SPSC are appointed by the governor, they can be removed only by the president (and not by the governor). The president can remove them on the same grounds and in the same manner as he can remove a chairman or a member of the UPSC. Thus, he can remove him under the following circumstances:

- If he is adjudged an insolvent (i.e., has gone bankrupt); or
- If he engages, during his term of office, in any paid employment outside the duties of his office; or
- If he is, in the opinion of the president, unfit to continue in office by reason of infirmity of mind or body.

In addition to these, the president can also remove the chairman or any other member of SPSC for misbehavior. However, in this case, the president has to refer the matter to the Supreme Court for an enquiry. If the Supreme Court, after the enquiry, upholds the cause of removal and advises so, the president can remove the chairman or a member. Under the provisions of the Constitution, the advice tendered by the Supreme Court in this regard is binding on the president. However, during the course of enquiry by the Supreme Court, the governor can suspend the concerned chairman or member, pending the final removal order of the president on receipt of the report of the Supreme Court.

Further, the Constitution has also defined the term 'misbehaviour' in this context. The Constitution states that the chairman or any other member of a SPSC is deemed to be guilty of misbehaviour, if he (a) is concerned or interested in any contract or agreement made by the Government of India or the government of a state, or (b) participates in any way in the profit of such contract or agreement or in any benefit therefrom otherwise than as a member and in common with other members of an incorporated company.

Q.79) Which of the statements given below is/are true about State Public Service Commission (SPSC) and the Governor?

1. The chairman and members of a SPSC are appointed by the governor but removed only by the President
2. The SPSC presents a report on its performance to the governor every year
3. The governor places this report before both the Houses of the state legislature

Select the correct answer from the code:

- a) 2 and 3 only

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

Q.79) Solution (d)

The SPSC presents, annually, to the governor a report on its performance. The governor places this report before both the Houses of the state legislature, along with a memorandum explaining the cases where the advice of the Commission was not accepted and the reasons for such non-acceptance.

Although the chairman and members of a SPSC are appointed by the governor, they can be removed only by the president (and not by the governor). The president can remove them on the same grounds and in the same manner as he can remove a chairman or a member of the UPSC.

Q.80) The functions of the National Commission for SCs include:

1. Investigation and monitoring of all matters relating to the constitutional and other legal safeguards for the SCs and evaluating their working.
2. It also discharges similar (above) functions with regard to the other backward classes (OBCs)
3. The commission presents an annual report to the Parliament upon their working.

Select the correct answer from the codes given below:

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

Q.80) Solution (c)

The commission presents an annual report to the President (not Parliament) upon their working.

The functions of the National Commission for SCs are:

- a) To investigate and monitor all matters relating to the constitutional and other legal safeguards for the SCs and to evaluate their working;

- b) To inquire into specific complaints with respect to the deprivation of rights and safeguards of the SCs;
- c) To participate and advise on the planning process of socio-economic development of the SCs and to evaluate the progress of their development under the Union or a state;

and so on.

The Central government and the state governments are required to consult the Commission on all major policy matters affecting the SCs.

The Commission is also required to discharge similar functions with regard to the other backward classes (OBCs) and the Anglo-Indian Community as it does with respect to the SCs. In other words, the Commission has to investigate all matters relating to the constitutional and other legal safeguards for the OBCs and the Anglo-Indian Community and report to the President upon their working.

Q.81) Consider the below statements in regard to inter-state water disputes and select the incorrect statement(s)

- a) Constitution of India provides for the adjudication of inter-state water disputes.
- b) Inter-State Water Disputes Act (1956) empowers the Central government to establish a river board on the request of the state governments concerned to advise them.
- c) Inter-State Water Disputes Act also 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.
- d) None

Q.81) Solution (b)

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

1. 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.
2. 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.

Under this provision, the Parliament has enacted two laws [the River Boards Act (1956) and the Inter-State Water Disputes Act (1956)].

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.82) The central Administration tribunal is concerned with which of the following?

- a) Recruitment
- b) Promotion
- c) Disciplinary matters
- d) Recruitment and all service matters

Q.82) Solution (d)

CAT as it is known as is relevant to all recruitment and service related matters.

Q.83) Which of the following functions can be taken by National Human Rights Commission?

1. Look into negligence by a public servant in prevention of violation of human rights.
2. By leave of the court, intervene in court proceeding relating to Human Rights.
3. Review factors that inhibit the enjoyment of Human rights and recommend appropriate measures
4. To provide recommendations for effective implementation for international treaties related to human rights.

Select the code from following:

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

Q.83) Solution (d)

The Protection of Human Rights Act, 1993, TPHRA mandates the NHRC to perform the following

functions:

- proactively or reactively inquire into violations of human rights or negligence in the prevention of such violation by a public servant
- by leave of the court, to intervene in court proceeding relating to human rights
- to visit any jail or other institution under the control of the State Government, where persons are detained or lodged for purposes of treatment, reformation or protection, for the study of the living conditions of the inmates and make recommendations
- review the safeguards provided by or under the Constitution or any law for the time being in force for the protection of human rights and recommend measures for their effective implementation
- review the factors, including acts of terrorism that inhibit the enjoyment of human rights and recommend appropriate remedial measures
- to study treaties and other international instruments on human rights and make recommendations for their effective implementation
- undertake and promote research in the field of human rights
- engage in human rights education among various sections of society and promote awareness of the safeguards available for the protection of these rights through publications, the media, seminars and other available means
- encourage the efforts of NGOs and institutions working in the field of human rights
- Such other function as it may consider it necessary for the protection of human rights.
- Requisitioning any public record or copy thereof from any court or office.

Q.84) NHRC is the protector of Human Rights in India. NHRC is headed by whom of the following?

- a) Chief Justice of India
- b) Sitting judge of Supreme Court
- c) Retired Chief Justice of India
- d) An Eminent Jurist

Q.84) Solution (c)

Composition:

The NHRC consists of:

- A Chairperson, should be retired Chief Justice of India (though Gol mulling appointment of retired SC Judges as chairperson)
- One member who is, or has been, a Judge of the Supreme Court of India
- One member who is, or has been, the Chief Justice of a High Court
- Two members to be appointed from among persons having knowledge of, or practical experience in, matters relating to human rights
- In addition, the Chairpersons of four National Commissions (Scheduled Castes, Scheduled Tribes, Women and Minorities) serve as ex officio members.

The sitting Judge of the Supreme Court or sitting Chief Justice of any High Court can be appointed only after the consultation with the Chief Justice of Supreme Court.

Q.85) Consider the following statements regarding State Human Rights Commission:

1. It has power of civil court and can take cognizance of cases if received within one year of occurrence.
2. It can recommend compensation to victim or prosecution of accused
3. Its recommendations are binding on the state government.

Which of the above statements are correct?

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

Q.85) Solution (a)

Powers of State Human Rights Commission

The commission has the power of a civil court and can take cognizance of cases if received within one year of occurrence.

It can recommend compensation to victim, prosecution of accused. But such recommendations aren't binding.

It submits special or annual reports to state legislatures along with action taken on their recommendations and reasons for non-acceptance of advice.

Q.86) Chairperson of State Human Rights Commission (SHRC) can be removed by:

- a) Governor
- b) President of India
- c) Chief Minister of the State
- d) Chief Justice of India

Q.86) Solution (b)

Removal of Member of SHRC

Removal is done by president on grounds of bankruptcy, unsound mind, infirmity of body or mind, sentenced to imprisonment for a crime, or engages in paid employment.

He can also be removed for proved misbehaviour or incapacity if SC inquiry finds him guilty. They can resign by writing to governor.

Note: Kindly note the differences between appointment and removal of members of different Commissions. Which members are appointed/removed by President/Governor? This creates a lot of confusion.

Q.87) Central Information Commissioner and Information Commissioners are appointed by the president on the recommendations of a nomination committee. Who of the following is not a member of this nomination committee?

- a) Prime Minister
- b) A Union Minister Nominated by Prime Minister
- c) Speaker of Lok Sabha
- d) Leader of Opposition in Lok Sabha

Q.87) Solution (c)

Central Information Commissioner

Central Information Commission has chief information commissioner and up to 10 information commissioners. All are appointed by the president on recommendation of prime minister, union minister nominated by him and leader of opposition in Lok Sabha.

Q.88) Which of the following statements are NOT correct regarding Central Information Commission?

1. It is a statutory body.
2. It consists of four members with one Chief information Commissioner and three Information Commissioners.
3. It has a jurisdiction over Central Government Bodies, PSU and MNCs working in India.

Select the code from following:

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

Q.88) Solution (b)

Note: The question is asking about incorrect options.

2 and 3 are wrong statements.

Under the provision of Section-12 of RTI Act 2005 the Central Government shall, by notification in the Official Gazette, constitute a body to be known as the Central Information Commission.

The Central Information Commission shall consist of the Chief Information Commissioner (CIC) and such number of Central Information Commissioners not exceeding 10 as may be deemed necessary.

It has jurisdiction over central government bodies, PSU and authorities. Private companies do not come under its ambit.

Q.89) Identify the incorrect statement from the following with reference to the qualifications of the members of Central Information Commission:

- a) They should be retired judge of Supreme Court
- b) They should be person of eminence in public life with experience in field of law, science and technology, governance, social service, management, journalism, mass media or administration.
- c) They should not be MP/MLA or connected to any political party.
- d) They can hold the office till the age of 65 years

Q.89) Solution (a)

Qualification for membership to Central Information commission

- They should be People of eminence in public life with experience in field of law, science and technology, governance, social service, management, journalism, mass media or administration.
- They should not be MP / MLA's or connected to any political party, doing some business or holding office of profit.
- They hold office till age of 65 or 5 years. The information commissioner is eligible for post of chief information commissioner but can be in office for maximum 5 years including his tenure of information commissioner.

Q.90) Consider the following statements regarding the removal of State Chief Information Commissioner and select the incorrect statement/option –

- a) Removal is done by governor on grounds of bankruptcy, unsound mind, infirmity of body or mind, sentenced to imprisonment for a crime, or engages in paid employment.
- b) He can be removed for proved misbehaviour or incapacity if SC inquiry finds him guilty.
- c) He can resign by writing to governor.
- d) None

Q.90) Solution (d)

Removal of State Chief Information Commissioner and Other information Commissioners:

- Removal is done by governor on grounds of bankruptcy, unsound mind, infirmity of body or mind, sentenced to imprisonment for a crime, or engages in paid employment.
- He can also be removed for proved misbehaviour or incapacity if SC inquiry finds him guilty. They can resign by writing to governor.

Q.91) Consider the following statements:

1. Central Vigilance Commission (CVC) is a statutory body formed under the Right to Information Act – 2005
2. CVC was formed on the recommendations of K Santhanam Committee.

Which of the above statements is/are correct?

- a) 1 only

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

Q.91) Solution (b)

Central Vigilance Commission (CVC) is an apex Indian governmental body created in 1964 to address governmental corruption. It has the status of an autonomous body, free of control from any executive authority, charged with monitoring all vigilance activity under the Central

Government of India, advising various authorities in central Government organizations in planning, executing, reviewing and reforming their vigilance work.

It was set up by the Government of India in February, 1964 on the recommendations of the Committee on Prevention of Corruption, headed by Shri K. Santhanam, to advise and guide Central Government agencies in the field of vigilance. Nittoor Srinivasa Rau, was selected as the first Chief Vigilance Commissioner of India.

The Ordinance of 1998 conferred statutory status to the CVC and the powers to exercise superintendence over functioning of the Delhi Special Police Establishment, and also to review the progress of the investigations pertaining to alleged offences under the Prevention of Corruption Act, 1988 conducted by them. In 1998 the Government introduced the CVC Bill in the Lok Sabha in order to replace the Ordinance, though it was not successful. The Bill was re-introduced in 1999 and remained with the Parliament till September 2003, when it became an Act after being duly passed in both the Houses of Parliament.

Q.92) The Central Vigilance Commission is headed by a Chairperson called 'Central Vigilance Commissioner'. Which of the following statements are correct regarding Central Vigilance Commissioner?

1. He is appointed by the President on the recommendations of a committee consisting of Prime Minister, Home minister and Leader of Opposition of Lok Sabha.
2. Commissioners occupy the position till the age of 65 years or 4 years.
3. They are not eligible for employment under any other central or state government employment after ceasing to hold office.

Select the code from below:

- a) 1 only

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

Q.92) Solution (d)

All the statements are correct.

Note: Remember, the tenure of Central Vigilance Commissioner is 4 years.

Composition of Central Vigilance Commission:

The Commission shall consist of:

- A Central Vigilance Commissioner - Chairperson;
- Not more than two Vigilance Commissioners - Members;

They are appointed by the president on recommendations of a committee of PM + Home minister + leader of opposition Lok Sabha. They occupy post till age of 65 yrs or 4 year term. They are not eligible for any other govt appointment under centre or state after ceasing to hold office.

Q.93) Which of the following can be considered as limitations of Central Vigilance Commission?

1. CVC is only an advisory body and government is free to accept or reject it.
2. It deals only with vigilance and disciplinary cases and does not have the power to register criminal cases.
3. CVC cannot direct CBI to initiate inquiries against any officer of the level of Joint Secretary and above on its own.
4. CVC does not have the power to call for any file from CBI or to direct CBI to investigate any case in a particular manner.

Select the code from following:

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

Q.93) Solution (d)

Limitations of CVC

- CVC is only an advisory body. Central Government Departments are free to either accept or reject CVC's advice in corruption cases.
- CVC does not have adequate resources compared with number of complaints that it receives. It is a very small set up with sanctioned staff strength of 299. Whereas, it is supposed to check corruption in more than 1500 central government departments and ministries.
- CVC cannot direct CBI to initiate inquiries against any officer of the level of Joint Secretary and above on its own. Such permission has to be obtained from the concerned department.
- CVC does not have powers to register criminal case. It deals only with vigilance or disciplinary cases.
- CVC has supervisory powers over CBI. However, CVC does not have the power to call for any file from CBI or to direct CBI to investigate any case in a particular manner. CBI is under administrative control of Department of Personnel and Training (DoPT), which means that, the powers to appoint, transfer, suspend CBI officers lie with DoPT.
- Appointments to CVC are indirectly under the control of Govt of India, though the leader of the Opposition (in Lok Sabha) is a member of the Committee to select CVC and VCs. But the Committee considers candidates put up before it. These candidates are decided by the Government.

As a result, although CVC is relatively independent in its functioning, it has neither resources nor powers to inquire and take action on complaints of corruption that may act as an effective deterrence against corruption.

Q.94) The Central Bureau of investigation (CBI) was established by the resolution of Ministry of Home Affairs in 1963. Which of the following statements regarding CBI are correct?

1. It is a statutory body.
2. It derives its powers from Delhi Special Police Establishment Act, 1946.
3. It is an independent body and does not come under government's control.

Select the code from following:

- a) 1 and 2
- b) 2 only

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

Q.94) Solution (b)

The Central Bureau of Investigation (CBI) was set up in 1963 by a resolution of the Ministry of Home Affairs. Later, it was transferred to the Ministry of Personnel and now it enjoys the status of an attached office¹. The Special Police Establishment (which looked into vigilance cases) setup in 1941 was also merged with the CBI. The establishment of the CBI was recommended by the Santhanam Committee on Prevention of Corruption (1962 -1964).

The CBI is not a statutory body. It derives its powers from the Delhi Special Police Establishment Act, 1946.

The CBI is the main investigating agency of the Central Government. It plays an important role in the prevention of corruption and maintaining integrity in administration. It also provides assistance to the Central Vigilance Commission.

Q.95) Which of the following is NOT a function of CBI?

- a) Suo moto investigation in heinous crimes like homicides.
- b) Investigating cases of corruption, bribery and misconduct of central government employees
- c) Investigating serious crimes, having national and international ramifications, committed by organised gangs of professional criminals
- d) It acts as the 'National Central Bureau' of Interpol in India.

Q.95) Solution (a)

The functions of CBI are:

- (i) Investigating cases of corruption, bribery and misconduct of Central government employees
- (ii) Investigating cases relating to infringement of fiscal and economic laws, that is, breach of laws concerning export and import control, customs and central excise, income tax, foreign exchange regulations and so on. However, such cases are taken up either in consultation with or at the request of the department concerned.
- (iii) Investigating serious crimes, having national and international ramifications, committed by organised gangs of professional criminals

- (iv) Coordinating the activities of the anti-corruption agencies and the various state police forces
- (v) Taking up, on the request of a state government, any case of public importance for investigation
- (vi) Maintaining crime statistics and disseminating criminal information.

The CBI is a multidisciplinary investigation agency of the Government of India and undertakes investigation of corruption-related cases, economic offences and cases of conventional crime. It normally confines its activities in the anti-corruption field to offences committed by the employees of the Central Government and Union Territories and their public sector undertakings. It takes up investigation of conventional crimes like murder, kidnapping, rape etc., on reference from the state governments or when directed by the Supreme Court/High Courts.

The CBI acts as the “National Central Bureau” of Interpol in India. The Interpol Wing of the CBI coordinates requests for investigation-related activities originating from Indian law enforcement agencies and the member countries of the Interpol.

Q.96) Consider the following statements with reference to Joint State Public Service Commission (JSPSC)

1. It has the status of a constitutional body.
2. It presents its annual performance report to the President of India.
3. Its members can be suspended or removed by the President.

Which of the statements given above is/are correct?

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

Q.96) Solution (c)

The Constitution makes a provision for the establishment of a Joint State Public Service Commission (JSPSC) for two or more states. While the UPSC and the SPSC are created directly by the Constitution, a JSPSC can be created by an act of Parliament on the request of the state legislatures concerned. Thus, a JSPSC is a statutory and not a constitutional body.

The chairman and members of a JSPSC are appointed by the President. They hold office for a

term of six years or until they attain the age of 62 years, whichever is earlier. They can be suspended or removed by the president. They can also resign from their offices at any time by submitting their resignation letters to the president.

The number of members of a JSPSC and their conditions of service are determined by the president.

A JSPSC presents its annual performance report to each of the concerned state governors. Each governor places the report before the state legislature.

Do you know?

- The two states of Punjab and Haryana had a JSPSC for a short period, after the creation of Haryana out of Punjab in 1966.
- The Union Public Service Commission (UPSC) can also serve the needs of a state on the request of the state governor and with the approval of the president.

Q.97) Which of the following provisions are contained in the Representation of People Act, 1950?

1. Delimitation of Constituencies
2. Preparation of electoral rolls
3. Qualifications for membership of Houses of Parliament
4. Qualification of voters

Select the correct code

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

Q.97) Solution (b)

The Representation of the People Act, 1950 contains the following provisions:

1. Allocation of seats in and the in the House of the People and in the Legislative Assemblies and Legislative Councils of States.
2. Delimitation of constituencies for the purpose of elections to the House of People and Legislatures of States

3. Qualifications of voter at such election
4. Preparations of electoral rolls.

The provisions for the actual conduct of elections to the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for the membership of these Houses, the corrupt practices and other election offences, and the decision of election disputes were all provided in the subsequent act namely, the Representation of the People Act, 1951.

The Constitution of India has laid down not only the maximum number of seats in Parliament and in Legislative Assemblies of States but also the principles to be followed while allocating these seats. However, it has left the actual allocation of such seats to the Parliament and thus arose the need to make Representation of People Acts of 1950 and 1951.

Q.98) Consider the following statements with reference to Central Administrative Tribunal

1. It has been established under Article 323 B of the Constitution.
2. It is guided by the procedure laid down in the Civil Procedure Code of 1908.

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.98) Solution (d)

Article 323A enables the Parliament to take out the adjudication of disputes relating to service matters from the civil courts and the high courts and place it before the administrative tribunals.

In pursuance of Article 323A, the Parliament has passed the Administrative Tribunals Act in 1985. The Central Administrative Tribunal (CAT) was thus set up in 1985.

The CAT exercises original jurisdiction in relation to recruitment and all service matters of public servants covered by it.

The CAT is not bound by the procedure laid down in the Civil Procedure Code of 1908. It is guided by the principles of natural justice.

The jurisdiction of CAT extends only to the all-India services, the Central civil services, civil posts under the Centre and civilian employees of defence services. The members of the defence forces, officers and servants of the Supreme Court and the secretarial staff of the Parliament are not covered by it.

Q.99) According to the amendments introduced in Enemy Property Act, 1968, who among the following are defined as enemy?

1. Legal heirs of enemies even if they are citizens of India
2. Enemies who have changed their nationality
3. Enemy firms which have partners who are Indians

Select the correct code

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

Q.99) Solution (d)

When wars broke out against China in 1961, and Pakistan in 1965 and 1971, properties belonging to nationals of these countries were taken over by the central government under the Defence of India Acts, 1962 and 1971.

These properties were designated as “enemy property” and vested in an office of the central government, the Custodian of Enemy Property. The Enemy Property Act, 1968 was enacted to regulate enemy property.

The Enemy Property (Amendment and Validation) Act, 2017 amends the Enemy Property Act, 1968.

It retrospectively amends the definition of ‘enemy’ to include:

- (i) Legal heirs of enemies even if they are citizens of India
- (ii) Enemies who have changed their nationality
- (iii) Enemy firms that have partners who are Indians.

According to the Act, succession laws will not apply to such property and the civil courts are barred from hearing disputes related to enemy property.

Q.100) Consider the following statements with reference to the National Green Tribunal

1. India is the first country to have a dedicated court for environmental matters.
2. It has Original Jurisdiction over matters related to environment.

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.100) Solution (b)

The National Green Tribunal was set up under the National Green Tribunal Act, 2010. It draws inspiration from the India's constitutional provision of Article 21, which assures the citizens of India the right to a healthy environment.

The tribunal has Original Jurisdiction on matters of "substantial question relating to environment" (i.e. a community at large is affected, damage to public health at broader level) & "damage to environment due to specific activity" (such as pollution).

It is not bound by the procedure laid down under the Code of Civil Procedure, 1908; instead it is guided by principles of natural justice.

India is the third country after Australia and New Zealand to have such a system.

NGT is the first body of its kind that is required by its parent statute to apply the "polluter pays" principle and the principle of sustainable development.