

Q.1) Consider the following statements about the Fundamental Rights:

1. All Fundamental Rights are positive in character.
2. The right to practice any profession, or to carry on any occupation, trade, or business is available only to citizens.

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 (b)

Explanation:

- The Fundamental Rights are enshrined in **Part III of the Constitution from Articles 12 to 35**. The Constitution provides **six** Fundamental Rights.
- **Some Fundamental Rights are negative in character while others are positive.** Negative Fundamental Rights entail **limitations on the government**, while positive Fundamental Rights impose an obligation on the government to take measures. **Hence, option 1 is not correct.**
- **Article 19** under **Part III** of the Indian Constitution guarantees **all citizens** the right to:
 - Freedom of speech and expression
 - Assembly in a peaceful manner
 - Form associations and unions
 - Move freely throughout the country
 - Reside in any part of the country, and
- Practice any profession, or carry out any occupation, trade, or business. **Hence, option 2 is correct.**
- The Constitution of India, therefore taking into consideration the need and the importance of work, has guaranteed a fundamental right under **Article 19(1)(g)** to practice any profession, or to carry on any occupation, trade, or business, **to all the citizens** residing with the jurisdiction of the country.
- This right aims at the welfare and well-being of the citizens as well as the nation as a whole. Under this article, every citizen has the **right to choose employment**, or take up any trade or occupation, etc. as per his volition and free will, but at the same time, the **State has the right to impose certain limits**, which it feels necessary for the interest of the public.

Q.2) The Fundamental Rights are 'not absolute'. In this context, consider the following statements:

1. The reasonability of the restrictions imposed upon Fundamental Rights is decided by the Parliament.
2. Fundamental Rights can be suspended during the operation of a State Emergency.

Which of the statements given above is/are correct?

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

Q.2) Solution (d)

Explanation:

- The Fundamental Rights are enshrined in **Part III** of the Constitution from **Articles 12 to 35**.
- Fundamental Rights are **not absolute but qualified**. The state can impose **reasonable restrictions** on them. However, whether such restrictions are reasonable or not is **decided by the courts. Hence, statement 1 is not correct.**
- Fundamental Rights can be suspended during the operation of a **National Emergency** except for the rights guaranteed by Articles 20 and 21. **Hence, statement 2 is not correct.**
- Additionally, Fundamental Rights under Article 19 can be suspended **only** during the operation of an emergency declared on the grounds of **war or external aggression**.
- The scope of Fundamental Rights is **limited by Articles 31A, 31B and 31C**.
- **Parliament** can restrict or abrogate the application of Fundamental Rights in the case of armed forces, para-military forces, police forces, intelligence agencies, and analogous services.
- Fundamental Rights can be restricted while **martial law** is in force.

Q.3) Fundamental Rights are not 'sacrosanct'. Which of the following best explains the meaning of sacrosanct?

- a) Fundamental Rights can be restricted.
- b) Fundamental Rights can be abridged by the Parliament.
- c) Fundamental Rights cannot be repealed

d) Fundamental Rights are guaranteed at all times.

Q.3) Solution (b)

Explanation:

- The Fundamental Rights are enshrined in **Part III** of the Constitution from **Articles 12 to 35**. Part III of the Constitution is rightly described as the **Magna Carta of India**.
- They are **not absolute but qualified**. The **state can impose reasonable restrictions on them**.
- They are **not sacrosanct or permanent**. The **Parliament can curtail or repeal them** but only by a constitutional amendment act. **Hence, option (b) is correct.**

Q.4) With reference to the Part-III of the constitution, consider the following statements:

1. The rights mentioned in Part -III of the constitution are justiciable.
2. All the Fundamental Rights are self-executory in nature.
3. Both Supreme Court and the parliament can pass laws to enforce Fundamental Rights.

Which of the statements given above are not correct?

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

Q.4) Solution (b)

Explanation:

- Fundamental Rights **are justiciable**, allowing a person to move to the courts for their enforcement, if and when they are violated. **Hence, statement 1 is correct.**
- **Most of** the Fundamental Rights are **self-executory** in nature and they are directly enforceable. However, a few of them can be enforced on the basis of a law made to give effect to them.
- For example there is no need to enact a separate legislation to make the Right to Equality enforceable. These are called self-executory.
- At the same time, there are certain rights which need further legislation to make them enforceable. Such rights are Art. 17 (untouchables) Article 21A (right to free

& compulsory education); Article 23 (traffic in human beings; and Article 24 (child labor). **Hence, statement 2 is not correct.**

- Such laws can only be made by the Parliament as per Article 35 of the constitution. **Hence, statement 3 is not correct.**

Q.5) Which of the following can be included in the definition of State under Article 12 of the constitution?

1. ONGC
2. Air India
3. BCCI

Select the correct answer using the code given below.

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

Q.5) Solution (a)

Explanation:

- Article 12 has defined the term **State** for the purposes of Part III.
- According to it, the State includes the following:
 - Government and Parliament of India, that is, executive and legislative organs of the **Union government.**
 - Government and legislature of states, that is, executive and legislative organs of **state government.**
 - All local authorities that is, **municipalities, panchayats, district boards, improvement trusts, etc.**
 - All other authorities, that is, **statutory or non-statutory authorities** like LIC, ONGC, SAIL, etc. Thus, the State has been defined in a wider sense so as to include all its agencies. **Hence, statement 1 is correct.**
- **Air India**, founded in 1932 (as Tata Airlines) was recently sold to the Tata Group in 2021. **Hence, statement 2 is not correct.**
- Currently, BCCI's legal status is that of a **private entity** under the Tamil Nadu Societies Registration Act. BCCI does not depend on the Government of India for its finances. Hence BCCI is not a government body. **Hence, statement 3 is not correct.**

Q.6) The term law in Article 13 of the constitution includes:

1. A government notification
2. An Ordinance
3. A custom

Select the correct answer using the code given below.

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

Q.6) Solution (d)

Explanation:

- The term law in Article 13 has been given a wide connotation so as to include the following:
 - Permanent laws enacted by the **Parliament or the state legislatures. Hence, statement 1 is correct.**
 - Temporary laws like **ordinances** issued by the president or the state governors. **Hence, statement 2 is correct.**
 - Statutory instruments in the nature of delegated legislation (executive legislation) like order, bye-law, rule, regulation, or notification
- Non-legislative sources of law, that is, **custom or usage having the force of law. Hence, statement 3 is correct.**
- Thus, not only legislation but any of the above can be challenged in the courts as violating Fundamental Rights.

Q.7) Consider the following statements:

1. Only Parliament shall have the power to make laws restricting the application of Fundamental Rights to members of armed forces.
2. Both Parliament and State Legislature shall have powers to make laws for prescribing punishment for offenses such as traffic in human beings and forced labor.

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.7) Solution (a)

Explanation:

- Article 35 lays down that the power to make laws, to give effect to certain specified fundamental rights shall vest only in the Parliament and not in the state legislatures. This provision ensures that there is uniformity throughout India with regard to the nature of those fundamental rights and punishment for their infringement. In this direction, Article 35 contains the following provisions:
- The Parliament shall have (and the legislature of a state shall not have) power to make laws with respect to the following matters:
 - Prescribing residence as a condition for certain employments or appointments in a state or union territory or local authority or other authority (Article 16).
 - Empowering courts other than the Supreme Court and the high courts to issue directions, orders, and writs of all kinds for the enforcement of fundamental rights (Article 32).
 - Restricting or abrogating the application of Fundamental Rights to members of armed forces, police forces, etc. (Article 33). **Hence, statement 1 is correct.**
 - Indemnifying any government servant or any other person for any act done during the operation of martial law in any area (Article 34).
- Parliament shall have (and the legislature of a state shall not have) powers to make laws for prescribing punishment for those acts that are declared to be offenses under the fundamental rights. These include the following:
 - Untouchability (Article 17).
 - Traffic in human beings and forced labor (Article 23). **Hence, statement 2 is not correct.**

Q.8) Consider the following passage with reference to a writ issued by Supreme Court under Article 32:

“It is a command issued by a court to an authority directing it to perform a public duty imposed upon it by law. It can be issued when an authority vested with a power improperly refuses to exercise it. It can be issued to any kind of authority in respect of any type of function – administrative, legislative, quasi-judicial, and judicial. It is used to enforce the performance of public duties by public authorities”.

The above passage refers to which of the following writs?

- a) Prohibition
- b) Certiorari
- c) Mandamus
- d) Quo-Warranto

Q.8) Solution (C)

Explanation:

- The Supreme Court (under Article 32) and the high courts (under Article 226) can issue the writs of habeas corpus, mandamus, prohibition, certiorari and quo-warranto.
- These writs are borrowed from English law where they are known as 'prerogative writs'.
- **Mandamus:** It is a command issued by a court to an authority directing it to perform a public duty imposed upon it by law. Mandamus can be issued when the Government denies to itself a jurisdiction which it undoubtedly has under the law, or where an authority vested with a power improperly refuses to exercise it. The function of mandamus is to keep the public authorities within the limits of their jurisdiction while exercising public functions.
- Mandamus can be issued to any kind of authority in respect of any type of function – administrative, legislative, quasi-judicial and judicial.
- Mandamus is used to enforce the performance of public duties by public authorities. Mandamus is not issued when the Government is under no duty under the law. When an authority fails in its legal duty to implement an order of a tribunal, mandamus can be issued directing the authority to do so.
- Thus, when the appellate transport tribunal accepted the applications of the petitioner for grant of permits, mandamus was issued to the concerned authority to issue the permits to the petitioner in terms of the tribunal order. Mandamus is issued to enforce a mandatory duty which may not necessarily be a statutory duty.
Hence, option (c) is correct.

Q.9) Which of the following can help achieve 'Sustainable Development Goal- 4'?

1. Fundamental Rights

2. Directive Principles of State Policy
3. Fundamental duties

Select the correct answer using the code given below.

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

Q.9) Solution (d)

Explanation:

- The **Sustainable Development Goals** agenda was accepted by all members of the **United Nations in 2012** in **Rio de Janeiro** with an **aim to promote a healthy and developed future for the planet and its people**. They were **implemented in 2015** replacing the Millennium Development Goals.
- It is a group of **17 goals**.
- **Goal 4** ensure **inclusive and equitable quality education** and promote lifelong learning opportunities for all.

Provisions related to Education in the constitution:

- The **86th Amendment Act of the constitution 2002** changed the subject matter of **Article 45** and made elementary education a **fundamental right** under **Article 21A**.
- Art 45 (DPSP) of Indian constitution states that the State shall endeavor to provide early childhood care and education for all children until they complete the age of six years.
- **Hence statement 1 and 2 are correct.**
- The 86th CAA also added a **fundamental duty-51 A (K)** - to provide opportunities for education to his child or ward between the age of six and fourteen years. **Hence statement 3 is correct.**

Q.10) Consider the following statements regarding Right to Equality guaranteed under Part III of the Indian Constitution:

1. It aims at establishing social equality.
2. It provides for reservation of seats for SC/ST in Parliament and State Legislatures.

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.10) Solution (a)

Explanation:

- Right to Equality (Article 14-18) protects the citizens against any discrimination by the State on the basis of religion, caste, race, sex, or place of birth.
- Article 14 says that all citizens enjoy equal privileges and opportunities.
- Article 15 provides that the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.
- Article 16 says that no citizen can be discriminated against or be ineligible for any employment or office under the State on grounds of only religion, race, caste, sex, descent, place of birth or residence.
- Article 17 abolishes 'untouchability' and forbids its practice in any form.
- Article 18 abolish all titles national or foreign which create artificial distinctions in social status amongst the people.
- Hence, Right to Equality aims at an end to Social discrimination and aims at establishing Social equality. **Hence, statement 1 is correct.**
- **Article 334 of the Constitution** lays down the provisions of the Constitution relating to the reservation of seats for the Scheduled Castes and the Scheduled Tribes and the representation of the Anglo-Indian community by nomination in the Lok Sabha and in the Legislative Assemblies of the States. **Hence, statement 2 is not correct.**

Q.11) Consider the following statements with respect to Fundamental Duties:

1. The 42nd Constitutional Amendment Act added more Fundamental Duties than recommended by the Swaran Singh Committee.
2. They can be enforced by a law made by the Parliament.
3. The Fundamental Duties have been amended only once since their incorporation in the Constitution.
4. Fundamental Duties are not applicable to foreigners residing in India.

Which of the statements given above is/are correct?

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

Q.11) Solution (d)

Explanation:

- In **1976, Sardar Swaran Singh Committee** was constituted to make recommendations about Fundamental Duties. Though the Swaran Singh Committee suggested the incorporation of **eight Fundamental Duties in the Constitution**, the 42nd Constitutional Amendment Act (1976) included **ten Fundamental Duties. Hence, statement 1 is correct.**
- It added a new part, namely, **Part IVA to the Constitution**. This new part consists of only one Article, that is, Article 51A which for the first time specified a code of ten fundamental duties of the citizens. The Fundamental Duties in the Indian Constitution are inspired by the Constitution of erstwhile USSR.
- Like the Directive Principles, **the fundamental duties are also non-justiciable**. The Constitution does not provide for its direct enforcement by the courts. Moreover, there is not legal sanction against their violation.
- They help the courts in examining and determining the constitutional validity of a law. In 1992, the Supreme Court ruled that in determining the constitutionality of any law, if a court finds that the law in question seeks to give effect to a fundamental duty, it may consider such law to be 'reasonable' in relation to **Article 14** (equality before law) or **Article 19** (six freedoms) and thus save such law from unconstitutionality.
- They are enforceable by law. Hence, the Parliament can provide for the imposition of appropriate penalty or punishment for failure to fulfil any of them. **Hence statement 2 is correct.**
- A new Fundamental Duty - to provide opportunities for education to his child or ward between the age of six and fourteen years. It was added by the 86th Constitutional Amendment Act, 2002. The Fundamental Duties have been amended only once since their incorporation. **Hence statement 3 is correct.**
- FD apply only to citizens and **DO NOT EXTEND TO FOREIGNERS. Hence, statement 4 is correct.**

Q.12) Which of the following are the rights of the accused (of a criminal offence) as guaranteed by the Indian Constitution?

1. No person would be punished for the same offense more than once.
2. No person shall be asked to give evidence against himself or herself.
3. No criminal law shall declare any action as illegal from a back date.

Select the correct answer using the code given below.

- a) 1 Only

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

Q.12) Solution (d)

Explanation:

- Our Constitution ensures that persons accused of various offences would also get sufficient protection. Article 20 grants protection against arbitrary and excessive punishment to an accused person, whether citizen or foreigner or legal people like a company or a corporation. To ensure a fair trial in courts, the Constitution has provided three rights:
 - **No double jeopardy:** No person would be punished for the same offence more than once.
 - **No ex-post-facto law:** No person shall be (i) convicted of any offence except for violation of a law in force at the time of the commission of the act, i.e. No law shall declare any action as illegal from a backdate (ii) subjected to a penalty greater than that prescribed by the law in force at the time of the commission of the act.
 - **No self-incrimination:** No person shall be asked to give evidence against himself or herself.
- **Hence all the statements are correct.**

Q.13) Consider the following provisions in Directive Principles of State Policy:

1. To secure opportunities for healthy development of children.
2. To promote equal justice and provide free legal aid to the poor.
3. To minimize inequalities in income, status, facilities and opportunities.
4. To protect and improve the environment and to safeguard forests and wildlife.

Which of the above given provisions were added by the 42nd Constitutional Amendment Act, 1976?

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

Q.13) Solution (c)

Explanation:

- The 42nd Amendment Act of 1976 **added four new Directive Principles** to the original list. They require the State:
 - 1) To secure opportunities for healthy development of children (Article 39).
 - 2) To promote equal justice and to provide free legal aid to the poor (Article 39 A).
 - 3) To take steps to secure the participation of workers in the management of industries (Article 43 A).
 - 4) To protect and improve the environment and to safeguard forests and wild life (Article 48 A)
- **The 44th Amendment Act of 1978** added one more Directive Principle, which requires the State to minimize inequalities in income, status, facilities and opportunities (Article 38). **Hence, statement 3 is not correct.**

Q.14) With reference to Overseas Citizen of India (OCI) Cardholder, consider the following statements:

1. A citizen of another country who was a citizen of India at any time after the commencement of the Constitution is eligible to become OCI cardholder.
2. OCI cardholders are entitled to multiple entry lifelong visa for visiting India for any purpose.
3. OCI cardholders enjoy the right to equality of opportunity in matters of public employment.

Which of the statements given above is/are correct?

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

Q.14) Solution (a)

Explanation:

- Following categories of foreign nationals are eligible for registration as Overseas Citizen of India (OCI) Cardholder:
 - Who was a citizen of India at the time of, or at any time after the commencement of, the Constitution i.e. 26.01.1950; or
 - who was eligible to become a citizen of India on 26.01.1950; or
 - who belonged to a territory that became part of India after 15.08.1947; or
 - who is a child or a grandchild or a great-grandchild of such a citizen; or

- who is a minor child of such persons mentioned above; or
- who is a minor child and whose both parents are citizens of India or one of the parents is a citizen of India; or
- Spouse of foreign origin of a citizen of India or spouse of foreign origin of an Overseas Citizen of India Cardholder registered under the Citizenship Act, 1955 and whose marriage has been registered and subsisted for a continuous period of not less than two years immediately preceding the presentation of the application.
- OCI is not to be misconstrued as 'dual citizenship'. OCI does not confer political rights. The registered Overseas Citizens of India shall not be entitled to the rights which are conferred only to citizens of India, such as the right under article 16 of the Constitution with regard to equality of opportunity in matters of public employment.

Q.15) Consider the following statements with respect to the Citizenship (Amendment) Act, 2019:

1. It provides Indian citizenship to minorities from all the neighbouring countries who entered India illegally.
2. It exempts the migrants from the adverse penal consequences of the Passport (Entry into India) Act, 1920.
3. It provides for the creation of the National Register of Indian Citizens (NRI).

Which of the statements given above is/are correct?

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

Q.15) Solution (c)

Explanation:

- The recent enactment of the Citizenship (Amendment) Act 2019 (CAA) enables, for the first time, the granting of citizenship to an individual on the basis of one's earlier area of residence (country of origin) and religion.
- The Central Government has exempted the migrants from Hindu, Sikh, Buddhist, Jain, Parsi or Christian communities from Afghanistan, Pakistan, or Bangladesh who entered into India without valid travel documents or if the validity of their documents has expired to be considered as illegal migrants. Before this, they were considered as illegal migrants and were ineligible to apply for Indian citizenship

under section 5 or section 6 of the Act. The Central Government exempted the said migrants from the adverse penal consequences of the Passport (Entry into India) Act, 1920 and the Foreigners Act, 1946. Subsequently, the Central Government also made them eligible for long term visa to stay in India Now, it is proposed to make the said migrants eligible for Indian Citizenship. **Hence statement 1 is not correct and statement 2 is correct.**

- National Population Register: The 2003 amendment to the Citizenship Act of 1955 introduced Section 14A with the aim of creating the National Register of Indian Citizens (NRIC). A set of rules called "The Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules-2003" [2003 Rules] provided for the NPR based on data collected from all residents of India so that the NRIC could be prepared. **Hence statement 3 is not correct.**

Q.16) Who among the following is/are eligible to get registered as a citizen of India?

1. A person of Indian origin who is ordinarily resident in any country or place outside undivided India.
2. A person who is married to a citizen of India and is ordinarily resident in India for two years.
3. A person of full age and capacity who was earlier an Indian citizen, and is ordinarily resident in India for twelve months.

Select the correct answer using the code given below.

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

Q.16) Solution (c)

Explanation:

- Under the Citizenship Act of 1955, the Central Government may, on an application, register as a citizen of India any person (not being an illegal migrant) if he belongs to any of the following categories, namely:-
 - a person of Indian origin who is ordinarily resident in India for seven years before making an application for registration;
 - a person of Indian origin who is ordinarily resident in any country or place outside undivided India; **Hence, statement 1 is correct.**
 - a person who is married to a citizen of India and is ordinarily resident in India for **seven years before making an application for registration. Hence, statement 2 is not correct.**
 - minor children of persons who are citizens of India;

- a person of full age and capacity whose parents are registered as citizens of India;
- a person of full age and capacity who, or either of his parents, was earlier citizen of independent India, and is ordinarily resident in India for twelve months immediately before making an application for registration; **Hence, statement 3 is correct.**
- a person of full age and capacity who has been registered as an overseas citizen of India cardholder for five years, and who is ordinarily resident in India for twelve months before making an application for registration.

Q.17) With reference to the Uniform Civil code, consider the following statements:

1. All the states and union territories in India have distinct laws with respect to marriage, divorce, and succession for different religious communities.
2. A uniform Civil Code will usher in gender equality.
3. All Hindus are governed by a homogenous personal law after the enactment of the Hindu Code Bill.

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

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

Q.17) Solution (c)

Explanation:

- Article 44: It lays down that the state shall endeavor to secure a UCC for the citizens throughout the territory of India.
- It provides for one law for the entire country, applicable to all religious communities in their personal matters such as marriage, divorce, inheritance, adoption, etc.
- Goa is the only state in India that has uniform civil code regardless of religion, gender, caste. Goa has a common family law. Thus Goa is the only Indian state that has a uniform civil code. **Hence, statement 1 is not correct.**
- **Uniform Civil Code in Goa:** Goa has a common family law. Thus Goa is the only Indian state that has a uniform civil code. In Goa Hindu, Muslim, Christians all are bound with the same law related to marriage, divorce, succession. When the Goa became the part of union territory in 1961 by the virtue of the Goa Daman and Diu administration act 1962 the parliament authorized the Portuguese civil code of 1867 to Goa and shall be amended and repealed by the competent legislature.

- If a UCC is enacted, it will do away with gender biases in existing laws. **Hence, statement 2 is correct.**
- Even after the enactment of the Hindu Code Bill, all Hindus are not governed by a homogenous personal law. Even today, different castes and communities have their own rules and customs wrt marriage, divorce, inheritance, adoption, etc. **Hence, statement 3 is not correct.**
- **The Hindu Code Bill** was intended to provide a civil code in place of the body of Hindu personal law, which had been amended to only a limited extent by the British authorities. The bill was presented to the Constituent Assembly on 9 April 1948 but it caused a great deal of controversy and was subsequently broke down to three more specialized bills which came before the Lok Sabha in its 1952-7 term. The Hindu Marriage Bill outlawed polygamy and contained provisions dealing with inter caste marriages and divorce procedures; the Hindu Adoption and Maintenance Bill had as its main thrust the adoption of girls, which till then had been little practiced; the Hindu Succession Bill placed daughters on the same footing as widows and sons where the inheritance of family property was concerned.

Q.18) With reference to Prevention of Insults to National Honour Act, 1971, consider the following statements:

1. If the National Anthem is being played as a part of a movie, the audience is required to stand up until it is being played.
2. Not singing the National Anthem is an insult of the National Anthem and is therefore punishable under the provisions of this law.

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.18) Solution (d)

Explanation:

- The Prevention of Insults to National Honour Act, 1971, was enacted by the Indian government to ban any deliberate disrespect or insult to the country's national anthem.
- Offenders face a maximum sentence of three years in prison and a monetary fine.

Is it mandatory to stand during National Anthem?

- The act itself is silent on this matter and limits itself to punish those who create ruckus while others sing National Anthem. However, the government brings non-statutory directions from time to time.
- One such direction came in January 2015 in the form of General Provisions of the orders that says the following:
- “Whenever the National Anthem is sung or played, the audience shall stand to attention. However, when in the course of a newsreel or documentary the Anthem is played as a part of the film, it is not expected of the audience to stand as standing is bound to interrupt the exhibition of the film and would create disorder and confusion rather than add to the dignity of the Anthem.”
- The above provision makes it mandatory to stand when National Anthem is played **with an exception that if National Anthem is played as a part of a Film, audience is not required to stand. Hence, statement 1 is not correct.**
- Some other clarifications with respect to the law were added in **the Bijoe Emmanuel v. State of Kerala case ruling, 1986 (popularly known as the National Anthem case.)**
- **Background:** A circular issued by the Education Department of the Kerala State Government required every day before classes begin, the national anthem should be sung in an assembly and the whole school should join in collectively singing the National Anthem. Three children belonging to a religious group called Jehovah's Witnesses stood but did not sing and so were expelled from school. They did not sing because, according to them, it was against the tenets of their religious faith to sing the National Anthem. The expulsion order was challenged but the High Court dismissed the writ petition. When they approached the Supreme Court of India under a special leave petition under Article 136 of the Constitution of India, the apex court struck down the circular as unconstitutional holding that the punitive action taken against them was unmaintainable for the following reasons:
 - Violates of their fundamental right guaranteed under:
 - Article 19(1)(a) (free speech and expression)
 - The right to silence is a part of the right to free speech under Article 19
 - Right to pray under Article 25
 - The Supreme Court further maintained that:
 - Prevention of Insults to National Honour Act, 1971 does not mandate singing.
 - It is not disrespectful to the Anthem if a person stands respectfully but does not join others in singing it. **Hence, statement 2 is not correct.**

Q.19) Consider the following statements:

1. The doctrine of “essentiality” in religion was invented by the Supreme Court in the Keshavananda Bharati case.

2. Article 25-28 protect only those religious practices which are considered essential and integral to a religion.
3. The criterion for what will constitute an essential religious practice is completely established by the judgments of various court so far.

Which of the above statements is/are not correct?

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

Q.19) Solution (d)

Explanation:

- The doctrine of “essentiality” was invented by a seven-judge Bench of the SC in the ‘**Shirur Mutt’ case in 1954**. The court then took the responsibility of determining the essential practices of a religion upon itself. **Hence, statement 1 is not correct.**
- Essential religious practice test is a doctrine evolved by the Supreme Court (SC) to protect only such religious practices under fundamental rights, which are essential and integral to religion. **Hence, statement 2 is correct.**
- The Indian constitution under Article 25-28 guarantees the fundamental right to freedom of religion with some reasonable restrictions. The Indian model of secularism also provides for state’s intervention in religion to ensure freedom of religion.
- When the exercise of religious practices came in conflict with other fundamental rights guaranteed under the constitution. The doctrine of essentiality was utilized to decide on the constitutionality of such practices.

Some examples of the use of the doctrine.

- In Sri Venkataramana Devaru vs State of Mysore case, 1958, the Supreme Court had to decide, whether restrictions on entry into temples for some sections, was an “essential part of the Hindu religion”. It held that such practices are unconstitutional and void, and opened the temples for all Hindus.
- In Ayodhya Case, the court held that offering prayers was an essential practice of Islam, but offering prayers in the mosque was not essential practice.
- In Sabarimala case, the SC lifted the ban that prevented women and girls between the age of 10 and 50 (mainly menstruating women) from entering the famous Ayyappa shrine. It held that the centuries-old Hindu religious practice was unconstitutional as it violated article 14.

Judicial interventions in religious matters have led to the following benefits

- It has ensured balance between fundamental rights. For example, in Sabrimala case, SC attempted to strike a balance between the two fundamental rights of the right to equality and the right to freedom of religion
- It ensured social justice during the practice of Right to freedom of religion.
- It ensured that constitutional morality was given primacy over religious morality. To give freedom to people in a multicultural society, example SC struck down section 377.
- It ensured that there will be primacy of rule of law rather than rule of religion. It helps in eliminating the possibility of conflict between different sections of society.
- Lastly, the doctrine protects the essential practices of religion from interference of state.

However, some there are many issues associated with the use of essentiality doctrine, these issues require attention of SC.

- It raises a major question, what constitutes an essential practice shall be decided by the judges or members of the community?
- There is no fixed parameter for deciding the essential practices, in some cases they have relied on religious texts to determine essentiality, in others on the empirical behaviour of followers, and in yet others, based on whether the practice existed at the time the religion originated. **Hence, statement 3 is not correct.**
- Constitutional law experts have argued that the essentiality/integrality doctrine lead the court into an area that is beyond its competence, and given judges the power to decide purely religious questions.
- The basic idea of the constitution was to create a progressive and just society, which makes higher judiciary duty bound to strike down social evils present in religious practices. But while exercising this doctrine the court should keep in mind that religion is also a crucial aspect of human development and social harmony. Hence excessive interference shall be avoided.

Q.20) With reference to Defamation, consider the following statements:

1. Freedom of speech under Article 19(a) is given preference over the reputation of an individual under Article 21.
2. The criminalization of defamation to protect individual dignity and reputation can be considered as a reasonable restriction.

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.20) Solution (b)

Explanation:

- **Article 19(1) (a) gives people the right to speech and expression**, whereas **19(2) accords the state the power to impose “reasonable restrictions”** on the exercise of this right. These include integrity, security, and sovereignty of the country, friendly relations with foreign nations, public order, defamation, incitement to offense, or contempt of court.

According to the Supreme Court:

- The Reputation of an individual, a constituent in Article 21 is an equally important right as freedom of speech under Article 19(a). **Hence, statement 1 is not correct.**
- The criminalization of defamation to protect individual dignity and reputation is a “reasonable restriction”. **Hence, statement 2 is correct.**
- Editors have to take responsibility for everything they publish as it has far-reaching consequences in an individual and country’s life.
- The acts of expression should be looked at both from the perspective of the speaker and the place at which he speaks, the audience, etc.

Q.21) Consider the following statements with respect to the ‘Forest Conservation Rules (2022)’ which was notified recently

1. The Rules mandate the requirement of attaining a gram sabha NOC before diverting forest land for a project
2. It sets up an Advisory Committee and a screening committee at State/Union Territory (UT) government-level
3. States are given the responsibility of settling forest rights of forest dwellers (Forest Rights Act, 2006)

Choose the correct answer using the code given below

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

Q.21) Solution (d)

Explanation:

- Statement 1 – Incorrect, the new **Forest Conservation Rules do not mention the earlier requirement of attaining a gram sabha NOC before diverting forest land** for a project. They also allow forest rights to be settled after the final approval for forest clearances has been granted by the Centre.
- Statement 2 - Incorrect, it constituted an **Advisory Committee, a regional empowered committee at each of the integrated regional offices** and a screening committee at State/Union Territory (UT) government-level.
- Statement 3 - Correct, **States are given the responsibility of settling forest rights of forest dwellers (Forest Rights Act, 2006) and allowing diversion of forest land.**

Q.22) Consider the following statements with respect to 'Rebate of State and Central Levies and Taxes (RoSCTL) Scheme'

1. The exporters are issued a Duty Credit Scrip for the value of embedded taxes and levies contained in the exported product under this scheme
2. The scheme was notified by the Ministry of Commerce and Industry
3. The scheme is presently applicable to all exporters except petroleum and jewellery sector

Choose the correct answer using the code given below

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

Q.22) Solution (d)

Explanation:

- Statement 1 - Correct, in 2019, the **Ministry of Textiles** notified a new scheme by the name Rebate of State and Central Taxes and Levies (RoSCTL).
- Under this scheme, the **exporters are issued a Duty Credit Scrip for the value of embedded taxes and levies** contained in the exported product.
- Exporters can use this scrip to pay basic Customs duty for the import of equipment, machinery or any other input
- Statement 2 - Incorrect, the scheme was notified by **Ministry of Textiles in 2019.**
- Statement 3 - Incorrect, at present, the RoSCTL scheme is **applicable only to the exporters of apparel and made-ups.**

- Continuation of RoSCTL for Apparel/Garments and Made-ups is expected to make these products globally competitive by rebating all embedded taxes/levies which are currently not being rebated under any other mechanism.

Q.23) With reference to 'Commission for Air Quality Management', consider the following statements

1. It is an executive body established as an overarching body to carry out air quality management in Delhi NCR
2. Directions issued by the commission can only be contested before the National Green Tribunal
3. The rulings by the commission on air pollution will override anything contained in any other law.

Choose the correct answer using the code given below

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

Q.23) Solution (b)

Explanation:

- Statement 1 - Incorrect, **CAQM is a statutory Body** that regulates the process by coordinating between the Central Government and the states concerned.
- Statement 2 - Correct, the Act further says that **no civil court will have jurisdiction to entertain any suit**, proceeding or dispute pertaining to or arising out of the actions taken or directions issued by the commission and that orders of the commission can only be contested before the **National Green Tribunal**.
- Statement 3 - Correct, the Commission is the most powerful air pollution monitoring body set up by the Centre to date.
- The **rulings by the commission on air pollution will override anything contained in any other law**.
- The powers of the commission will also supersede that of any other body in matters of air pollution.
- Therefore, in cases where conflict may arise between orders or directions issued by the other state governments, state pollution control boards or even the Central Pollution Control Board, the orders of the commission will prevail

Q.24) Consider the following statements about N-Treat technology

1. N-Treat Technology is developed by Indian Institute of Technology-Bombay
2. It is a seven-stage process for waste treatment
3. It is a natural and environment friendly way for sewage treatment

Choose the correct statements:

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

Q.24) Solution (a)

Explanation:

- Statement 1 - Correct, Brihanmumbai Municipal Corporation (BMC) has planned in-situ treatment of sewage from the drains. This will be done with the help of **Indian Institute of Technology-Bombay's (IIT-B) N-Treat Technology**
- Statement 2 - Correct, **N-Treat is a seven-stage process for waste treatment** that uses screens, gates, silt traps, curtains of coconut fibres for filtration, and disinfection using sodium hypochlorite
- Statement 3 - Correct, according to the detailed project report for N-Treat, a copy of which is available on the civic body's website, it is a natural and environment friendly way for sewage treatment.
- It's set up takes place within the nullah channels that is through the in-situ or on-site method of treatment, and does not require additional space.

Q.25) 'Snake Island' seen in news frequently lies in

- a) Black Sea
- b) South China Sea
- c) Mediterranean Sea
- d) Baltic Sea

Q.25) Solution (a)

Explanation:

- Snake Island, also known as **Serpent Island or Zmiinyi Island**, is an island belonging to **Ukraine located in the Black Sea**, near the Danube Delta, with an important role in delimiting Ukrainian territorial waters.

- On 24 February 2022, two Russian navy warships attacked and captured Snake Island. It was since heavily bombarded by Ukraine

Q.26) What is the remainder when we divide $3^{90} + 5^{90}$ by 34?

- a) 0
- b) 17
- c) 33
- d) 1

Q.26) Solution (a)

Explanation:

$$3^{90} + 5^{90} \text{ can be written as } (3^2)^{45} + (5^2)^{45}$$

$$= (9)^{45} + (25)^{45}$$

Any number of the form $a^n + b^n$ is a multiple of $(a + b)$ whenever n is odd.

So, $(9)^{45} + (25)^{45}$ is a multiple of $9 + 25 = 34$

So, the remainder when we divide $(3^2)^{45} + (5^2)^{45}$ by 34 is equal to 0.

Q.27) Let N , x and y be positive integers such that $N = x + y$, $2 < x < 10$ and $14 < y < 23$. If $N > 25$, then how many distinct values are possible for N ?

- a) 4
- b) 6
- c) 3
- d) 5

Q.27) Solution (b)

Explanation:

$$2 < x < 10$$

x can take any of the values from the set $\{3, 4, 5, 6, 7, 8, 9\}$

$$14 < y < 23$$

y can take any of the values from the set $\{15, 16, 17, 18, 19, 20, 21, 22\}$

The highest value N (i.e. $x+y$) can take = $9+22 = 31$. (at $x = 9$; $y = 22$)

30 can be obtained at $x = 9$; $y = 21$

29 can be obtained at $x = 9$; $y = 20$

28 can be obtained at $x = 9$; $y = 19$

27 can be obtained at $x = 9; y = 18$

26 can be obtained at $x = 9; y = 17$

25 can be obtained at $x = 9; y = 16$

But, $x+y=25$ is not the desired sum, hence the different values of $x+y$ are {31, 30, 29, 28, 27, 26}.

Hence, $x+y$, and thereby N can take 6 distinct values.

Q.28) The number 358k867 is divisible by 11. What is the value of the digit k ?

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

Q.28) Solution (c)

Explanation:

If 358k867 has to be divisible by 11, then the difference between the sum of the digits in the even places and odd places must be either 0 or multiple of 11.

Therefore, $(3+8+8+7) - (5+k+6) = 26 - 11 - k = 15 - k$

For $k = 4$ the above expression gives remainder zero.

Q.29) Apples are to be transferred from larger boxes into smaller boxes. When a large box is emptied, the apples from it fill two smaller boxes and still 10 apples remain outside. If the number of apples in a small box are taken to be x , what is the number of apples in the larger box?

- a) $X-10$
- b) $2X+10$
- c) $2X-10$
- d) $X+20$

Q.29) Solution (b)

Explanation:

Number of apples in one small box = X

Number of apples in two small boxes = $2X$

Number of apples left = 10

Number of apples in the large box = Number of apples in two small boxes + Number of apples left

$$= 2X + 10$$

Read the following passage and answer the items that follow. Your answer to these items should be based on the passages only

Passage 1

No conflict since the 1940s has been bloodier, yet few have been more completely ignored. Estimates of the death toll in Congo between 1998 and 2003 range from roughly 1m to more than 5m—no one counted the corpses. Taking the midpoint, the cost in lives was higher than that in Syria, Iraq, Vietnam or Korea. Yet scarcely any outsider has a clue what the fighting was about or who was killing whom. Which is a tragedy, because the great war at the heart of Africa might be about to start again.

To understand the original war, consider this outrageously oversimplified analogy. Imagine a giant house whose timbers are rotten. That was the Congolese state under Mobutu Sese Seko, the kleptocratic tyrant who ruled from 1965 to 1997. Next, imagine a cannonball that brings the house crashing down. That cannonball was fired from Rwanda, Congo's tiny, turbulent neighbour. Now imagine that every local gang of armed criminals comes rushing in to steal the family jewels, and the looting turns violent. Finally, imagine that you are a young, unarmed woman who lives alone in the shattered house. It is not a pleasant thought, is it?

Mobutu and his underlings looted the Congolese state until it could barely stand. When a shock struck, it collapsed. The shock was the Rwandan genocide of 1994. The perpetrators of that abomination, defeated at home, fled into Congo. Rwanda invaded Congo to eliminate them. Meeting almost no resistance, since no one wanted to die for Mobutu, the highly disciplined Rwandans overthrew him and replaced him with their local ally, Laurent Kabila. Then Kabila switched sides and armed the genocidaires, so Rwanda tried to overthrow him, too. Angola and Zimbabwe saved him. The war degenerated into a bloody tussle for plunder. Eight foreign countries became embroiled, along with dozens of local militias. Congo's mineral wealth fuelled the mayhem, as men with guns grabbed diamond, gold and coltan mines. Warlords stoked ethnic divisions, urging young men to take up arms to defend their tribe—and rob the one next door—because the state could not protect anyone.

Q.30) According to the author, why did Rwanda invade Congo?

- To take revenge against the perpetrators of Rwandan genocide.
- To replace Laurent Kabila as the new head of Congo.
- To loot Congo's mineral wealth.
- To impose their sovereignty over Congo.

Q.30) Solution (a)

Explanation:

The 3rd paragraph of the passage says that "Rwanda invaded Congo to eliminate them".

Here 'them' refer to the perpetrators of Rwandan genocide.

Hence, option a is the correct answer.

IASBABA