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## POLITY

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**1. Ans: B****Exp:**

- When the Constitution of India was adopted in 1949, the Indian federal structure included:
  - ◆ Part A: Former British India provinces that had a Governor and a legislature.
  - ◆ Part B: The former Princely States that were governed by a Rajpramukh.
  - ◆ Part C: Chief Commissioners' provinces and some princely states that were governed by Chief Commissioner.
  - ◆ Part D: Territory of Andaman and Nicobar Islands that was governed by a Lieutenant Governor who was appointed by the Central Government.
- After the States Reorganisation Act of 1956, Part C and Part D states were combined into a single category of '**Union Territory**'. **The concept of the UT was added by the Constitution (Seventh Amendment) Act, 1956.**
- A Union Territory refers to those federal territories that are too small to be independent or are too different (economically, culturally and geographically) to be merged with the surrounding states or are financially weak or are politically unstable.
  - ◆ UTs are administered by the President. In the UTs Lieutenant Governors are appointed by the President of India as their administrators.
  - ◆ However, Puducherry, Jammu and Kashmir and Delhi are the exception in this regard and have an elected legislature and government due to the status of partial statehood.
  - ◆ At present, India has 8 UTs-- Delhi, Andaman and Nicobar, Chandigarh, Dadra and Nagar Haveli and Daman and Diu, Jammu and Kashmir, Ladakh, Lakshadweep, and Puducherry.
- **Hence, option B is correct.**

**2. Ans: B****Expl:**

- **Article 47:** The Directive Principle in the Constitution of India states that "The **state shall undertake rules to bring about prohibition of the consumption** except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health".
- **Hence, option B is correct.**

**3. Ans: C****Exp:**

- The Comptroller and Auditor General of India (CAG) is a Constitutional Body.
  - ◆ **Article 148 provides for an independent office of the CAG.** It is the supreme audit institution of India.
  - ◆ **Hence, statement 1 is correct.**
  - ◆ Articles 149-151 (Duties & Powers, Form of Accounts of the Union and the States and Audit Reports), Article 279 (calculation of net proceeds, etc.) and Third Schedule (Oath or Affirmation) and Sixth Schedule (Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram).
- **Profile in Brief:**
  - ◆ Head of the Indian Audit and Accounts Department - created in 1753.
  - ◆ Guardian of the public purse and controls the entire financial system of the **country at both the levels**—the Centre and the state.
  - ◆ **Hence, statement 2 is correct.**
- The CAG is appointed by the President of India by a warrant under his hand and seal.
  - ◆ **Tenure: A period of six years or upto the age of 65 years**, whichever is earlier.
  - ◆ The CAG can be removed by the President on the same grounds and in the same manner as a judge of the Supreme Court. He **does not hold his office till the pleasure of the President.** **Hence, statement 3 is not correct.**

**4. Ans: D****Exp:****EWS Quota:**

- The **10% EWS quota was introduced under the 103rd Constitution (Amendment) Act, 2019** by amending Articles 15 and 16.
- **Hence, statement 1 is correct.**
  - ◆ It inserted **Article 15 (6) and Article 16 (6).** **Hence, statement 2 is correct.**
- It is for economic reservation in jobs and admissions in education institutes for Economically Weaker Sections (EWS).



- ◆ It was enacted to promote the welfare of the poor not covered by the 50% reservation policy for Scheduled Castes (SCs), Scheduled Tribes (STs) and Socially and Educationally Backward Classes (SEBC).
- It enables both Centre and the states to provide reservation to the EWS of society.

#### 5. Answer: B

#### Explanation

- **Article 343** of the Constitution of India provides that the official language of the Union shall be **Hindi in the Devanagari script. Hence, statement 1 is not correct.**
- **Article 348(1)(a)** states that unless Parliament by law provides otherwise, all proceedings before the Supreme Court and in every High Court shall be conducted in English.
- Therefore, the Constitution recognizes English as the primary language of the Supreme Court and the High Courts, with the caveat that when some other language is used in the proceedings of High Courts, judgments of the High Courts must be delivered in English. **Hence, statement 2 is correct.**

#### 6. Ans: C

#### Exp:

#### Protection of Women Against Sexual Harassment Act, 2013:

- **Background:** The Supreme Court in a landmark judgement in the Vishakha and others v State of Rajasthan 1997 case gave 'Vishakha guidelines'.
  - ◆ These guidelines formed the basis for the The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Sexual Harassment Act"). **Hence statement 1 is correct.**
- **Mechanism:** The Act defines sexual harassment at the workplace and creates a mechanism for redressal of complaints.
  - ◆ Every employer is required to constitute an Internal Complaints Committee at each office or branch with 10 or more employees. **Hence statement 2 is correct.**
  - ◆ The Complaints Committees have the powers of civil courts for gathering evidence.
  - ◆ The Complaints Committees are required to provide for conciliation before initiating an inquiry if requested by the complainant.
- **Penal Provisions:** Penalties have been prescribed for employers. Non-compliance with the provisions of the Act shall be punishable with a fine.

- ◆ Repeated violations may lead to higher penalties and cancellation of license or registration to conduct business.
- **Responsibility of Administration:** The State Government will notify the District Officer in every district, who will constitute a Local Complaints Committee (LCC) so as to enable women in the unorganised sector or small establishments to work in an environment free of sexual harassment.

#### 7. Ans: C

#### Exp:

- The **expenditure limit** for candidates for Lok Sabha constituencies was increased from **Rs 54 lakh-Rs 70 lakh** (depending on states) to **Rs 70 lakh-Rs 95 lakh**, by the **Election Commission of India (ECI)**.
  - ◆ Further, the spending limit for Assembly constituencies was hiked from **Rs 20 lakh-Rs 28 lakh** to **Rs 28 lakh- Rs 40 lakh** (depending on states).
- It is the **amount an election candidate can legally spend for their election campaign** and has to account for, which includes expenses on public meetings, rallies, advertisements, posters, banners, vehicles and advertisements.
  - ◆ All candidates are required to submit their expenditure statement to the ECI within **30 days** of the completion of the elections.
  - ◆ An incorrect account or **expenditure beyond the cap can lead to disqualification of the candidate by the ECI** for up to three years, under Section 10A of RPA, 1951.
- **Hence, statement 1 is correct.**
- There is **no cap on a political party's expenditure**, which is often exploited by candidates of the party. **Hence, statement 2 is correct.**

#### 8. Answer: A

#### Explanation:

- Article 44 of the Constitution lays down that the state shall endeavour to secure a Uniform Civil Code (UCC) for the citizens throughout the territory of India.
- The provision of UCC envisages that it would provide for one law for the entire country, applicable to all religious communities in their personal matters such as marriage, divorce, inheritance, adoption etc.
- Article 44 is one of the Directive Principles of State Policy (DPSP).
  - ◆ DPSP as defined in Article 37, are not justiciable (not enforceable by any court) but the principles laid down therein are fundamental in governance.
- **Hence, option A is correct.**

9. Ans: C

Exp:

**Witness Protection in India:**

- In 2018, the SC approved the Witness Protection Scheme 2018 which aimed at enabling a witness to depose fearlessly and truthfully. Under the Judgement, SC held that:
  - ◆ **Right of witnesses to testify freely in courts is part of Article 21 (Right to Life). Hence, statement 1 is correct.**
  - ◆ The scheme will be the law under Article 141/142 of the Constitution of India.
  - ◆ The bench has also asked all States and UTs to set up vulnerable witness deposition complexes.
- Recently, the **Supreme Court (SC) expanded the meaning of vulnerable witnesses** to also include among others sexual assault victims, those with mental illness and people with speech or hearing impairment.
  - ◆ The SC directed that all High Court's (HC) adopt and notify a **Vulnerable Witness Deposition Centre (VWDC) scheme** within a period of two months.
- The need to protect witnesses has been emphasised by Law Commission reports and court judgments for years.
  - ◆ The State of Gujarat v. Anirudh Singh (1997), 14th Law Commission Report and Malimath Committee Report has recommended a witness protection scheme. **Hence, statement 2 is correct.**

10. Ans: D

Exp:

- The **Election Commission of India (ECI)** is an autonomous constitutional authority responsible for administering Union and State election processes in India.
  - ◆ The body administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.
- **Part XV of the Indian constitution** deals with elections, and establishes a commission for these matters. **Hence, statement 1 is correct.**
  - ◆ The Election Commission was established in accordance with the Constitution on 25th January 1950.
  - ◆ Article 324 to 329 of the constitution deals with powers, function, tenure, eligibility, etc of the commission and the members.

- Originally the commission had only one election commissioner but after the **Election Commissioner Amendment Act 1989**, it has been **made a multi-member body. Hence, statement 2 is correct.**
- The commission consists of one Chief Election Commissioner and two Election Commissioners appointed by the President of India.
- They have a fixed tenure of six years, or up to the age of 65 years, whichever is earlier.
  - ◆ The Chief Election Commissioner can be **removed from office only through a process of removal** similar to that of a Supreme Court judge **by Parliament. Hence, statement 3 is correct.**

11. Ans: C

Exp:

**National Commission for Protection of Child Rights**

- NCPDR is a **statutory body set up in March 2007 under the Commissions for Protection of Child Rights (CPCR) Act, 2005.**
- It is **under the administrative control of the Ministry of Women & Child Development. Hence statement 1 is correct.**
- The Commission's mandate is to ensure that all laws, policies, programmes, and administrative mechanisms are in consonance with the child rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.
- It inquires into complaints relating to a child's right to free and compulsory education under the **Right to Education Act, 2009. Hence statement 2 is correct.**
- It monitors the implementation of **Protection of Children from Sexual Offences (POCSO) Act, 2012.**

12. Ans: D

Exp:

**Press Freedom in India:**

- Romesh Thappar v. State of Madras, 1950: The Supreme Court in Romesh Thappar v. the State of Madras observed that freedom of the press lay at the foundation of all democratic organizations.
- **Fundamental Right Under Article 19:** The Indian Constitution guarantees freedom of speech and expression under Article 19, which deals with 'Protection of certain rights regarding freedom of speech, etc.
- **Implicit Right:** Freedom of the press is not expressly protected by the Indian legal system but it is impliedly protected under article 19(1) (a) of the constitution.



- However, Freedom of the press is also not absolute.
- A law could impose only those restrictions on the exercise of this right, it faces certain restrictions under article 19(2), which is as follows:
  - ◆ **Sovereignty and integrity of India,**
  - ◆ Security of the State,
  - ◆ Friendly relations with foreign States,
  - ◆ Public order, decency or morality or in
  - ◆ **Contempt of court,**
  - ◆ **Defamation**
  - ◆ **Incitement to an offense**
- Hence, option D is correct.

13. Ans: B

Exp:

About Electoral Bonds:

- These bonds are issued in multiples of Rs. 1,000, Rs. 10,000, Rs. 1 lakh, Rs. 10 lakh and Rs. 1 crore without any maximum limit. Hence, statement 1 is not correct.
- Only the State Bank of India is authorised to issue and encash these bonds, which are valid for fifteen days from the date of issuance. Hence, statement 2 is correct.
- These bonds are only redeemable in the designated account of a registered political party.
- The bonds are available for purchase by any citizen of India for a period of ten days each in the months of January, April, July and October as may be specified by the Central Government. Hence, statement 3 is correct.
- A person being an individual can buy bonds, either singly or jointly with other individuals.
- The donor's name is not mentioned on the bond.

14. Ans: C

Exp:

- AIS officers are **recruited by the Union Government** (by UPSC) and their services are **allotted under various State Cadres.**
  - ◆ They have the accountability to serve both under the State and the Centre. Hence, statement 1 is correct.
- States have to depute the All India Services (AIS) officers, to the Central government offices and at any point, it cannot be more than **40% of the total cadre strength.**
- Hence, statement 2 is correct.

15. Ans: C

Exp:

- The 42<sup>nd</sup> Amendment to the Constitution of India added Article 48A and 51A(g) which comes under the Directive Principle of State Policy and the Fundamental Duties respectively.
  - ◆ **Article 48A:** The State shall endeavour to protect and improve the environment and to **safeguard the forests and wildlife of the country.**
  - ◆ **Article 51A (g):** It shall be the duty of every citizen of India to **protect and improve the natural environment.**
  - ◆ Hence, statement 1 is correct.
- An **Environmental Impact Assessment (EIA)** notification is issued under **Section 3 of the Environment Protection Act, 1986**, to impose **restrictions on setting up new projects** or expansion or modernisation of existing projects. Hence, statement 2 is correct.

16. Ans: C

Exp:

Schools of Hindu Laws	
Mitakshara Law School	Dayabhaga Law School
The term Mitakshara is derived from the name of a <b>commentary written by Vijnaneswara, on the Yajnavalkya Smriti.</b>	The term Dayabhaga is derived from a <b>similarly named text written by Jimutavahana.</b>
It is <b>observed in all parts of India</b> and <b>subdivided</b> into the Benares, the Mithila, the Maharashtra and the Dravida schools. Hence, <b>statement 1 is correct.</b>	It is observed in <b>Bengal and Assam.</b>
<b>A son, by birth acquires an interest in the ancestral property</b> of the joint family.	A son has <b>no automatic ownership</b> right by birth but <b>acquires it on death of his father.</b> Hence, <b>statement 2 is not correct.</b>
All the members <b>enjoy coparcenary rights during the father's lifetime.</b>	Sons <b>do not enjoy coparcenary rights when the father is alive.</b> Hence, <b>statement 3 is correct.</b>
A coparcener's share is not defined and cannot be disposed of.	The share of each coparcener is defined and can be disposed of.



A wife cannot demand partition but has the right to a share in any partition between her husband and her sons.	Here, the same right does not exist for the women because the sons cannot demand partition as the father is the absolute owner.
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17. Ans: C

Exp:

Article 243 D:

- It enables the **reservation** of seats for Scheduled Castes, Scheduled Tribes, women and other backward classes in **every Panchayat**.
- The number of seats so reserved shall bear, as nearly as may be, the same proportion to the, total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.
- **Hence option C is correct.**

18. Ans: B

Exp:

- Recently, the Supreme Court asked the Centre to establish a dedicated Indian **Environment Service (IES)** at the all-India level.
- The creation of IES was **recommended by a committee headed by former Cabinet Secretary TSR Subramanian in 2014.**
  - ◆ The committee was established to review environmental laws in the country and to bring them in line with the then required needs.
- **Observations of TSR Subramanian Committee:**
  - ◆ Looking at the current administrative set-up, it can be inferred that the government servants might not be able to spare special time for environmental causes.
  - ◆ India had a strong environmental policy and legislative framework but weak implementation has resulted in environmental governance being criticised by conservation experts and the judiciary.
  - ◆ It also pointed out that there was no effective coordination amongst various Ministries/ institutions regarding the integration of environmental concerns.
  - ◆ **Hence, option B is correct.**

19. Ans: C

Exp:

- Conjugal rights are rights created by marriage, i.e. right of the husband or the wife to the society of the other spouse.
  - ◆ The **law recognises these rights— both in personal laws** dealing with marriage, divorce etc, and in criminal law requiring payment of maintenance and alimony to a spouse. **Hence, statement 2 is correct.**
  - ◆ Section 9 of the Hindu Marriage Act 1955 and Section 22 of the Special Marriage Act 1954 empower a husband or a wife to move the local district court, complaining that the other partner has “withdrawn” from the marriage without a “reasonable cause”.
- The concept of restitution of conjugal rights is codified in Hindu personal law now, but has colonial origins.
  - ◆ Originating from Jewish law, the provision for restitution of conjugal rights reached India and other common law countries through British Rule. **Hence, statement 1 is correct.**
  - ◆ The British law treated wives as their husband's personal possession hence they were not allowed to leave their husbands.
  - ◆ Similar provisions exist in Muslim personal law as well as the Divorce Act, 1869, which governs Christian family law.
  - ◆ Incidentally, in 1970, the U.K repealed the law on restitution of conjugal rights.

20. Ans: C

Exp:

- **Federalism** in essence is a dual government system including the Center and a number of States. Federalism is one of the pillars of the Basic Structure of the Constitution.
- **Constitutional Provisions for Maintaining Federal Spirit within the Country:**
  - ◆ The respective legislative powers of states and Center are traceable to Articles 245 to 254 of the Indian Constitution.
  - ◆ The lists in the 7<sup>th</sup> Schedule of the Constitution — Union, State and Concurrent also exemplify equitable share of powers, wherein each level of government has its own sphere, enabling context-sensitive decision-making.
  - ◆ **Article 263** provided for the **establishment of an Inter-State Council for smooth transition of business between the Union and states** and resolution of disputes.

- ◆ Article 280 provided for the constitution of the Finance Commission to define the financial relationship and terms between the Union and states.
- ◆ Also, the institutions for local self government were added through the 73rd and 74th amendments, to strengthen the grass roots democracy.
- ◆ Hence, option C is correct.

21. Ans: B

Exp:

- In the 1960s, it was proposed that the regulation, reservation and allotment of electoral symbols should be done through a law of Parliament, i.e. Symbol Order.
  - ◆ In a response to this proposal, the ECI stated that the recognition of political parties is supervised by the provisions of **Election Symbols (Reservation and Allotment) Order, 1968** and so will the allotment of symbols.
  - ◆ This order empowers the Election Commission to recognise political parties and allot symbols. Hence, statement 1 is not correct.
- The Election Commission of India is the only authority to decide issues on a dispute or a merger under the order.
  - ◆ The Supreme Court (SC) upheld its validity in **Sadiq Ali and another vs. ECI in 1971**. Hence, statement 2 is correct.

22. Ans: B

Exp:

- The **Election Commission registers political parties** for the purpose of elections and grants them recognition as national or state parties on the basis of their poll performance.
  - ◆ The other parties are simply declared as registered unrecognized parties.
- The **recognized parties** need only one proposer for filing the nomination. Also, these parties are **allowed to have forty "star campaigners"** during the time of elections and the **registered-unrecognized parties are allowed to have twenty "star campaigners"**. Hence, statement 1 is correct.
  - ◆ The **travel expenses of these star campaigners are not included** in the election expenditure of the candidates of their parties. Hence, statement 2 is not correct.

- Every national party is allotted a symbol exclusively reserved for its use throughout the country.
  - ◆ Similarly, every state party is allotted a symbol exclusively reserved for its use in the state or states in which it is so recognised.
  - ◆ A registered-unrecognized party, on the other hand, can select a symbol from a list of free symbols.

23. Ans: D

Exp:

**Constitutional and Legal Framework for Disabled People:**

- **Article 14:** The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.
  - ◆ In this context, Persons with Disabilities should have similar and equal rights in the eyes of the Constitution.
- **UN Convention the Right of Persons with Disabilities: India is a signatory to the United Nations Convention the Right of Persons with Disabilities, which came into force in 2007.**
  - ◆ The Convention recognizes accessibility as a human right and requires signatories to adopt appropriate measures to ensure access by persons with disabilities. Hence, statement 1 is correct.
- **Accessible India Campaign:** The 'Accessible India Campaign' also known as the Sugamya Bharat Abhiyan to enable Persons with disabilities to gain universal access, equal opportunity for development. Hence, statement 3 is correct.
  - ◆ The campaign seeks to enhance accessibility by making significant changes to the infrastructure, information and communication systems.
- **Rights of Persons with Disabilities Act, 2016:** The Government of India enacted **The Rights of Persons with Disabilities Act, 2016**, which is the principal and comprehensive legislation concerning persons with disabilities.
  - ◆ The Act defines the responsibilities of the Central and State governments with regard to the services for persons with disabilities.
  - ◆ The Act also **recommends creating a barrier-free environment by removing all types of discrimination against persons with disabilities** where they can share the development benefits which a normal person enjoys. Hence, statement 2 is correct.

24. Ans: C

Exp:

- **Article 262 of the Constitution** provides for the adjudication of inter-state water disputes.
  - ◆ Under this, **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. **Hence, statement 1 is correct.**
- The Parliament has enacted the 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 by the Central government for the regulation and development of inter-state river and river valleys.
- 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.
  - ◆ 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. **Hence, statement 2 is correct.**

25. Ans: C

Exp:

- **Article 87** provides for the special address by the President.
  - ◆ The article provides that at the commencement of the **first session after each general election to the House of the People** and at the commencement of the **first session of each year**, the President shall address **both Houses of Parliament assembled together** and inform Parliament of the causes of its summons. **Hence, statement 1 is correct.**
- Such an Address is called '**special address**', and it is also an annual feature.
- The President's Address is the **statement of policy of the Government** and, as such, is drafted by the Government. **Hence, statement 2 is correct.**
  - ◆ The Address contains a **review of various activities and achievements** of the Government during the previous year and sets out the policies, projects and programmes which the Government of the day wishes to pursue with regard to the important national and international issues.
- The Address also indicates, in broad terms, **items of legislative business** which are proposed to be brought during the sessions to be held in that year.

26. Ans: C

Exp:

- **Article 25(1)** of the Constitution guarantees the **"freedom of conscience and the right freely to profess, practise and propagate religion"**.
- It is a right that **guarantees a negative liberty** — which means that the state shall **ensure that there is no interference or obstacle to exercise this freedom.**
  - ◆ However, like all fundamental rights, the state can restrict the right for grounds of public order, decency, morality, health and other state interests.
- **The implications of this are:**
  - ◆ **Freedom of conscience:** Inner freedom of an individual to mould his relation with God or Creatures in whatever way he desires.
  - ◆ **Right to Profess:** Declaration of one's religious beliefs and faith openly and freely.
  - ◆ **Right to Practice:** Performance of religious worship, rituals, ceremonies and exhibition of beliefs and ideas.
  - ◆ **Right to Propagate:** Transmission and dissemination of one's religious beliefs to others or exposition of the tenets of one's religion.
  - ◆ **Hence, option C is correct.**

27. Ans: C

Exp:

**Disqualification of MPs and MLAs:**

- The RPA, 1951 lays down certain rules for disqualification of MPs and MLAs.
- Any person who promotes or attempts to promote on grounds of religion, race, caste, community or language, feelings of enmity or hatred between different classes of citizens of India can be punished with imprisonment for a term which may extend to 3 years.
  - ◆ **Section 8 (3)** of the Act states that if an MP or MLA is **convicted for any other crime and is sent to jail for 2 years** or more, he/she will be **disqualified for 6 years** from the time of release. **Hence, statement 1 is correct.**
  - ◆ Even if a person is on bail after the conviction and his appeal is pending for disposal, he is disqualified from contesting an election. Hence, statement 2 is correct.
- Section 8(4) allowed convicted MPs, MLAs and MLCs to continue in their posts, provided they appealed against their conviction/sentence in higher courts within 3 months of the date of judgement by the trial court.
  - ◆ The Supreme Court in July 2013 struck down section 8(4) of the RPA, 1951 and declared it ultra vires and held that the disqualification takes place from the date of conviction.



28. Ans: B

Exp:

- Under **Article 82**, the Parliament enacts a Delimitation Act after every Census.
- Under **Article 170**, States also get divided into territorial constituencies as per Delimitation Act after every Census.
- Once the Act is in force, the Union government sets up a Delimitation Commission.
  - ◆ The delimitation commission is an independent body constituted under **Article 82** after the **Parliament enacted a Delimitation Act after every census. Hence, statement 1 is correct.**
- The delimitation exercise is **carried out by an independent high-powered panel known as the Delimitation Commission** whose orders have the force of law and cannot be questioned by any court.
  - ◆ The Delimitation Commission is appointed by the President of India and works in collaboration with the Election Commission of India. **Hence, statement 3 is not correct.**
- Delimitation is the act of fixing or redrawing the limits or boundaries of territorial constituencies (Assembly or Lok Sabha seat) in a country or a province having a legislative body, as per the **Election Commission**.
- The exercise has been carried out over the years to redefine the area of a constituency-based on its population size (based on the last Census).
  - ◆ Aside from changing the limits of a constituency, the process may result in change in the number of seats in a state.
  - ◆ This exercise also involves **reservation of Assembly seats for SC & ST** in accordance with the Constitution. **Hence, statement 2 is correct.**

29. Ans: D

Exp:

- **Article 153** says that there shall be a Governor for each State. One person can be appointed as Governor for two or more States.
  - ◆ A Governor is appointed by the President and is a nominee of the Central Government.
- It is stated that the Governor has a dual role.
  - ◆ He is the constitutional head of the state, bound by the advice of his Council of Ministers (CoM).
  - ◆ He functions as a vital link between the Union Government and the State Government.

● **Functions/Powers of the Governor:**

- ◆ The Governor has the **power to grant pardons, reprieves, etc.** (Article 161).
- ◆ The Governor appoints the Chief Minister and other Ministers (Article 164).
- ◆ Governor assents, **withholds assent, or reserves the bill for the consideration of the President** passed by the State Legislative Assembly (Article 200).
- ◆ Governors may **promulgate the Ordinances under certain circumstances** (Article 213).
- ◆ **Hence, option D is correct.**

30. Ans: C

Exp:

**Procedures for Judicial Appointments:**

● **For Chief Justice of India (CJI):**

- ◆ The President of India appoints the CJI and the other SC judges.
- ◆ As far as the CJI is concerned, the outgoing CJI recommends his successor.
- ◆ **In practice, it has been strictly by seniority** ever since the supersession controversy of the 1970s. **Hence, statement 1 is correct.**

● **For SC Judges:**

- ◆ For other judges of the SC, the proposal is initiated by the CJI.
- ◆ The CJI consults the rest of the Collegium members, as well as the senior-most judge of the court hailing from the High Court to which the recommended person belongs.
- ◆ The consultees must record their opinions in writing and it should form part of the file.
- ◆ **The Collegium sends the recommendation to the Law Minister, who forwards it to the Prime Minister to advise the President. Hence, statement 2 is correct.**

31. Ans: C

Exp:

- **Public order** is normally equated with public peace and safety.
- Public order is one of the three grounds on which the **state can restrict freedom of religion.**
  - ◆ Article 25 of the Constitution guarantees to all persons the right to freedom and conscience and the right freely to profess, practise and propagate religion subject to public order, morality and health.

- Public order is also one of the grounds to **restrict free speech** and other fundamental rights. **Hence, statement 1 is correct.**
- According to State List (List 2) of the Seventh Schedule of the Constitution, the **power to legislate on aspects of public order rests with the states. Hence, statement 2 is correct.**

32. Ans: C

Exp:

**Right to Education (RTE) Act, 2009.:**

- It aims to provide primary education to **all children aged 6 to 14 years**. It enforces Education as a Fundamental Right (Article 21). **Hence statement 1 is correct.**
- The act mandates **25% reservation for disadvantaged sections of the society** where disadvantaged groups include:
  - ◆ SCs and STs
  - ◆ Socially Backward Class
  - ◆ Differently abled. **Hence statement 2 is correct.**
- It also makes provisions for a non-admitted child to be admitted to an age-appropriate class.
- It also states that sharing of financial and other responsibilities between the Central and State Governments.
- It lays down the norms and standards related to:
  - ◆ Pupil Teacher Ratios (PTRs)
  - ◆ Buildings and infrastructure
  - ◆ School-working days
  - ◆ Teacher-working hours.

33. Ans: A

Exp:

- The **Central Bureau of Investigation (CBI)** was set up in **1963** by a resolution of the **Ministry of Home Affairs**.
  - ◆ The establishment of the CBI was recommended by the **Santhanam Committee on Prevention of Corruption (1962–1964)**. **Hence, statement 1 is correct.**
  - ◆ The CBI is the main investigating agency of the Central Government.
- The **Central Vigilance Commission** is conceived to be the apex vigilance institution, free of control from any executive authority, monitoring all vigilance activity under the Central Government.
  - ◆ The CVC was set up by the Government in February, 1964 on the recommendations of the **Committee on Prevention of Corruption, headed by K. Santhanam.**

- ◆ It is an independent body which is only responsible to the Parliament. It submits its report to the President of India.

- The **National Crime Records Bureau** was set-up in 1986 under the Ministry of Home Affairs to function as a repository of information on crime and criminals so as to assist the investigators in linking crime to the perpetrators.

- ◆ It was set up based on the **recommendations of the National Police Commission (1977-1981)** and the MHA's Task Force (1985).

- The **Lokpal and Lokayukta Act, 2013** provided for the establishment of **Lokpal at the national level.**

- ◆ They perform the function of an "ombudsman" and inquire into allegations of corruption against certain public functionaries and for related matters.

- ◆ In 1966, the **First Administrative Reforms Commission (ARC)** recommended the setting up of two independent authorities- at the central and state level, to look into complaints against public functionaries, including MPs.

- ◆ In 2002, a **Commission headed by M.N. Venkatachaliah** recommended the appointment of the Lokpal and Lokayuktas.

- ◆ In 2005, the **Second ARC chaired by Veerappa Moily** also recommended the establishment of Lokpal.

- ◆ **Hence, option A is correct.**

34. Ans: A

Exp:

- The **Central Bureau of Investigation (CBI)** was set up in **1963** by a resolution of the **Ministry of Home Affairs**.
  - ◆ Now, the CBI comes under the administrative control of the **Department of Personnel and Training (DoPT)** of the **Ministry of Personnel, Public Grievances and Pensions**. **Hence, statement 1 is not correct.**
- The establishment of the CBI was recommended by the **Santhanam Committee on Prevention of Corruption (1962–1964)**. **Hence, statement 2 is correct.**
- The CBI is **not a statutory body**. It derives its powers from the **Delhi Special Police Establishment Act, 1946**. **Hence, statement 3 is not correct.**
- The CBI is the **main investigating agency of the Central Government**.
- It also provides assistance to the **Central Vigilance Commission and Lokpal**.

35. Ans: A

Exp:

- **Nagaland** is a state in the Northeast region of India which was granted statehood by the State of Nagaland Act, 1962.
- It is **bounded by the Indian states of Arunachal Pradesh** to the northeast, **Manipur** to the south, and **Assam** to the west and northwest and the country of **Myanmar** (Burma) to the east. The state capital is Kohima, located in the southern part of Nagaland. **Hence, statement 1 is correct.**
- The main occupation of the state is agriculture which employs about nine-tenths of the population.
  - ◆ Rice, corn (maize), small millets, pulses (legumes), oilseeds, fibres, sugarcane, potato, and tobacco are the principal crops.
- The **Konyaks are the largest tribe** of Nagaland, followed by the Aos, Tangkhuls, Semas, and Angamis. **Hence, statement 2 is not correct.**
  - ◆ Other tribes include the Lothas, Sangtams, Phoms, Changs, Khiem Hungama, Yimchunger, Zeliangs, Chakhesangs (Chokri), and Rengmas.

36. Ans: B

Exp:

- **Article 217** of the Constitution states that the **Judge of a High Court** shall be appointed by the President in **consultation with the Chief Justice of India (CJI), the Governor of the State.** **Hence, statement 1 is not correct.**
  - ◆ In the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court is consulted.
  - ◆ The high court judge retires at the **age of 62 years.**
- **Consultation Process:** High Court judges are **recommended by a Collegium comprising the CJI and two senior-most judges.** **Hence, statement 2 is correct.**
  - ◆ The proposal, however, is **initiated by the Chief Justice of the High Court** concerned in consultation with two senior-most colleagues.
  - ◆ The recommendation is sent to the Chief Minister, who advises the Governor to send the proposal to the Union Law Minister.
  - ◆ The Chief Justice of India would, in **consultation with the two senior most Judges of the Supreme Court**, form his opinion in regard to a person to be recommended for appointment to the High Court.

37. Answer: D

Explanation

- **Article 2:** Parliament may by law **admit into the Union, or establish, new States** on such terms and conditions as it thinks fit. **Hence, statement 1 is not correct.**
  - ◆ However, **Parliament cannot establish a new territory into the Union of India by passing a law;** that can only be done through a constitutional amendment.
  - ◆ States like Sikkim (previously not within India) became a part of the country under Article 2.
- **Article 3:** It empowered the Parliament **to make law relating to the formation of new states and alteration of existing states.** **Hence, statement 2 is not correct.**

38. Answer: A

Explanation:

- **The Public Accounts Committee (PAC)** is one of the **three Financial Parliamentary committees;** the other two are the Estimates Committee and the Committee on Public Undertakings.
- Parliamentary committees draw their authority from **Article 105** (on privileges of Parliament members) and **Article 118** (on Parliament's authority to make rules for regulating its procedure and conduct of business).
- The Public Accounts Committee was **introduced in 1921** after its first mention in the Government of India Act, 1919 also called Montford Reforms.
- It presently comprises **22 members (15 members elected by the Lok Sabha Speaker, and 7 members elected by the Rajya Sabha Chairman)** with a term of one year only.
- It was framed with the **purpose of ascertaining whether money granted** to the Government by the Parliament has been spent by the former within the "scope of demand" or not, the **PAC restricts any Minister from being elected as a member of it.**
- **Hence, option A is correct.**

39. Ans: D

Exp:

**Constitutional Provisions Related To Arrest**

- **Article 22** grants protection to persons who are arrested or detained. Detention is of two types, namely, punitive and preventive.
  - ◆ Punitive detention is to punish a person for an offence committed by him after trial and conviction in a court.
  - ◆ Preventive detention, on the other hand, means detention of a person without trial and conviction by a court.



- **Article 22** has two parts—the first part deals with the cases of ordinary law and the second part deals with the cases of preventive detention law.
- Hence, **option D is correct.**

40. Ans: B

Exp:

- Under the Central Universities Act, 2009, and other statutes, the President of India shall be the Visitor (not a chancellor) of a central university. Hence, **statement 1 is not correct.**
- The President's role is limited to presiding over convocations, **Chancellors in central universities are titular heads, who are appointed by the President in his capacity as Visitor.**
- The **Vice Chancellor too are appointed by the Visitor** from panels of names picked by search and selection committees formed by the Union government.
- The Central Universities Act, 2009, adds that the President, as Visitor, shall have the right to authorise inspections of academic and non-academic aspects of the universities and also to institute inquiries. Hence, **statement 2 is correct.**

41. Ans: D

Exp:

- The Sixth Schedule under **Article 244** provides for the formation of autonomous administrative divisions — **Autonomous District Councils (ADCs)** — that have some legislative, judicial, and administrative autonomy within a state. Hence, **statement 1 is correct.**
  - ◆ The Sixth Schedule contains special provisions for the administration of tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram.
- The tribal areas in these four states have been constituted as autonomous districts. The **governor is empowered to organise and re-organise the autonomous districts.** Hence, **statement 2 is correct.**
  - ◆ The acts of Parliament or the state legislature do not apply to autonomous districts or apply with specified modifications and exceptions.
  - ◆ The power of direction, in this regard, lies **either with the President or Governor.**
- 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, the inheritance of property, marriage and divorce, social customs and so on. But all such laws require the assent of the Governor.

- ◆ They can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of the high court over these suits and cases is specified by the governor.
- ◆ The district council can establish, construct or manage primary schools, dispensaries, markets, ferries, fisheries, roads and so on in the district.
- ◆ They are empowered to **assess and collect land revenue** and to impose certain specified taxes. Hence, **statement 3 is correct.**

42. Ans: C

Exp:

- The **Personal Data Protection Bill 2019** aims to provide for protection of privacy of individuals relating to their Personal Data and to establish a Data Protection Authority of India for the said purposes and the matters concerning the personal data of an individual.
  - ◆ It was framed on the **recommendations of B N Srikrishna Committee (2018).**
  - ◆ Hence, **option C is correct.**

43. Answer: C

Exp:

- The item "**Cooperative Societies**" is a **State Subject in the 7th Schedule (entry 32)** of the State List in the Constitution of India. Hence, **statement 1 is correct.**
- There are **many Cooperative Societies** such as those for sugar and milk, banks, milk unions etc whose members and areas of operation are **spread across more than one state.**
- The **Multi-State Cooperative Societies (MSCS) Act, 2002** governs such cooperatives.
- According to MSCS Act, Administrative and financial control of these societies is **with the central registrar**, with the law making it clear that no state government official can wield any control on them. Hence, **statement 2 is correct.**

44. Ans: A

Exp:

- **Hadiya Judgement 2017:**
  - ◆ Matters of dress and of food, of ideas and ideologies, of love and partnership are within the central aspects of identity.
  - ◆ Neither the State nor the law can dictate a choice of partners or limit the free ability of every person to decide on these matters.
  - ◆ The principle that the **right to marry a person of one's choice is integral to Article 21.** Hence, **option A is correct.**

45. Answer: D

**Explanation**

- Adjournment sine die means terminating a sitting of Parliament for an indefinite period, that is, when the House is adjourned without naming a day for reassembly, it is called adjournment sine die.
  - ◆ The power of adjournment sine die lies with the presiding officer of the House. **Hence, statement 1 is not correct.**
- The term prorogation means the termination of a session of the House by an order made by the President under Article 85(2)(a) of the Constitution. **Hence, statement 2 is not correct.**
  - ◆ The prorogation terminates both the sitting and session of the House and is usually done within a few days after the House is adjourned sine die by the presiding officer.

46. Ans: C

**Exp:**

**Reorganisation of States in India:**

- In 1950, the Constitution contained a four-fold classification of the states of the Indian Union—Part A, Part B, Part C and Part D States.
- On account of the multilingual nature and differences that existed between various states, there was a need for the states to be reorganised on a permanent basis.
  - ◆ In this context, in 1948, **SK Dhar committee** - was appointed by the government to look into the need for the **reorganisation of states on a linguistic basis. Hence, statement 1 is correct.**
- In December 1948, the JVP Committee comprising Jawaharlal Nehru, Vallabh Bhai Patel and Pattabhi Sitaramayya was formed to study the issue.
  - ◆ The Committee, in its report submitted in April 1949, rejected the idea of reorganisation of states on a linguistic basis but said that the issue could be looked at afresh in the light of public demand.
  - ◆ However, due to protests, in October 1953, the **Government of India created the first linguistic state, known as Andhra state**, by separating the Telugu speaking areas from the Madras state. **Hence, statement 2 is correct.**

47. Ans: D

**Exp:**

**Eighth Schedule:**

- It lists the official languages of the republic of India. Part XVII of the Indian constitution deals with the official languages in Articles 343 to 351.

- ◆ However, it can be noted that there is no fixed criteria for any language to be considered for inclusion in the Eighth Schedule. **Hence, statement 1 is correct.**

- The Eighth Schedule to the Constitution consists of the following 22 official languages:
- Assamese, Bengali, Gujarati, Hindi, Kannada, Kashmiri, Konkani, Malayalam, Manipuri, Marathi, Nepali, Oriya, Punjabi, Sanskrit, Sindhi, Tamil, Telugu, Urdu, Bodo, Santhali, Maithili and Dogri.
- **Of these languages, 14 were initially included in the Constitution. Hence, statement 2 is correct.**
- Sindhi language was added by the 21st Amendment Act of 1967.
  - ◆ Konkani, Manipuri, and Nepali were included by the 71st Amendment Act of 1992. **Hence, statement 3 is correct.**
  - ◆ Bodo, Dogri, Maithili, and Santhali were added by the 92nd Amendment Act of 2003 which came into force in 2004.

48. Ans: A

**Exp:**

- **According to Article 153**, there shall be a Governor for each State. One person can be appointed as Governor for two or more States. A Governor is appointed by the President and is a nominee of the Central Government. **Hence, statement 1 is correct.**
- **According to Article 163**, there is a State Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, **except some conditions for discretion. Hence, statement 2 is not correct.**

49. Ans: A

**Exp:**

- The Constitution of India has also **borrowed some of its features** from a number of countries.

Indian Constitution Borrowed Features		
1.	British Constitution	Parliamentary form of Government, Rule of Law, Law making procedure, Single Citizenship; Institution of Speaker, doctrine of pleasure tenure of civil servants.
2.	American Constitution	Judicial System, Fundamental Rights

3.	Canadian Constitution	Federal System with a strong central authority; Residual powers, Centre State Relation.
4.	Irish Constitution	Directive Principles, Election of the President of India
5.	Australian Constitution	Concurrent list; Freedom of Trade & Service within country
6.	Weimar Constitution	Emergency Provision
7.	Soviet Constitution	Five Year Plans; Fundamental duties
8.	Govt of India Act 1935	Office of the governor, powers of the federal jury.
9.	South African	Amendment of Constitution.

- Hence, option A is correct.

50. Ans: B

Exp:

- The **Delimitation Commission** is appointed by the President of India and works in collaboration with the Election Commission of India.
  - ◆ It is a high power body whose orders have the force of law and cannot be called in question before any court.
- **Composition:**
  - ◆ Retired Supreme Court judge
  - ◆ Chief Election Commissioner
  - ◆ Respective State Election Commissioners
- **Delimitation Commissions So Far:** Delimitation Commissions have been set up **four times — 1952, 1963, 1973 and 2002** under the Acts of 1952, 1962, 1972 and 2002.
  - ◆ The first delimitation exercise was carried out by the President (with the help of the Election Commission) in 1950-51.
  - ◆ **There was no delimitation after the 1981 and 1991 Census.**
  - ◆ Hence, option B is correct.

51. Ans: A

Exp:

- Recently, in a judgement, the Supreme Court has observed that the apex court and high courts have the power to quash criminal cases filed under various 'special statutes' including the SC/ST Act.

- ◆ The **Supreme Court has inherent powers under Article 142** of the Constitution or that of the **High Court under Section 482 of the Code of Criminal Procedure to quash proceedings** under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act), 1989 (**SC/ST Act**). Hence, **statement 1 is not correct but statement 2 is correct.**

- **Situations on Quashing Cases under 'Special Statutes':**

- ◆ When the court is satisfied that the offence in question, although covered under the SC/ST Act, is primarily private or civil in nature or when this offence has not been committed on account of the victim's caste or where the continuation of legal proceedings would constitute an abuse of process of law.
- ◆ When considering a prayer for quashing on the basis of a compromise/settlement between the two parties, the court is satisfied that the underlying objective of the SC/ST Act would not be contravened if the crime goes unpunished.

52. Answer: B

Explanation

- The **Model Code of Conduct (MCC)** is a set of guidelines issued by the Election Commission (EC) of India to regulate political parties and candidates prior to elections.
  - ◆ It helps EC in keeping with the mandate it has been given under Article 324 of the Constitution, which gives it the power to supervise and conduct free and fair elections to the Parliament and State Legislatures.
  - ◆ However, MCC is neither a constitutional nor a statutory provision. Hence, **statement 1 is not correct.**
- **Part XV** of the Indian constitution deals with elections and establishes a commission for these matters. Hence, **statement 2 is correct.**

53. Ans: A

Exp:

- The **National Legal Services Day (NLSD)** is celebrated on **9<sup>th</sup> November** every year to spread awareness for ensuring reasonable fair and justice procedure for all citizens.
- NLSD was **first started by the Supreme Court of India in 1995** to provide help and support to poor and weaker sections of the society.
  - ◆ **Free legal services are provided** in matters before Civil, Criminal and Revenue Courts, Tribunals or any other authority exercising judicial or quasi judicial functions. Hence, **statement 2 is not correct.**

- ◆ It is observed to make the citizens of the country aware of the various provisions under the Legal Services Authorities Act and the rights of the litigants. On this day, each jurisdiction organizes legal aid camps, Lok adalats, and legal aid programmes.

- **Constitutional Provisions:**

- ◆ **Article 39A** of the Constitution of India provides that State shall secure that the operation of the legal system promotes justice on a basis of equal opportunity, and shall in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disability. Hence, statement 1 is correct.
- ◆ **Articles 14 and 22(1)** also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on a basis of equal opportunity to all.

54. Ans: C

Exp:

- **Parliamentary Privileges** are special rights, immunities and exemptions enjoyed by the two Houses of Parliament, their committees and their members.
- The Constitution also extends the parliamentary privileges to those persons who are entitled to speak and take part in the proceedings of a House of Parliament or any of its committees. These include the **Attorney General of India** and Union ministers.
- The **parliamentary privileges do not extend to the President** of India who is also an integral part of the Parliament. Article 361 of the Constitution provides for privileges for the President.
- Article 105 of the Constitution expressly mentions two privileges, that is, freedom of speech in Parliament and right of publication of its proceedings.
  - ◆ Apart from the privileges as specified in the Constitution, the Code of Civil Procedure, 1908, provides for freedom from arrest and detention of members under civil process during the continuance of the meeting of the House or of a committee thereof and forty days before its commencement and forty days after its conclusion.
  - ◆ Hence, option C is correct.

55. Ans: C

Exp:

- **Constitutional Provisions:**

- ◆ Based on the inclusion of **drainage and embankments as entry 17 of List II (State List)**, flood control has been seen to fall under the purview of the state government, except in the case of **“regulation and development of inter-state rivers and river valleys,”** which is mentioned in **entry 56 of List I (Union List)**.
- ◆ **Floodplain zoning** is firmly **within the state government’s ambit** as it deals with the **land along the riverbanks and land is a state subject under entry 18 of List II**. Hence, statement 2 is not correct.
- ◆ The central government’s role can only be to issue advisories and prescribe guidelines.
- ◆ Flood control and mitigation are **not directly mentioned** in any of the three legislative lists included in the **Seventh Schedule** Constitution. Hence, statement 1 is correct.

56. Ans: D

Exp:

- The **42<sup>nd</sup> Amendment to the Constitution in 1976** moved education from the State to the Concurrent List. Hence, statement 1 is not correct.
- The **86<sup>th</sup> Amendment in 2002** made education an enforceable right under **Article 21-A**.
- However, **Part IV of the Indian Constitution, Article 45 and Article 39 (f) of Directive Principles of State Policy (DPSP)**, has a provision for state-funded as well as equitable and accessible education.
- The fundamental duties were increased to eleven by the **86<sup>th</sup> Amendment in 2002**, which added a duty on every parent or guardian to ensure that their child or ward was provided opportunities for education between the ages of six and fourteen years.
- Hence, statement 2 is not correct.

57. Ans: D

Exp:

- A Collegium System is the system of appointment and transfer of judges.
- The **Second Judges Case (1993)** introduced the **Collegium system**, holding that “consultation” really meant “concurrence”. Hence, statement 1 is not correct.
  - ◆ It added that it was not the CJI’s individual opinion, but an institutional opinion formed in consultation with the two senior-most judges in the SC.

- Judges of the higher judiciary are appointed only through the collegium system and the **government has a role only after names have been decided by the collegium.**
  - ◆ The government is responsible for getting an inquiry conducted by the Intelligence Bureau (IB) if a lawyer is to be elevated as a judge in a High Court or the Supreme Court.
  - ◆ **It can also raise objections and seek clarifications regarding the collegium's choices**, but if the collegium reiterates the same names, the government is bound, under Constitution Bench judgments, to appoint them as judges. **Hence, statement 2 is not correct.**

58. Ans: D

Exp:

About CAG:

- Head of the Indian Audit and Accounts Department - created in 1753.
- One of the bulwarks of the democratic system of government in India.
  - ◆ The others are the Supreme Court, the Election Commission and the Union Public Service Commission.
- **He is the Guardian of the public purse** and controls the entire **financial system** of the country at both the **levels – the Centre and the state. Hence, statement 2 is correct.**
- The **accountability of the executive (i.e. Council of Ministers)** to the Parliament in the sphere of **financial administration** is secured through audit reports of the CAG.
- **Appointment:** Appointed by the **President of India** by a warrant under his hand and seal.
- **Tenure:** A period of **six years** or upto the age of **65** years, whichever is earlier. **Hence, statement 1 is correct.**
- **Removal:** CAG can be removed by the President on the **same grounds and in the same manner as a judge of the Supreme Court. He does not hold his office till the pleasure of the President. Hence, statement 3 is correct.**

59. Ans: B

Exp:

- **Uniform Civil Code (UCC)** is one that would provide for one law for the entire country, applicable to all religious communities in their personal matters such as marriage, divorce, inheritance, adoption etc.

- ◆ **Article 44 of the Constitution** lays down that the **state shall endeavour to secure a UCC for the citizens throughout the territory of India.**

- Article 44 is **one of the Directive Principles of State Policy (DPSP).**

- ◆ In order to bring uniformity, the courts have often said in their judgements that the government should move towards a UCC.

- The judgement in the Shah Bano case (1985) is well known.

- The Supreme Court in Shayara Bano case (2017) had declared the practise of Triple Talaq (talaq-e-biddat) as unconstitutional.

- **Hence, option B is correct.**

60. Ans: D

Exp:

- **Article 245 of the Constitution** gives **Parliament the power to make laws** for the whole or any part of India, and state legislatures the power to make laws for the state.

- ◆ Parliament **draws its power to repeal a law from the same provision. Hence, statement 1 is correct.**

- ◆ For repeal, the power of Parliament is the same as enacting a law under the Constitution.

- A legislation can also have a **“sunset” clause; a particular date after which they cease to exist.**

- ◆ For example, the anti-terror legislation Terrorist and Disruptive Activities (Prevention) Act 1987, commonly known as TADA, had a sunset clause, and was allowed to lapse in 1995.

- ◆ **For laws that do not have a sunset clause, Parliament has to pass another legislation to repeal the law. Hence, statement 2 is correct.**

- Laws can be repealed in two ways - either through an ordinance, or through legislation.

61. Ans: A

Exp:

- Veto Power of the President of India is **guided by Article 111** of the Indian Constitution. **Hence statement 1 is correct.**

- ◆ **Three Types of Veto Power:** Absolute veto, Suspensive veto and Pocket veto.

- **Exception:** The President has no veto power when it comes to the constitutional amendment bills.

- ◆ Further, the President **can exercise pocket veto** in respect of state legislation also.



- **Article 200** of the Indian Constitution deals with the powers of the Governor with regard to assent given to bills passed by the State legislature and other powers of the Governor such as reserving the bill for the President's consideration. Hence statement 2 is not correct.

- ◆ The Governor of India enjoys absolute veto, suspensive veto (except on money bills) but not the pocket veto.
- ◆ The governor is empowered to reserve certain types of bills passed by the state legislature for the consideration of the President.

62. Ans: C

Exp:

- Constitution Day is celebrated on **26<sup>th</sup> November** every year.
  - ◆ It is also known as **National Law Day**.
  - ◆ On this day in 1949, the **Constituent Assembly of India formally adopted the Constitution of India** that came into force on 26th January 1950.
  - ◆ The Ministry of Social Justice and Empowerment on **19<sup>th</sup> November 2015**, notified the decision of the Government of India to **celebrate 26 November as 'Constitution Day'**.
- **Framing of Constitution:**
  - ◆ In 1934, **M N Roy** first proposed the idea of a constituent assembly.
  - ◆ Under the **Cabinet Mission plan** of 1946, elections were held for the **formation of the constituent assembly. Hence, statement 1 is correct.**
  - ◆ The Constitution of India is framed by the Constituent Assembly. The Constituent Assembly of India appointed a total of 13 committees to deal with different tasks related to the framing of the constitution.
  - ◆ There were 8 major committees and the rest were minor ones. The list of **major committees** and their heads are mentioned below:
    - **Drafting Committee** – B. R. Ambedkar
    - **Union Power Committee** – Jawaharlal Nehru
    - **Union Constitution Committee** – Jawaharlal Nehru
    - **Provincial Constitution Committee** – Vallabhbhai Patel
    - **Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas** – Vallabhbhai Patel. **Hence, statement 2 is correct.**

- **Rules of Procedure Committee** – Rajendra Prasad
- **States Committee (Committee for Negotiating with States)** – Jawaharlal Nehru
- **Steering Committee** – Rajendra Prasad

63. Ans: A

Exp:

- The **Delimitation Commission is appointed by the President of India** and works in collaboration with the Election Commission of India. **Hence, statement 1 is correct.**
  - ◆ The Delimitation Commission in India is a high power body whose orders have the force of law and cannot be called in question before any court.
- **Composition:**
  - ◆ Retired Supreme Court judge
  - ◆ Chief Election Commissioner
  - ◆ Respective State Election Commissioners
- **Delimitation Commissions So Far:** Delimitation Commissions **have been set up four times — 1952, 1963, 1973 and 2002** under the Acts of 1952, 1962, 1972 and 2002. **Hence, statement 2 is not correct.**
  - ◆ The first delimitation exercise was carried out by the President (with the help of the Election Commission) in 1950-51.
  - ◆ There was no delimitation after the 1981 and 1991 Census.

64. Ans: D

Exp:

- **National Legal Services Authority (NALSA)** was constituted under the Legal Services Authorities Act, 1987.
- **Persons Eligible for Getting Free Legal Services:**
  - ◆ Women and children
  - ◆ **Members of SC/ST**
  - ◆ **Industrial workmen**
  - ◆ **Victims of mass disaster**, violence, flood, drought, earthquake, industrial disaster.
  - ◆ **Disabled persons**
  - ◆ Persons in custody
  - ◆ Those persons who have annual income of less than the amount prescribed by the respective State Government, if the case is before any court other than the Supreme Court, and less than Rs. 5 Lakhs, if the case is before the Supreme Court.
  - ◆ Victims of Trafficking in Human beings or begar.
  - ◆ **Hence, option D is correct.**

65. Ans: A

Exp:

- **Parliamentary privileges are special rights**, immunities and exemptions enjoyed by the two Houses of Parliament, their committees and their members.
  - ◆ Article 105 of the Constitution expressly mentions two privileges, that is, freedom of speech in Parliament and right of publication of its proceedings.
  - ◆ It needs to be noted that the **Parliament, till now, has not made any special law** to exhaustively codify all the privileges. Hence, **statement 1 is correct.**
- The **Privilege Committee** is a Standing Committee which **examines the cases of breach of the privileges** of the House and its members and recommends appropriate action. Hence, **statement 2 is not correct.**
  - ◆ The Lok Sabha committee has 15 members, while the Rajya Sabha committee has 10 members.

66. Ans: C

Exp:

- The Parliament of India is its supreme legislative body. It occupies a pre-eminent and central position in the Indian democratic political system due to **the adoption of the Parliamentary form of Government ('Westminster' model of government)**. Hence, **option A is correct.**
  - ◆ **Articles 79 to 122 in Part V of the Constitution** deal with the organisation, composition, duration, officers, procedures, privileges and powers of the Parliament. Hence, **option B is correct.**
- **Organs of Parliament:**
  - ◆ **Rajya Sabha (The Council of States):** It is the Upper House and it represents the states and union territories of the Indian Union.
  - ◆ **Lok Sabha (The House of the People):** It is the Lower House and it represents the people of India as a whole.
  - ◆ **President:** The President of India is not a member of either of the Houses and does not sit in the Parliament to attend its meetings but s/he is an integral part of the Parliament.
- **Membership of Parliament**
  - ◆ **Rajya Sabha:** S/He should be a citizen of India and **at least 30 years of age.** Hence, **option C is not correct.**
    - S/He should make an oath or affirmation stating that s/he will bear true faith and allegiance to the Constitution of India.

- ◆ **Lok Sabha:** S/He should be **not less than 25 years of age.**

- S/He should also take the oath or affirmation and must possess such other qualifications as may be laid down by the Parliament by law.

- **Role of Parliament in Amending the Constitution:** The **powers of Parliament** in terms of amending the constitution **are limited.**

- Although most of the parts of the Constitution can be amended by the Parliament by special majority, certain provisions can only be amended by the Parliament with the approval of States.
- Also, the **Parliament cannot change the basic structure of the Constitution.** Hence, **option D is correct.**

67. Ans: C

Exp:

- Articles 233 and 234 of the Constitution of India deal with the appointment of district judges, and place it in the domain of the states.
- The selection process is conducted by the State Public Service Commissions and the concerned High Court, since **High Courts exercise jurisdiction over the subordinate judiciary in the state.** Hence, **statement 1 is correct.**
  - ◆ Panels of High Court judges interview candidates after the exam and select them for appointment.
- All judges of the lower judiciary up to the level of district judge are selected through the Provincial Civil Services (Judicial) exam.
  - ◆ PCS(J) is commonly referred to as the judicial services exam.
- The **42nd Constitutional amendment in 1976** amended Article 312 (1) **empowering Parliament to make laws for the creation of one or more All-India Services, including an AIJS**, common to the Union and the States. Hence, **statement 2 is correct.**
  - ◆ Under Article 312, Rajya Sabha is required to pass a resolution supported by not less than two-thirds of its members present and voting. Thereafter, Parliament has to enact a law creating the AIJS.
  - ◆ This means no constitutional amendment will be required for establishment of AIJS.

68. Ans: D

Exp:

- The **All India Judicial Services (AIJS)** was first proposed by the **14th report of the Law Commission in 1958**. Hence, **statement 1 is correct**.
  - ◆ A statutory or constitutional body such as the UPSC to conduct a standard, centralised exam to recruit and train judges was discussed.
  - ◆ The idea was proposed again in the Law Commission Report of 1978, which discussed delays and arrears of cases in the lower courts.
  - ◆ In 2006, the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice in its 15th Report backed the idea of a pan-Indian judicial service, and also prepared a draft Bill.
- **Supreme Court's Stand on AIJS:**
  - ◆ In 1992, the Supreme Court (SC) in **All India Judges' Association v. The Union of India** directed the Centre to set up an AIJS. Hence, **statement 2 is correct**.
  - ◆ In a 1993 review of the judgment, however, the court left the Centre at liberty to take the initiative on the issue.

69. Ans: B

Exp:

- The Election Symbols (Reservation and Allotment) Order, 1968 empowers the Election Commission to recognise political parties and allot symbols.
- An electoral or election symbol is a standardized symbol allocated to a political party.
- In the 1960s, it was proposed that the regulation, reservation and allotment of electoral symbols should be done through a law of Parliament, i.e. Symbol Order.
  - ◆ In a response to this proposal, the ECI stated that the **recognition of political parties is supervised by the provisions of Election Symbols (Reservation and Allotment) Order, 1968** and so **will the allotment of symbols**. Hence, **statement 1 is not correct**.
- Under Paragraph 15 of the Election Symbols (Reservation and Allotment) Order, 1968, **EC can decide disputes among rival groups or sections** of a recognised political party staking claim to its name and symbol.
  - ◆ The EC is the **only authority to decide issues on a dispute or a merger under the order**. The Supreme Court (SC) upheld its validity in Sadiq Ali and another vs. ECI in 1971. Hence, **statement 2 is correct**.

70. Ans: B

Exp:

- The **anti-defection law** punishes individual Members of Parliament (MPs)/MLAs for leaving one party for another.
- The **Tenth Schedule** (popularly known as the Anti-Defection Act) was included in the Constitution via the 52nd Amendment Act, 1985.
  - ◆ It sets the **provisions for disqualification of elected members on the grounds of defection** to another political party. Hence, **statement 1 is correct**.
- However, it allows a group of MP/MLAs to join (i.e. merge with) another political party without inviting the penalty for defection. And it does not penalise political parties for encouraging or accepting defecting legislators.
  - ◆ As per the 1985 Act, a 'defection' by one-third of the elected members of a political party was considered a 'merger'.
  - ◆ But the **91<sup>st</sup> Constitutional Amendment Act, 2003**, changed this and now **at least two-thirds of the members of a party** have to be in favour of a "merger" for it to have validity in the eyes of the law. Hence, **statement 3 is not correct**.
- The **members disqualified under the law can stand for elections** from any political party for a seat in the same House. Hence, **statement 2 is not correct**.
  - ◆ The decision on questions as to disqualification on ground of defection are referred to the Chairman or the Speaker of such House, which is subject to 'Judicial review'.

71. Ans: B

Exp:

- Citizenship is listed in the Union List under the Constitution and thus is under the exclusive jurisdiction of Parliament.
  - ◆ The Constitution does not define the term 'citizen' but details of various categories of persons who are entitled to citizenship are given in Part 2 (Articles 5 to 11).
- The **Citizenship Act of 1955 prescribes five ways of acquiring citizenship**, viz, birth, descent, registration, naturalisation and incorporation of territory.
  - ◆ **Article 6** of the Indian Constitution provides the rights of **citizenship of certain persons who have migrated to India from Pakistan**. Hence, **statement 1 is not correct**.



- The **Government of India may terminate the citizenship** of an Indian citizen if;
  - ◆ The citizen has disrespected the Constitution.
  - ◆ Has obtained citizenship by fraud.
 

The citizen has unlawfully traded or communicated with the enemy during a war.
  - ◆ Within 5 years of registration or naturalisation, a citizen has been sentenced to 2 years of imprisonment in any country.
  - ◆ The citizen has been **living outside India for 7 years continuously**. Hence, **statement 2 is correct**.

72. Ans: B

Exp:

- The **National Human Rights Commission (NHRC)** is a multi-member body consisting of a chairman and four members. A person who has been the Chief Justice of India or a judge of the Supreme Court is a chairman.
- The chairman and members are **appointed by the President on the recommendations of a six-member committee consisting of the Prime Minister** as its head, the Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha, leaders of the Opposition in both the Houses of Parliament and the Union Home Minister. **Hence, statement 1 is not correct.**
- The **chairman and members hold office for a term of three years** or until they attain the **age of 70 years**, whichever is earlier. **Hence, statement 2 is not correct.**
  - ◆ The President can remove the chairman or any member from the office under some circumstances.
- Role and Function
  - ◆ It has all the powers of a civil court and its proceedings have a judicial character.
  - ◆ It is empowered to utilise the services of any officer or investigation agency of the Central government or any state government for the purpose of investigating complaints of human rights violation.
  - ◆ It can **look into a matter within one year of its occurrence**, i.e. the Commission is **not empowered to inquire into any matter after the expiry of one year from the date on which the act constituting violation of human rights is alleged to have been committed**. Hence, **statement 3 is correct**.
  - ◆ The functions of the commission are mainly recommendatory in nature.

- It has no power to punish the violators of human rights, nor to award any relief including monetary relief to the victim.
- ◆ It has limited role, powers and jurisdiction with respect to the violation of human rights by the members of the armed forces.
- ◆ It is not empowered to act when human rights violations through private parties take place.

73. Ans: B

Exp:

- **Article 41 of the Directive Principles of State Policy (DPSP)** states that State shall make effective provision for securing right to work, to education and to **public assistance** in cases of unemployment, old age, sickness and **disablement**, within the limits of its economic capacity and development. **Hence, statement 1 is correct.**
- The subject of 'relief of the disabled and unemployable' is specified in the **state list** of the **Seventh schedule** of the constitution. **Hence, statement 2 is not correct.**
- **Accessible India Campaign (AIC)** is the nationwide flagship campaign of the Department of Empowerment of Persons with Disabilities (DEPwD), **Ministry of Social Justice and Empowerment**.
  - ◆ The aim of the Campaign is to make a barrier-free and conducive environment for Divyangjans (Persons with Disabilities - PwDs) all over the country. **Hence, statement 3 is correct.**

74. Ans: A

Exp:

- The **National Human Rights Commission (NHRC)** is a watchdog of human rights in the country, i.e. the rights related to life, liberty, equality and dignity of the individual guaranteed by Indian Constitution or embodied in the international covenants and enforceable by courts in India.
- The NHRC of India was constituted on 12 October 1993 under the Protection of Human Rights Ordinance of 28 September 1993. It was given a **statutory basis** by the Protection of Human Rights Act, 1993 (PHRA). **Hence, statement 2 is not correct.**
  - ◆ It was amended by the Protection of Human Rights (Amendment) Act, 2006 and Human Rights (Amendment) Act, 2019
- It was **established in conformity with the Paris Principles**, adopted for the **promotion and protection of human rights in Paris (October, 1991)** and endorsed by the General Assembly of the United Nations in December, 1993. **Hence, statement 1 is correct.**

75. Ans: D

Exp:

**Grounds of Disqualification of an Individual from a Political Party:**

- If an elected member **voluntarily gives up his membership** of a political party.
- If he **votes** or abstains from voting in such House **contrary to any direction issued by his political party** or anyone authorised to do so, without obtaining prior permission.
  - ◆ As a pre-condition for his disqualification, his abstention from voting should not be condoned by his party or the authorised person within 15 days of such incident.
- If any independently elected member joins any political party.
- If any nominated member **joins any political party after the expiry of six months.**
- **Hence, option D is correct.**

76. Ans: A

Exp:

- **Constitutional Provisions regarding Health:**
  - ◆ **Fundamental Rights: Article 21** of the Constitution of India guarantees a fundamental right to life & personal liberty. The right to health is inherent to a life with dignity.
  - ◆ **Directive Principles of State Policy (DPSP): Articles 38, 39, 42, 43, & 47** put the obligation on the state in order to ensure the effective realization of the right to health.
- **Judicial Pronouncements regarding Health:**
  - ◆ The **Supreme Court in Paschim Bangal Khet Mazdoor Samity case (1996)** held that in a welfare state, the primary duty of the government is to secure the welfare of the people and moreover it is the obligation of the government to provide adequate medical facilities for its people.
  - ◆ In **Parmanand Katara Vs Union Of India (1989)** judgement, the Supreme Court had ruled that every doctor whether at a government hospital or otherwise has the professional obligation to extend his services with due expertise for protecting life.

77. Ans: A

Exp:

- **Inner Line Permit System** was Implemented under the **Bengal Eastern Frontier Regulation (BEFR) 1873**, the ILP is an official travel document that allows inward travel of an Indian citizen into a protected/restricted area for a limited period.

- ◆ This Act was enacted during the British era to protect the Crown's own commercial interests by preventing 'British subjects' (Indians) from trading within these regions. **Hence statement 1 is correct.**

- **Under Section 2 of the Regulation of 1873**, the ILP was only applicable to the **three North-Eastern States** viz. Mizoram, Arunachal Pradesh and Nagaland.

- ◆ On 11th December 2020, the President signed the order extending ILP to **Manipur, which became the fourth state where the ILP regime is applicable. Hence, statement 2 is not correct.**

78. Answer: C

Exp:

- **Article 360** empowers the **president to proclaim a Financial Emergency** if he is satisfied that a situation has arisen **due to which the financial stability or credit of India** or any part of its territory is threatened. **Hence, statement 1 is correct.**
- A proclamation declaring financial emergency must be approved by both the Houses of Parliament within **two months** from the date of its issue.
  - ◆ Once approved by both the houses of Parliament, the Financial Emergency continues indefinitely till it is revoked. **Hence, statement 2 is not correct.**
- **Effects of Financial Emergency:**
  - ◆ Extension of the executive authority of the Union over the financial matters of the States.
  - ◆ Reduction of salaries and allowances of all or any class of persons serving in the State.
  - ◆ Reservation of all **money bills or other financial bills** for the consideration of the President after they are passed by the legislature of the State. **Hence, statement 3 is correct.**

79. Ans: A

Exp:

- **Article 30 (1): All minorities**, whether based on religion or language, **shall have the right to establish and administer educational institutions** of their choice. **Hence, statement 1 is correct.**
  - ◆ **Article 30(1A):** deals with the fixation of the amount for acquisition of property of any educational institution established by minority groups.
  - ◆ **Article 30(2):** states that the government should not discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language, while giving aid.

- Recently, the Supreme Court (SC) ruled that **government aid to an institution is a matter of policy** and it is not a fundamental right.
  - ◆ The **right of an institution**, whether run by a majority or minority community, **to get government aid is not a fundamental right**. Both have to equally follow the rules and conditions of the aid. **Hence, statement 2 is not correct.**
- Reason:
  - Government aid is a policy decision. It depends on various factors including the interests of the institution itself and the ability of the government to understand the exercise.
  - Financial constraints and deficiencies are the factors which are considered relevant in taking any decision while giving aid, including both the decision to grant aid and the manner of disbursement of an aid.

80. Ans: C

Exp:

Power of Deregistration:

- The **Election Commission of India (ECI)** is not empowered to de-register political parties on the grounds of violating the Constitution or breaching the undertaking given to it at the time of registration.
  - ◆ ECI has the power to register parties under the Representation of the People Act, (RPA) 1951, but **it does not have the power to deregister parties** that are inactive.
- A party **can only be de-registered if its registration was obtained by fraud**; if it is **declared illegal by the Central Government**; or if a party amends its internal Constitution and notifies the ECI that it can no longer abide by the Indian Constitution.
- **Hence, option C is correct.**

81. Ans: A

Exp:

- **Special category status (SCS)** is a classification given by the Centre to assist development of states that face geographical and socio-economic disadvantages.
  - ◆ This classification was done on the **recommendations of the Fifth Finance Commission in 1969**. **Hence, statement 1 is correct.**
- It was based on the Gadgil formula. The parameters for SCS were:

- ◆ Hilly Terrain;
- ◆ Low Population Density And/Or Sizeable Share of Tribal Population;
- ◆ Strategic Location along Borders With Neighbouring Countries;
- ◆ Economic and Infrastructure Backwardness; and
- ◆ Nonviable Nature of State finances.
- **SCS was first accorded in 1969 to Jammu and Kashmir, Assam and Nagaland**. Since then eight more states have been included (Arunachal Pradesh, Himachal Pradesh, Manipur, Meghalaya, Mizoram, Sikkim, Tripura and Uttarakhand). **Hence, statement 3 is correct.**
- **Special Category Status** for plan assistance **was granted in the past by the National Development Council** to the States that are characterized by a number of features necessitating special consideration.
  - ◆ **Now, it is done by the central government**. **Hence, statement 2 is not correct.**
- The 14<sup>th</sup> Finance Commission has done away with the 'special category status' for states, except for the Northeastern and three hill states.

82. Ans: C

Exp:

- The Constitution (97<sup>th</sup> Amendment) Act, 2011 added a new Part IXB right after Part IXA (Municipals) regarding the cooperatives working in India.
  - ◆ The word “cooperatives” was added after “unions and associations” in **Article 19(1)(c) under Part III of the Constitution**. **Hence, statement 1 is correct.**
    - This enables all the citizens to form cooperatives by giving it the status of fundamental right of citizens.
  - ◆ A new Article 43B was added in the Directive Principles of State Policy (Part IV) regarding the “promotion of cooperative societies”.
- “Cooperative Societies” is a State Subject in the **7<sup>th</sup> Schedule via entry 32 of the State List** in the Constitution of India. **Hence, statement 2 is correct.**
  - ◆ Entry 32 of State List: Incorporation, regulation and winding up of corporations, other than those specified in List I, and universities; unincorporated trading, literary, scientific, religious and other societies and associations; co-operative societies.
- The Supreme Court, on 20th July 2021, in **Union of India vs. Rajendra N. Shah struck down** most parts of the 97<sup>th</sup> Constitutional Amendment.

- ◆ Since such ratification was not done in the case of the 97<sup>th</sup> Constitutional amendment, Part IXB of the Constitution inserted by the said amendment was struck down
- ◆ It upheld the validity of the provisions of Part IX B which are related to Multi State Cooperative Societies (MSCS).
  - It said that in case of MSCS with objects not confined to one state, the legislative power would be that of the Union of India.

83. Ans: A

Exp:

- A Judicial Doctrine is a principle, theory, or position that is usually applied and upheld by courts of law.
- **Doctrine of Basic Structure:** Parliamentary democracy, fundamental rights, secularism, federalism, judicial review etc. are all held by courts as the basic structure of Indian Constitution.
  - ◆ **Important Judgements:**
    - In Kesavananda Bharati case 1973, the Supreme Court of India for the first time ruled that the parliament has the power to amend any part of the constitution but it cannot alter the “basic structure of the constitution”.
    - It was reaffirmed by the SC in the Indira Nehru Gandhi v Raj Narain case (1975), **Minerva Mills case, 1980** and later in the Waman Rao case, 1981. **Hence, Pair 2 is correctly matched.**
- **Doctrine of Pith and Substance:** It is usually applied where the question arises of determining whether a particular law relates to a particular subject (mentioned in Seventh Schedule), the court looks to the substance of the matter.
  - ◆ **Important Judgement:**
    - In **Prafulla v. Bank of Commerce (1946)**, the SC held that a State law, dealing with money lending (a State subject), is not invalid, merely because it incidentally affects promissory notes.
- The Indira Nehru Gandhi v Raj Narain case (1975) is **not associated with the Doctrine of Pith and Substance but with Doctrine of Basic Structure and Doctrine Separation of Powers. Hence, Pair 3 is not correctly matched.**
- **Doctrine of Severability:** It is also known as the doctrine of separability and protects the Fundamental Rights of the citizens.

- ◆ Article 13 of the Indian Constitution says that if any of the laws enforced in India are inconsistent with the provisions of fundamental rights, they shall, to the extent of that inconsistency, be void.
  - The whole law/act would not be held invalid, but only the provisions which are not in consistency with the Fundamental rights.

◆ **Important Judgements:**

- In **A.K. Gopalan v. State of Madras (1950)**, the SC held that in case of inconsistency to the Constitution, only the disputed provision of the Act will be void and not the whole of it, and every attempt should be made to save as much as possible of the act. **Hence, Pair 1 is correctly matched.**
- In **State of Bombay v. F.N. Balsara (1951)**, eight sections of the Bombay Prohibition Act were declared invalid, the Supreme Court said that the portion which was invalid to the extent of fundamental rights was separable from the rest of the act.

84. Ans: D

Exp:

- Article 19 of the Indian Constitution guarantees to all citizens the six rights. These are:
  - ◆ Right to **freedom of speech and expression.**
  - ◆ Right to assemble peaceably and without arms.
  - ◆ Right to form associations **or unions or co-operative societies.**
  - ◆ Right to **move freely throughout the territory of India.**
  - ◆ Right to reside and settle in any part of the territory of India.
  - ◆ Right to **practice any profession** or to carry on any occupation, trade or business.
  - ◆ **Hence, option D is correct.**

85. Ans: C

Exp:

- The **Eighth Schedule of the Indian Constitution** lists the **official languages of the republic of India.** Part XVII of the Indian constitution deals with the official languages in Articles 343 to 351. **Hence, statement 1 is correct.**
  - ◆ However, It can be noted that there is **no fixed criteria for any language** to be considered for inclusion in the Eighth Schedule. **Hence, statement 2 is correct.**
- The Eighth Schedule to the Constitution consists of the following 22 official languages:

- ◆ Assamese, Bengali, Gujarati, Hindi, Kannada, Kashmiri, Konkani, Malayalam, Manipuri, Marathi, Nepali, Oriya, Punjabi, Sanskrit, Sindhi, Tamil, Telugu, Urdu, Bodo, Santhali, Maithili and Dogri.
- ◆ Of these languages, 14 were initially included in the Constitution.
  - Sindhi language was added by the 21st Amendment Act of 1967.
  - Konkani, Manipuri, and Nepali were included by the 71<sup>st</sup> Amendment Act of 1992.
  - Bodo, Dogri, Maithili, and Santhali were added by the 92nd Amendment Act of 2003 which came into force in 2004.
- ◆ Assamese and Kashmiri were included among the official languages of India since the beginning and not after any amendment. Hence, statement 3 is not correct.

86. Ans: C

Exp:

- Article 22 (under Part III of the Indian constitution) grants protection to persons who are arrested or detained. Detention is of two types, namely, punitive and preventive. Hence, statement 1 is correct.
  - ◆ Punitive detention is to punish a person for an offence committed by him after trial and conviction in a court.
  - ◆ Preventive detention, on the other hand, means detention of a person without trial and conviction by a court.
- Article 22 provides certain rights against Preventive Detention. These protections are available to both citizens as well as aliens. Hence, statement 3 is correct.
- The grounds of detention should be communicated to the detenu. However, the facts considered to be against the public interest need not be disclosed. Hence, statement 2 is not correct.

87. Ans: A

Exp:

**ifference Between Pardoning Powers of President and Governor:**

- The scope of the pardoning power of the President under Article 72 is wider than the pardoning power of the Governor under Article 161 which differs in the following two ways:
  - ◆ The power of the President to grant pardon extends in cases where the punishment or sentence is by a Court Martial but Article 161 does not provide any such power to the Governor. Hence, statement 1 is correct.

- ◆ The President can grant pardon in all cases where the sentence given is the sentence of death but the pardoning power of the Governor does not extend to death sentence cases. Hence, statement 2 is not correct.

88. Ans: A

Exp:

- A Constitution Amendment Bill under article 368 can be introduced in either House of Parliament. Hence, statement 1 is correct.
- As per the procedure laid down in the Constitution, Constitution Amendment Bills can be of three types viz.
  - ◆ requiring a simple majority for their passage in each House. Hence, statement 2 is not correct.
  - ◆ requiring special majority for their passage in each House i.e., a majority of the total membership of a House and by a majority of not less than two-thirds of the members of that House present and voting (article 368).
  - ◆ requiring special majority for their passage and ratification by Legislatures of not less than one-half of the States by resolutions to that effect passed by those Legislatures (proviso to clause (2) of article 368).
- There is no provision of joint sittings on a Money Bill or a Constitution Amending Bill. Hence, statement 3 is not correct.

89. Ans: B

Exp:

- Racism, also called racialism, is the belief that humans may be divided into separate and exclusive biological entities called "races"; and that some races are innately superior to others.
  - ◆ Xenophobia and Racism mostly overlap, but the stark difference is racism is discrimination based on physical characteristics whereas xenophobia is discrimination based on the perception that someone is foreign or originating from another community or nation.
- India's Initiatives Against Racism:
  - ◆ Article 15, Article 16 and Article 29 of the Constitution of India prohibit discrimination on grounds of "race". Hence, statement 1 is not correct.
    - Section 153A of the Indian Penal Code (IPC) also refers to "race".
  - ◆ India also ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in 1968. Hence, statement 2 is correct.



90. Ans: D

Exp:

- The **Election Commission of India (ECI)** is an **autonomous constitutional authority** responsible for administering Union and State election processes in India.
  - ◆ The body administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.
  - ◆ The Election Commission was established in **accordance with the Constitution on 25th January 1950.**
- Part XV of the Indian constitution deals with elections, and establishes a commission for these matters.
  - ◆ Article 324 to 329 of the constitution deals with powers, function, tenure, eligibility, etc of the commission and the members.
    - **Article 324** provides for appointment of a Election commission to superintend, direct and control the elections. **Hence, statement 1 is correct.**
- Originally the commission had only one election commissioner but after the Election Commissioner Amendment Act 1989, it has been made a multi-member body. **Hence, statement 3 is correct.**
  - ◆ The commission presently consists of **one Chief Election Commissioner (CEC) and two Election Commissioners (ECs).** **Hence, statement 2 is correct.**
  - ◆ The secretariat of the commission is located in New Delhi.

91. Ans: C

Exp:

- The Indian flag was adopted in its present form during a meeting of the Constituent Assembly held on 22nd July, 1947.
- **Rules Governing the Tricolour:**
  - ◆ The Emblems and Names (Prevention of Improper Use) Act, 1950:
    - It restricts the use of the national flag, the coat-of-arms used by a government department, the official seal of the President or Governor, the pictorial representation of Mahatma Gandhi and the Prime Minister, and the Ashoka Chakra.
  - ◆ **The Prevention of Insults to National Honour Act, 1971:**

- It prohibits the desecration of or insult to the country's national symbols, including the national flag, the Constitution, the national anthem and the Indian map.
- ◆ A person **who is convicted for the following offences under the Act is disqualified to contest in the elections to the Parliament and state legislature for 6 years. Hence, statement 1 is correct.**
- **Offence of insulting the National Flag,**
- Offence of insulting the Constitution of India,
- Offence of preventing the singing of the National Anthem.
- ◆ **The Flag Code of India, 2002:**
  - It allowed the unrestricted display of the Tricolour as long as the honour and dignity of the flag were being respected.
  - The flag code did not replace the pre-existing rules governing the correct display of the flag.
  - It was, however, an effort to bring together all the previous laws, conventions and practices.
  - It is divided into three parts — a general description of the tricolour, rules on display of the flag by public and private bodies and educational institutions, and rules for display of the flag by governments and government bodies.
  - It mentions that the tricolour cannot be used for commercial purposes, and cannot be dipped in salute to any person or thing.
  - Moreover, the flag should not be used as a festoon, or for any kind of decoration purposes.
  - For official display, only flags that conform to the specifications as laid down by the Bureau of Indian Standards and bearing their mark can be used.
- ◆ **Part IV-A of the Constitution:**
  - The **Part IV-A of the Constitution** (which consists of only one Article 51-A) specifies the eleven **Fundamental Duties.**
  - ◆ According to **Article 51A (a)**, it shall be the **duty of every citizen of India to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem. Hence, statement 2 is correct.**



92. Ans: C

Exp

- The 7<sup>th</sup> Constitutional (Amendment) Act 1956 inserted Article 350-B.
  - ◆ It provides for a **Special Officer for Linguistic Minorities appointed by the President of India.**
- It would be the duty of the **Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under the Constitution.**
- Hence, both statements 1 and 2 are correct.

93. Ans: C

Exp:

- The Collegium **System is the system of appointment and transfer of judges** that has evolved through judgments of the SC, and not by an Act of Parliament or by a provision of the Constitution.
- **Judges of the higher judiciary are appointed only through the collegium system** and the government has a role only after names have been decided by the collegium. Hence, **statement 1 is correct.**
- The **government's role is limited to getting an inquiry conducted by the Intelligence Bureau (IB)** if a lawyer is to be elevated as a judge in a High Court or the Supreme Court.
- It can also **raise objections and seek clarifications** regarding the collegium's choices, **but if the collegium reiterates the same names**, the government is bound, under Constitution Bench judgments, to appoint them as judges. Hence, **statement 2 is correct.**

94. Ans: C

Exp:

- Tribunals were not part of the original constitution, it was **incorporated in the Indian Constitution by 42nd Amendment Act, 1976. Hence, statement 1 is correct.**
- **Administrative Tribunals** were set-up by an act of Parliament, Administrative Tribunals Act, 1985. It **owes its origin to Article 323 A of the Constitution. Hence, statement 2 is correct.**
  - ◆ It adjudicates disputes and complaints with respect to recruitment and conditions of service of persons appointed to the public service and posts in connection with the affairs of the Union and the States.
- Article 323-B deals with tribunals for other matters.

95. Ans: A

Exp:

- **Part XVI deals with reservation of SC and ST in Central and State legislatures. Hence, statement 1 is correct.**

- ◆ Article 15(4) and 16(4) of the Constitution enabled the State and Central Governments to reserve seats in government services for the members of the SC and ST.

- The Constitution was amended by the Constitution (77th Amendment) Act, 1995 and a new clause (4A) was inserted in Article 16 to enable the government to provide reservation in promotion.

- Later, clause (4A) was modified by the Constitution (85th Amendment) Act, 2001 to provide consequential seniority to SC and ST candidates promoted by giving reservation.

- Article 330 and 332 provides for specific representation through reservation of seats for SCs and STs in the Parliament and in the State Legislative Assemblies respectively.

- Article **243D provides reservation of seats for SCs and STs in every Panchayat.**

- ◆ **Article 233T provides reservation of seats for SCs and STs in every Municipality. Hence, statement 2 is not correct.**

- Article 335 of the constitution says that the claims of STs and STs shall be taken into consideration constitutively with the maintenance of efficacy of the administration.

- The 103rd Constitution Amendment Act, 2019, empowered both Centre and the states to provide 10% reservation to the EWS (Economically Weaker Section) category of society in government jobs and education institutions.

96. Answer: D

Exp:

- According to the Constitution, **Articles 15(4), 15(5) and 16(4)** confer power on a state to identify and declare the list of SEBCs (Socially and Educationally Backward Classes). Hence, **statement 1 is correct.**

- In the famous **Indra Sawhney case(1992)**, the **scope and extent of Article 16(4)**, which provides for the reservation of jobs in favour of backward classes, has been examined thoroughly by the Supreme Court.

- ◆ The Supreme Court held that the advanced sections among the OBCs (the creamy layer) should be excluded from the list of beneficiaries of reservation. Hence, **statement 2 is correct.**

- The **Rohini Commission** was constituted in October 2017 under **Article 340** of the Constitution. It had been constituted **to complete the task of sub-categorising 5000-odd castes in the central OBC. Hence, statement 3 is correct.**



97. Ans: C

Exp:

- Right to be Forgotten (RTBF) is the right to have publicly available personal information removed from the internet, search, databases, websites or any other public platforms, once the personal information in question is no longer necessary, or relevant.
  - ◆ The RTBF gained importance after the 2014 decision of the Court of Justice of the European Union (“CJEU”) in the Google Spain case.
- In **Puttaswamy v. Union of India case, 2017**, the Right to Privacy was declared a fundamental right by the Supreme Court.
  - ◆ The SC noted that the RTBF was a part of the broader right of privacy. **Hence, statement 2 is correct.**
  - ◆ The RTBF **emerges from the right to privacy under Article 21** and partly from the right to dignity under Article 14. **Hence, statement 1 is correct.**

98. Ans: C

Exp:

- Freedom to Move Freely Throughout the Territory of India:
  - ◆ **Article 19(1)(d)** of the Indian Constitution **entitles every** citizen to move freely throughout the territory of the country. **Hence, statement 1 is correct.**
  - ◆ This right is protected against only state action and not private individuals.
  - ◆ Moreover, it is available only to the citizens and to shareholders of a company but not to foreigners or legal persons like companies or corporations, etc.
  - ◆ The freedom of movement has two dimensions, viz, internal (right to move inside the country) and external (right to move out of the country and right to come back to the country).
    - Article 19 protects only the first dimension.
    - The second dimension is dealt by Article 21 (Right to life and personal liberty).
  - ◆ **Restrictions on this freedom** can only be imposed on two grounds which are mentioned in the Article 19(5) of the constitution itself, namely, the **interests of the general public and the protection of interests of any scheduled tribe. Hence, statement 2 is correct.**

99. Ans: A

Exp:

- **Article 29:**
  - ◆ It provides that any **section of the citizens residing in any part of India having a distinct language, script or culture of its own**, shall have the right to conserve the same.
  - ◆ It grants **protection to both religious minorities as well as linguistic minorities.**
  - ◆ However, the **Supreme Court** held that the scope of this article is not necessarily restricted to minorities only, as use of the word **‘section of citizens’** in the Article includes minorities as well as the majority. **Hence, statement 1 is correct.**
- **Article 30:**
  - ◆ All minorities shall **have the right to establish and administer educational institutions** of their choice.
  - ◆ The protection under **Article 30 is confined only to minorities (religious or linguistic)** and does not extend to any section of citizens (as under Article 29). **Hence, statement 2 is not correct.**

100. Ans: B

Exp:

- Under **Article 323 B**, the Parliament and the state legislatures are authorised to provide for the establishment of tribunals for the adjudication of disputes relating to the following matters:
  - ◆ Taxation
  - ◆ **Foreign exchange, import and export**
  - ◆ Industrial and labour
  - ◆ Land reforms
  - ◆ Ceiling on urban property
  - ◆ **Elections to Parliament and state legislatures**
  - ◆ Food stuff
  - ◆ Rent and tenancy rights
- **Administrative Tribunals adjudicate disputes and complaints with respect to recruitment and conditions of service of persons appointed to the public service and posts in connection with the affairs of the Union and the States.**
  - ◆ It owes its origin to **Article 323 A** of the Constitution.
- **Article 262:** The Indian Constitution provides a role for the Central government in **adjudicating conflicts surrounding inter-state rivers** that arise among the state/regional governments.
- **Hence, option B is correct.**

101. Ans: B

Exp:

- All the Classical Languages are listed in the Eighth Schedule of the Constitution. Hence, statement 1 is correct.
- Currently there are six languages that enjoy the 'Classical' status in India:
  - ◆ Tamil (declared in 2004), Sanskrit (2005), Kannada (2008), Telugu (2008), Malayalam (2013), and Odia (2014).
- The Ministry of Culture provides the guidelines regarding Classical languages which are as given below:
  - ◆ High antiquity of its early texts/recorded history over a period of 1500-2000 years;
  - ◆ A body of ancient literature/texts, which is considered a valuable heritage by generations of speakers.
  - ◆ The literary tradition is original and not borrowed from another speech community.
  - ◆ The classical language and literature being distinct from modern, there may also be a discontinuity between the classical language and its later forms or its offshoots. Hence, statement 2 is not correct.

102. Ans: B

Exp:

- In India, most of the tribes are collectively identified under Article 342 (1&2) as "Scheduled Tribes".
  - ◆ Their right to self-determination is guaranteed by Part X: The Scheduled and Tribal Areas – Article 244: **Administration of Scheduled Areas and Tribal Areas.**
    - That is, **Fifth and Sixth Schedules** of the Indian Constitution. **Hence, statement 1 is correct.**
- To promote local self-governance in rural India, the **73<sup>rd</sup> constitutional amendment was made in 1992.**
  - ◆ Through this amendment, a **three-tier Panchayati Raj Institution was made into a law.**
    - However, its **application to the scheduled and tribal areas under Article 243(M) was restricted.**
  - ◆ After the Bhuria Committee recommendations in 1995, **Panchayat Extension to Scheduled Areas (PESA) Act 1996 came into existence for ensuring tribal self-rule** for people living in scheduled areas of India. **Hence, statement 2 is not correct.**

103. Ans: C

Exp:

- Under **Article 72 of the Constitution**, the President shall have the power to **grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute** the sentence of any person convicted of any offence where the sentence is a sentence of death. **Hence, statement 1 is correct.**
- The **President cannot exercise his power of pardon independent of the government.**
  - ◆ In several cases, the Supreme Court has ruled that the **President has to act on the advice of the Council of Ministers** while deciding mercy pleas.
  - ◆ These include **Maru Ram vs Union of India in 1980, and Dhananjay Chatterjee vs State of West Bengal in 1994.**
- **Hence, statement 2 is correct.**

104. Ans: A

Exp:

- Article 368: 368. Power of Parliament to amend the Constitution and procedure therefor
  - ◆ Notwithstanding anything in this Constitution, **Parliament may in exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution** in accordance with the procedure laid down in this article. **Hence, statement 1 is correct.**
  - ◆ As per the procedure laid down in the Constitution, Constitution Amendment Bills can be of three types viz.
    - Requiring a simple majority for their passage in each House.
    - Requiring special majority for their passage in each House i.e., a majority of the total membership of a House and by a majority of not less than two-thirds of the members of that House present and voting (article 368).
    - Requiring special majority for their passage and ratification by Legislatures of not less than one-half of the States by resolutions to that effect passed by those Legislatures (proviso to clause (2) of article 368).
  - ◆ A Constitution Amendment Bill under article 368 **can be introduced in either House of Parliament** and has to be passed by each House by special majority. **Hence, statement 2 is not correct.**
  - ◆ There is no provision of joint sittings on a Money Bill or a Constitution Amending Bill.

105. Ans.: D

Exp.:

- **Article 23 prohibits traffic in human beings**, begar (forced labour) and other similar forms of forced labour. This right is **available to both citizens and non-citizens**. It protects the individual not only against the State but also against private persons. **Article 23 also provides for an exception to this provision**. It permits the State to impose compulsory service for public purposes, as for example, military service or social service, for which it is not bound to pay. However, in imposing such service, the State is not permitted to make any discrimination on grounds only of religion, race, caste or class. **Hence, statement 1 is not correct.**
- **Article 24 prohibits the employment of children** below the age of 14 years in any factory, mine or other hazardous activities like construction work or railway. But it does not prohibit their employment in any harmless or innocent work. **It is available to both citizens and foreigners (except enemy aliens)**. Hence, **statement 2 is not correct.**

106. Ans: B

Exp:

- **Indian constitution empowers the Union government to create new states** out of existing states or two merge one state with another. This process is called **reorganisation of the states**.
  - ◆ The basis of reorganisation could be linguistic, religious, ethnic or administrative.
- With the passage of the **Punjab Reorganization Act 1966**, Haryana was separated from Punjab in 1966 to become the 17th state of India. **Hence, statement 1 is not correct.**
  - ◆ However, it was done in accordance with the **earlier recommendations of the States Reorganization Commission**.
- **Article 3 provides the following procedure:**
  - ◆ Presidential reference is sent to the State Assembly.
  - ◆ **After presidential reference, a resolution is tabled** and passed in the Assembly. **Hence, statement 2 is correct.**
  - ◆ The Assembly has to pass a Bill creating the new State/States.
  - ◆ A separate Bill has to be ratified by Parliament.

107. Ans: C

Exp:

- **Nagaland** achieved statehood in December 1963. It was formed out of the **Naga Hills district of Assam and the then North East Frontier Agency (NEFA) province (now Arunachal Pradesh)**. Hence, **statement 1 is correct.**
- **Nagas are a hill people** who are estimated to number about 2.5 million (1.8 million in Nagaland, **0.6 million in Manipur and 0.1 million in Arunachal states**) and living in the remote and mountainous country between the Indian state of Assam and Burma. **Hence, statement 2 is correct.**
  - ◆ There are also Naga groups in Burma.
- The Nagas are not a single tribe, but an ethnic community that comprises several tribes who live in the state of Nagaland and its neighbourhood.
  - ◆ Nagas belong to the Indo-Mongoloid Family.

108. Ans: D

Exp:

- There are three Lists which provide for distribution of legislative powers (under 7th Schedule to the Constitution):
  - ◆ **Union List (List I)** - It contains 98 subjects (originally 97) and comprises the subjects which are of national importance and admit of uniform laws for the whole of the country.
    - Only the Union Parliament can legislate with respect to these matters e.g. Defence, Foreign Affairs, **Banking (Entry no 45)**, Currency, Union Taxes, etc.
  - ◆ **State List (List II)** - It contains 59 subjects (originally 66) and comprises subjects of local or State interest.
    - It lies within the legislative competence of the State Legislatures, viz. Public Order (Entry no 1) and Police (Entry no 2), Health (Entry no 6), Agriculture, Forests, etc. Hence, option D is correct.
    - Entry no 1 and 2 of state list are
  - ◆ **Concurrent List (List III)** - It contains 52 (Originally 47) with respect to which; both Union Parliament and the State Legislature have concurrent power of legislation.
    - The Concurrent List (not found in any federal Constitution) was to serve as a device to avoid excessive rigidity to a two-fold distribution.

109 Ans: B

Exp:

- The executive in India works under the **Government of India Transaction of Business Rules, 1961**.
  - ◆ These Rules emerge from **Article 77(3) of the Constitution**, which states: "The **President shall make rules** for the more convenient transaction of the business of the Government of India, and for the allocation among Ministers of the said business." **Hence, statement 1 is correct but statement 2 is not correct.**
- **The Prime Minister constitutes Standing Committees** of the Cabinet and sets out the specific functions assigned to them. He can add or reduce the number of committees. **Hence, statement 3 is correct.**
- In addition to cabinet committees, several Groups of Ministers (GoMs) are constituted to look into different issues/subjects.
  - ◆ They are an organizational device to lessen the enormous workload of the Cabinet. They facilitate an in-depth examination of policy issues and effective coordination. They are based on the principles of division of labor and effective delegation.
  - ◆ They not only resolve issues and frame proposals for the Cabinet's consideration, but they also take decisions. The Cabinet can, of course, review their decisions.

110. Ans: A

Exp:

- **The Tenth Schedule — popularly known as the Anti-Defection Act** — was included in the Constitution via the **52nd Amendment Act, 1985**. **Hence, statement 1 is correct.**
  - ◆ It sets the **provisions for disqualification of elected members** on the grounds of **defection to another political party**.
- As per the 1985 Act, a '**defection**' by **one-third of the elected** members of a political party was considered a 'merger' and exempted under the proceeding of Anti-Defection law.
  - ◆ However, the **91st Constitutional Amendment Act, 2003**, changed this and now at least two-thirds of the members of a party have to be in favour of a "merger". **Hence, statement 2 is not correct.**
- The decision on questions as to disqualification on ground of defection are referred **to the Chairman or the Speaker of such House, and his decision is final**. **Hence, statement 3 is not correct.**

111. Ans: C

Exp:

- **Censure Motion:** It should state the reasons for its adoption in the Lok Sabha. It can be moved against an individual minister or a group of ministers or the entire council of ministers.
  - ◆ It is moved to censure the council of ministers for specific policies and actions. **It can be moved only in Lok Sabha.**
- **A Cut Motion** is a special power vested in members of the Lok Sabha to oppose a demand being discussed for specific allocation by the government in the Finance Bill as part of the Demand for Grants.
  - ◆ If the motion is adopted, it amounts to a no-confidence vote, and if the government fails to jot up numbers in the lower House, it is obliged to resign according to the norms of the House.
  - ◆ Cut motion may be moved to reduce the amount of a demand in any of the following ways:
    - Policy Cut Motion: It is moved so that the amount of the demand be reduced to Re.1 (represents disapproval of the policy underlying the demand).
    - Economy Cut Motions: It is moved so that the amount of the demand will be reduced by a specified amount.
    - Token Cut Motions: It is moved so that the amount of the demand is reduced by Rs.100 (expresses a specific grievance).
    - **It can be moved only in Lok Sabha.**
- **Non-Confidence Motion: Article 75 of the Constitution** says that the council of ministers shall be collectively responsible to the Lok Sabha.
  - ◆ In other words, the Lok Sabha can remove the ministry from office by passing a no-confidence motion. The motion needs the support of 50 members to be admitted.
  - ◆ **It can be moved only in Lok Sabha.**
- **Call Attention Motion:** It is introduced in the Parliament by a member to call the attention of a minister to a matter of urgent public importance, and to seek an authoritative statement from him on that matter.
  - ◆ It can be moved in Rajya Sabha as well as Lok Sabha.
- **Hence, option C is correct.**

112. Ans: C

Exp:

- Persons who are not covered under the existing scheme of reservations for SCs, STs and Socially and Educationally Backward Classes and whose gross annual family income is below Rs 8 lakh are to be identified as EWS for the benefit of reservation.
  - ◆ The income includes income from all sources i.e. salary, agriculture, business, profession etc. for the financial year prior to the year of application.
- The **103<sup>rd</sup> Constitutional Amendment Act** introduced an economic reservation (10% quota) in jobs and admissions in education institutes for Economically Weaker Sections (EWS) by **amending Articles 15 and 16. Hence, statement 1 is correct.**
  - ◆ It inserted Article 15 (6) and Article 16 (6).
- It was enacted to promote the welfare of the poor not covered by the 50% reservation policy for SCs, STs and Socially and Educationally Backward Classes (SEBC).
  - ◆ **It enables both Centre and the states to provide reservation to the EWS of society. Hence, statement 2 is correct.**

113. Ans: D

Exp:

- A **Lokpal is an anti-corruption authority** or ombudsman who **represents the public interest.**
  - ◆ The Lokpal is responsible for enquiring into corruption charges at the **national level** while the Lokayukta performs the same function at the state level. **Hence, statement 1 is correct.**
  - ◆ India is a signatory to the United Nations Convention against Corruption.
    - The concept of an ombudsman was borrowed from Sweden.
- The Lokpal, the apex body to inquire and investigate graft complaints against public functionaries, came into being with the appointment of its chairperson and members in March 2019.
- The **First Administrative Reforms Commission (ARC)** of India (1966– 1970) **recommended the setting up** of two special authorities designated as '**Lokpal**' and '**Lokayukta**' for the redressal of citizens' grievances. **Hence, statement 3 is correct.**
- The **Lokpal has jurisdiction over all Members of Parliament** and central government employees in cases of corruption. **Hence, statement 2 is correct.**

114. Ans: A

Exp:

- **Right to strike is recognized globally. Article 19(1) the Constitution of India** guarantees the protection of certain freedoms as fundamental rights such as:
  - ◆ Freedom of speech and expression.
  - ◆ Assemble peaceably and without arms.
  - ◆ Form associations or unions.
  - ◆ Move freely throughout the territory of India.
  - ◆ Reside and settle in any part of the territory of India.
  - ◆ Practise any profession, or to carry on any occupation, trade or business.
- **However, strike is not expressly recognized in the Constitution of India.**
- The Supreme Court settled the case of **Kameshwar Prasad v. The State of Bihar 1958** by stating that strike is **not a fundamental right.**
  - ◆ Government employees have no legal or moral rights to go on strikes.
- India recognized **strike as a statutory right under the Industrial Disputes Act, 1947. Hence, option A is correct.**

115. Ans: D

Exp:

- Recently, the Supreme Court of India held that in any election, be it to Parliament or State legislature, the **maintenance of secrecy of voting is "a must".**
  - ◆ It reiterated its 2013 judgement in the **People's Union for Civil Liberties case.**
  - ◆ The court held that it is a part of Fundamental Right, as any arbitrary distinction between the voter who casts his vote and the voter who does not cast his vote is violative of **Article 14, Article 19(1)(a) and Article 21 of the Indian Constitution.**
  - ◆ The secrecy is a part of the **fundamental right of freedom of expression. Hence, statement 1 is correct.**
- The Supreme Court in **People's Union for Civil Liberties case, 2013**, held that, there are the two main key components of right to secrecy of vote:
  - ◆ Right to vote also includes a **right not to vote i.e right to reject.**
  - ◆ Right to secrecy is an **integral part of a free and fair election.**
  - ◆ Further, the confidentiality of choice **strengthened democracy. Hence, statement 2 is correct.**

- **Article 21(3) of the Universal Declaration of Human Rights and Article 25(b) of the International Covenant on Civil and Political Rights deals with the "Right to secrecy". Hence, statement 3 is correct.**

116. Ans: B

Exp:

- The "Right to Privacy" is an integral part of Article 21 of the Constitution (Right to Life).
  - ◆ An individual's right to privacy is governed by the Personal Data Protection Bill, 2019.
- In 2017, the Right to Privacy was declared a fundamental right by the Supreme Court in its landmark judgement in the case of **Justice K.S. Puttaswamy vs. Union of India, 2017**.
- The court said that, "the right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution".
- **Hence, option B is correct.**

117. Ans: C

Exp:

- The term "Minority" is not defined in the Indian Constitution. However, the Constitution recognises only religious and linguistic minorities.
  - ◆ 6 Minority Communities in India: Jain, Parsi, Buddhist, Christian, Sikh and Muslim (notified by the Government).
- **Article 29:** It provides that **any section of the citizens residing in any part of India** having a distinct language, script or culture of its own, shall have the right to conserve the same.
  - ◆ **It grants protection to both religious minorities as well as linguistic minorities. Hence, statement 1 is not correct.**
- **Article 30:** Under the article, all minorities shall have the right to establish and administer educational institutions of their choice.
  - ◆ **The protection under Article 30 is confined only to minorities (religious or linguistic) and does not extend to any section of citizens (as under Article 29). Hence, statement 2 is not correct.**
- **Article 350-B:** The 7th Constitutional (Amendment) Act 1956 inserted this **article which provides for a Special Officer for Linguistic Minorities appointed by the President of India. Hence, statement 3 is correct.**

118. Ans: C

Exp:

- Article 340 of the Indian Constitution deals with the **appointment of a commission to investigate the conditions of backward classes. Hence, statement 1 is correct.**
  - ◆ It deals with the need to, inter alia, identify those "socially and educationally backward classes", understand the conditions of their backwardness, and make recommendations to remove the difficulties they face.
- The **Justice Rohini Commission** was constituted in October **2017** under Article 340 of the Constitution.
  - ◆ It is **considering the sub-categorization of OBC quota** and if any particular community or group of communities are benefiting most from the OBC quota and how to iron out anomalies. **Hence, statement 2 is correct.**
  - ◆ The OBCs are granted 27% reservation in jobs and education under the central government.
    - The need for sub-categorisation arises out of the perception that only a few affluent communities among the over 2,600 included in the Central List of OBCs have secured a major part of this 27% reservation.
    - Sub-categorisation would ensure a more equitable distribution of opportunities in central government jobs and educational institutions.

119. Ans: C

Exp:

- The International Cooperative Alliance (ICA) defines a **Cooperative** as "an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise".
- The Constitution (97th Amendment) Act, 2011 added a new Part IXB right after Part IXA (Municipals) regarding the cooperatives working in India.
  - ◆ The word "cooperatives" was added after "unions and associations" in Article 19(1)(c) under Part III of the Constitution.
    - **This enables all the citizens to form cooperatives by giving it the status of fundamental right of citizens. Hence, statement 1 is correct.**
- A new **Article 43B** was added in the **Directive Principles of State Policy (Part IV)** regarding the "promotion of cooperative societies". **Hence, statement 2 is correct.**





120. Ans: D

Exp:

- Parliamentary privileges are certain rights and immunities enjoyed by members of Parliament, individually and collectively, so that they can “effectively discharge their functions”.
  - ◆ When any of these rights and immunities are disregarded, **the offence is called a breach of privilege and is punishable under law of Parliament. Hence, statement 3 is correct.**
  - ◆ The Constitution (**Article 105 for Parliament and Article 194 for State Assemblies**) mentions two privileges, i.e. freedom of speech in Parliament and right of publication of its proceedings. **Hence, statement 1 is correct.**
  - ◆ Rule No 222 in Chapter 20 of the Lok Sabha Rule Book and correspondingly Rule 187 in Chapter 16 of the Rajya Sabha rulebook governs privilege.
  - ◆ Individualistic Privileges:
    - ◆ **Freedom of Speech:** The members of Parliament/ state assembly enjoy freedom of speech and expression.
      - No member can be taken to task anywhere outside the four walls of the House (e.g. court of law) or cannot be discriminated against for expressing his/her views in the House and its Committees.
      - However, a member has the privilege of freedom of speech in Parliament, he has no right to publish it outside Parliament.
    - ◆ **Freedom from Arrest:** No member shall be arrested in a civil case 40 days before and after the adjournment of the House and also when the House is in session.
      - It also means that **no member can be arrested within the precincts of the Parliament** without the permission of the House to which he/she belongs. **Hence, statement 2 is correct.**
    - ◆ Exemption from Attendance as Witnesses: The members of Parliament/ assemblies also enjoy freedom from attendance as witnesses.
  - **Collective Privileges:**
    - ◆ Right to Publish Debates and Proceedings: Parliament/Assembly can prohibit the press to publish its proceedings, when needed.
    - ◆ Right to exclude strangers: Parliament/Assembly enjoys the right to exclude strangers (no-members or visitors) from the galleries at any time and to resolve debate with closed doors.

- ◆ Right to Punish Members and Outsiders: In India, the Parliament/Assembly has been given punitive powers to punish those who are judged guilty of contempt of the House.

121. Ans: B

Exp:

- The summoning of Parliament is specified in Article 85 of the Constitution.
- India does not have a fixed parliamentary calendar. By convention (i.e. not provided by the Constitution), Parliament meets for three sessions in a year.
  - ◆ The **longest, Budget Session (1st session)**, starts towards the end of January, and concludes by the end of April or first week of May. **hence, statement 1 is correct.**
  - ◆ The second session is the three-week Monsoon Session, which usually begins in July and finishes in August.
  - ◆ Winter Session (3rd session), is held from November to December.
- The Constitution of India provides for the joint sitting of the Parliament’s two Houses, the Lok Sabha and the Rajya Sabha, in order to break any deadlock between the two.
  - ◆ The **joint sitting is called by the President**. Such a session is **presided over by the Speaker**, and in his/her absence, by the Deputy Speaker of the Lok Sabha. **Hence, statement 2 is not correct.**

122. Ans: B

Exp:

- **Article 340 of the Indian Constitution: The President may by order appoint a Commission consisting of such persons as he thinks fit to investigate the conditions of socially and educationally backward classes within the territory of India and the difficulties under which they labour and to make recommendations as to the steps that should be taken by the Union or any State to remove such difficulties. Hence, statement 1 is correct.**
  - ◆ A Commission so appointed shall investigate the matters referred to them and present to the President a report setting out the facts as found by them and making such recommendations as they think proper.
  - ◆ The President shall cause a copy of the report so presented together with a memorandum explaining the action taken thereon to be laid before each House of Parliament.

- The **Kalelkar Commission**, set up in 1953, was the first to identify backward **classes other than the Scheduled Castes (SCs) and Scheduled Tribes (STs)** at the national level.
- The **Mandal Commission** Report, 1980 estimated the OBC population at 52% and classified 1,257 communities as backward.
  - ◆ It **recommended increasing the existing quotas, which were only for SC/ST, from 22.5% to 49.5% to include the OBCs. Hence, statement 2 is not correct.**
- The central government reserved 27% of seats in union civil posts and services for OBCs [Article 16(4)].
  - ◆ The quotas were subsequently enforced in central government educational institutions [Article 15 (4)].
  - ◆ In 2008, the Supreme Court directed the central government to exclude the creamy layer (advanced sections) among the OBCs.
- The **102<sup>nd</sup> Constitution Amendment Act, 2018 provided constitutional status to the National Commission for Backward Classes (NCBC)**, which was previously a statutory body under the Ministry of Social Justice and Empowerment. **Hence, statement 3 is correct.**

123. Ans: B

Exp:

- **Article 217** of the Constitution states that the **Judge of a High Court shall be appointed** by the President in **consultation with the Chief Justice of India (CJI), the Governor of the State. Hence, statement 1 is correct.**
  - ◆ In the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court is consulted.
- Consultation Process: High Court judges are recommended by a Collegium comprising the CJI and two senior-most judges.
  - ◆ The **proposal, however, is initiated by the Chief Justice of the High Court** concerned in consultation with two senior-most colleagues.
  - ◆ The recommendation is sent to the Chief Minister, who advises the Governor to send the proposal to the Union Law Minister. **Hence, statement 2 is not correct.**
- The Chief Justice of the High Court is appointed as per the policy of having Chief Justices from outside the respective States.
  - ◆ The Collegium takes the call on the elevation.

124. Ans: C

Exp:

- The Speaker (along with the Deputy Speaker) is **elected from among the Lok Sabha members by a simple majority** of members present and voting in the House.
  - ◆ Once a decision on the candidate is taken, his/her name is normally proposed by the Prime Minister or the Minister of Parliamentary Affairs. **Hence, statement 1 is correct.**
- The Speaker holds Office from the date of his/her election till immediately before the first meeting of the next Lok Sabha (for 5 years).
  - ◆ The **speaker once elected is eligible for re-election.**
  - ◆ Whenever the Lok Sabha is dissolved, the Speaker does not vacate his office and continues till the newly-elected Lok Sabha meets.
  - ◆ **Hence, statement 2 is correct.**

125. Ans: A

Exp:

- The boundary issue between Assam and Mizoram has existed since the formation of Mizoram — **first as a union territory in 1972, and then as a full-fledged state in 1987. Hence, statement 2 is not correct.**
- Mizoram was granted statehood in 1987 by the State of Mizoram Act, 1986.
- Assam became a constituent state of India in 1950 and lost much of its territory to new states that emerged from within its borders between the early 1960s and the early 1970s.
- During colonial times, Mizoram was known as **Lushai Hills, a district of Assam. Hence, statement 1 is correct.**
- The Assam-Mizoram dispute stems from two notifications passed under British era.
  - ◆ First, notification of 1875, that differentiated Lushai Hills from the plains of Cachar.
  - ◆ Second, notification of 1933, that demarcates a boundary between Lushai Hills and Manipur.

126. Ans: C

Exp:

- Part IV of Indian Constitution, Article 45 and Article 39 (f) of Directive Principles of State Policy (DPSP), has a provision for state-funded as well as equitable and accessible education.
- The **42<sup>nd</sup> Amendment to the Constitution in 1976** moved education from the State to the **Concurrent List. Hence, statement 1 is correct.**

- The education policies by the Central government provide a broad direction and state governments are expected to follow it. But it is not mandatory, for instance Tamil Nadu does not follow the three-language formula prescribed by the first education policy in 1968.
- The **86<sup>th</sup> Amendment in 2002 made education an enforceable right under Article 21-A. Hence, statement 2 is correct.**
- **Related Laws:**
  - ◆ Right To Education (RTE) Act, 2009 aims to provide primary education to all children aged 6 to 14 years and enforces education as a Fundamental Right.
  - ◆ It mandates non-minority private unaided schools to keep aside at least 25% of their entry-level seats for children belonging to disadvantaged sections to create a more integrated and inclusive schooling system.

**127. Ans: D**

**Exp:**

- **Article 164 of the Constitution** envisages that the Chief Minister shall be **appointed by the governor. Hence, statement 1 is correct.**
  - ◆ A leader of the party that has got the majority share of votes in the assembly elections, is appointed as the Chief Minister of the state.
- Under Article 167 of the Constitution, the Chief Minister acts as a **link between the Governor and state council of ministers. Hence, statement 2 is correct.**
  - ◆ CM advises the Governor regarding the appointment of important officials like advocate general, chairman and members of the State Public Service Commission, State Election Commission, etc.
- He is the chairman of the State Planning Board.
- He acts as a vice-chairman of the concerned zonal council by rotation, holding office for a period of one year at a time.
- He is a **member of the Inter-State Council** and the **Governing Council of NITI Aayog**, both headed by the prime minister. **Hence, statement 3 is correct.**
- He is the chief spokesman of the state government.
- He is the crisis manager-in-chief at the political level during emergencies.
- As a leader of the state, he meets various sections of the people and receives memoranda from them regarding their problems, and so on.
- He is the political head of the services.

**128. Ans: B**

**Exp:**

- **Champakam Dorairajan v the State of Madras (1951):** In this case, the Supreme Court (SC) ruled that **in case of any conflict between the Fundamental Rights and the Directive Principles, the former would prevail.**
  - ◆ It declared that the Directive Principles have to conform to and run as subsidiary to the Fundamental Rights.
  - ◆ It also held that the Fundamental Rights could be amended by the Parliament by enacting constitutional amendment acts.
- In the case **"Golaknath v the State of Punjab (1967)"**, the SC declared that Fundamental Rights could not be amended by the Parliament even for implementation of Directive Principles.
  - ◆ In **Kesavananda Bharati v the State of Kerala (1973)**, the SC overruled its Golak Nath (1967) verdict and declared that Parliament can amend any part of the Constitution but it cannot alter its "Basic Structure".
  - ◆ In the case of **Minerva Mills v the Union of India (1980)**, the SC reiterated that Parliament can amend any part of the Constitution but it cannot change the "Basic Structure" of the Constitution.
  - ◆ **Hence, option B is correct.**

**129. Ans: B**

**Exp:**

- **Article 164** of the Indian Constitution envisages that the **Chief Minister shall be appointed by the Governor. Hence, statement 1 is correct.**
  - ◆ A leader of the party that has got the majority share of votes in the assembly elections, is appointed as the Chief Minister of the state.
  - ◆ The Governor is the nominal executive authority, but real executive authority rests with the Chief Minister.
- A person who is **not a member of the state legislature can be appointed as Chief Minister for six months**, within which time, he should be elected to the state legislature, failing which he ceases to be the Chief Minister. **Hence, statement 2 is not correct.**
- The term of the Chief Minister is not fixed and he holds office during the pleasure of the governor.
  - ◆ He cannot be dismissed by the governor as long as he enjoys the majority support in the legislative assembly.
- The Chief Minister acts as a link between the Governor and state council of ministers.

- ◆ **CM advises the Governor regarding the appointment of important officials** like advocate general, chairman and members of the **State Public Service Commission**, State Election Commission, etc. **Hence, statement 3 is not correct.**

130. Ans: C

Exp:

- Article 74 (Council of Ministers (COM) to aid and advise President): The advice tendered by Ministers to the President shall not be inquired into in any court. Hence, statement 1 is correct.
  - ◆ The President may require the COM to reconsider such advice and the President **shall act in accordance with the advice tendered after such reconsideration.**
- Article 75 (Other Provisions as to Ministers): The PM shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the PM.
  - ◆ The total number of ministers, including the Prime Minister, in the COM shall not exceed 15% of the total strength of the Lok Sabha. **Hence, statement 2 is correct.**
    - This provision was added by the 91st Amendment Act of 2003.

131. Ans: D

Exp:

- The e-Courts project was conceptualized on the basis of the "National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary – 2005".
- **National Policy and Action Plan for Implementation of ICT in the Indian Judiciary- 2005 was submitted by e-Committee, Supreme Court of India** with a vision to transform the Indian Judiciary by ICT enablement of Courts. **Hence, statement 1 is not correct.**
- The **e-Courts Mission Mode Project**, is a Pan-India Project, monitored and funded by the **Ministry of Law and Justice** for the District Courts across the country. **Hence, statement 2 is not correct.**

132. Ans: D

Exp:

- The **Sixth Schedule of the Indian Constitution** deals with the administration of the tribal areas in the four northeastern states of Assam, Meghalaya, Tripura and Mizoram.
  - ◆ The special provision is provided under Article 244 (2) and Article 275 of the Constitution.

- ◆ The tribals have been given **freedom to exercise legislative and executive powers through an Autonomous Regional Council and Autonomous District Councils.** Hence, statement 1 is correct.

- Each autonomous district and regional council **consists of not more than 30 members**, of which **four are nominated by the governor and the rest via elections.** All of them remain in power for a term of five years. **Hence, statement 2 is not correct.**

- ◆ However, the Bodoland Territorial Council is an exception as it can constitute up to 46 members.

- Despite various degrees of autonomy, the Sixth Schedule area does not fall outside the executive authority of the state concerned.

- ◆ The Acts passed by Parliament and state legislatures may or **may not be levied** in these regions **unless the President and the Governor of the state gives her or his approval**, with or without modifications in the laws for the autonomous regions. **Hence, statement 3 is correct.**

133. Ans: D

Exp:

- The **Election Commission's role ends with the declaration of results**, after that, an **election petition is the only legal remedy available to a voter or a candidate who believes there has been malpractice in an election.**
  - ◆ Such a person can challenge the result through an election petition submitted to the **High Court of the state** in which the constituency is located. **Hence, statement 1 is not correct.**
- Such a petition has to be filed within **45 days from the date of the poll results**; nothing is entertained by courts after that. **Hence, statement 2 is not correct.**

134. Ans: A

Exp:

- Delimitation is the act of fixing or redrawing the limits or boundaries of territorial constituencies (Assembly or Lok Sabha seat) in a country or a province having a legislative body, as per the Election Commission.
  - ◆ The delimitation exercise is **carried out by an independent high-powered panel** known as the **Delimitation Commission** whose orders have the force of law and cannot be questioned by any court. **Hence, statement 1 is not correct.**
- Under **Article 82** of the Indian Constitution, the **Parliament enacts a Delimitation Act after every Census.** Hence, statement 2 is correct.



- ◆ Under Article 170, States also get divided into territorial constituencies as per Delimitation Act after every Census.
- The **first delimitation exercise was carried out by the President** (with the help of the Election Commission) in 1950-51. **Hence, statement 3 is correct.**
  - ◆ The Delimitation Commission Act was enacted in 1952.

135. Ans: A

Exp:

- The Attorney General (AG) of India is a part of the Union Executive. AG is the **highest law officer in the country. Hence, statement 1 is correct.**
  - ◆ Article 76 of the Constitution provides for the office of AG of India.
- He/She is **appointed by the President on the advice of the government. Hence, statement 2 is not correct.**
- **Term of the Office is not fixed by the Constitution.**
  - ◆ Also, the removal procedures and grounds for the removal of AG are not stated in the Constitution. S/he **holds office during the pleasure of the President** (may be removed by the President at any time). **Hence, statement 3 is correct.**

136. Ans: A

Exp:

- The delimitation exercise is carried out by an independent high-powered panel known as the **Delimitation Commission** whose orders have the force of law and cannot be questioned by any court.
- The **Delimitation Commission is appointed by the President of India** and works in collaboration with the Election Commission of India. **Hence, statement 1 is not correct.**
- The Delimitation Commission is composed of:
  - ◆ **Retired Supreme Court judge**
  - ◆ **Chief Election Commissioner. Hence, statement 2 is correct.**
  - ◆ Respective State Election Commissioners.

137. Ans: B

Exp:

- Recusal is the act of abstaining from participation in an official action such as a legal proceeding due to a conflict of interest of the presiding court official or administrative officer.
- The **decision to recuse generally comes from the judge himself** as it rests on the conscience and discretion of the judge to disclose any potential conflict of interest. **Hence, statement 1 is not correct.**
  - ◆ Some judges orally convey to the lawyers involved in the case their reasons for recusal, many do not. Some explain the reasons in their order.

- If a judge recuses, the case is listed before the Chief Justice **for allotment to a fresh Bench. Hence, statement 2 is correct.**
- There are no formal rules governing recusals, although several SC judgments have dealt with the issue.

138. Ans: B

Exp:

- The **Union Public Service Commission (UPSC)** is the central recruiting agency in India. It is an independent constitutional body.
  - ◆ The provisions regarding the composition of UPSC, appointment and removal of its members and the powers and functions of UPSC are provided in **Part XIV of the Indian Constitution under Article 315 to Article 323. Hence, option A is correct.**
- The **Chairman and other members of the UPSC are appointed by the President of India. Hence, option C is correct.**
  - ◆ Any person who has once held the office as a member of a Public Service Commission is ineligible for reappointment to that office.
- The Chairman of the UPSC shall be ineligible for any further employment either under the Government of India or under the Government of a State.
  - ◆ However, **members of UPSC, other than the Chairman shall be eligible for appointment as the Chairman of UPSC or a SPSC. Hence, option B is not correct.**
- The expenses of the UPSC including salaries, allowances and pensions of the members or staff of the Commission are charged on the **Consolidated Fund of India. Hence, option D is correct.**

139. Ans: D

Exp:

- The **102<sup>nd</sup> Amendment Act of 2018 (and not 104<sup>th</sup> amendment)** introduced Articles 338B and 342A in the Indian Constitution.
- Article 338B provides **constitutional status to the National Commission for Backward Classes (NCBC). Hence, statement 1 is not correct.**
  - ◆ Previously NCBC was a statutory body under the Ministry of Social Justice and Empowerment.
- Article 342A **empowers the President (and not the Governor of state)** to specify the socially and educationally backward communities in a State. **Hence, statement 2 is not correct.**
  - ◆ It says that it is for the Parliament to include a community in the Central List for socially and backward classes for grant of reservation benefits.

140. Ans: D

Exp:

- In the **Indira Sawhney judgment** 1992, SC had categorically said 50% shall be the rule, only in certain exceptional and extraordinary situations for bringing far-flung and remote areas' population into mainstream said 50% rule can be relaxed.
- The Court upheld the government's move and proclaimed that the advanced sections among the OBCs (i.e, the creamy layer) must be excluded from the list of beneficiaries of reservation. It also held that the concept of creamy layer must be excluded for SCs & STs.

141. Ans: B

Exp:

- The **Election Commission of India (ECI)** is an autonomous constitutional authority responsible for administering Union and State election processes in India.
  - ◆ **Part XV (Article 324-329)** of the Indian Constitution deals with elections, and establishes a commission for these matters. **Hence, statement 1 is correct.**
- It was established in accordance with the constitution on 25th January 1950 (celebrated as national voters' day). The secretariat of the commission is located in New Delhi.
- The **body administers elections** to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the **offices of the President and Vice President in the country. Hence, statement 2 is not correct.**
  - ◆ It is not concerned with the elections to panchayats and municipalities in the states. For this, the Constitution of India provides for a separate State Election Commission.
- The commission consists of one **Chief Election Commissioner (CEC)** and two Election Commissioners.
  - ◆ The CEC enjoys the same status as available to Judges of the Supreme Court of India and can be removed from office only through a process of removal similar to that of a Supreme Court judge by Parliament.
    - He/She may be removed from office through a motion adopted by **Parliament on grounds of 'Proven misbehaviour or incapacity'.** **Hence, statement 3 is correct.**

142. Ans: D

Exp:

- **'Prisons/persons detained therein' is a State subject** under Entry 4 of List II of the **Seventh Schedule to the Constitution of India. Hence, option A is correct.**
  - ◆ **Entry 4:** Prisons, reformatories, Borstal institutions and other institutions of a like nature, and persons detained therein; arrangements with other States for the use of prisons and other institutions.
  - ◆ Administration and management of prisons is the responsibility of respective State Governments.
  - ◆ However, the **Ministry of Home Affairs provides regular guidance** and advice to States and UTs on various issues concerning prisons and prison inmates. **Hence, option B is correct.**
- **Article 39A (and not Article 23) of the Constitution directs the State** to ensure that the operation of the legal system promotes justice on a basis of equal opportunity and shall, in **particular, provide free legal aid by suitable legislation or schemes or in any other way**, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities. **Hence, option D is not correct.**
  - ◆ Right to free legal aid or free legal service is an essential fundamental right guaranteed by the Constitution.
  - ◆ Article 23 of the Constitution provides the fundamental right against exploitation.
- **Article 22 (3) (b) of the Constitution allows for preventive detention** and restriction on personal liberty for reasons of state security and public order. **Hence, option C is correct.**
  - ◆ Further, Article 22 (4) states that no law providing for preventive detention shall authorise the detention of a person for a longer period than three months unless:

143. Ans: D

Exp:

- Under Article 171 of the Constitution, the Legislative Council of a **state shall not have more than one-third of the total strength of the State Assembly**, and not less than 40 members. **Hence, statement 1 is correct.**
  - ◆ Like the Rajya Sabha, the legislative council is a continuing chamber, that is, it is a permanent body and is not subject to dissolution. The tenure of a Member of the Legislative Council (MLC) is six years, with one-third of the members retiring every two years.

● **Manner of Election:**

- ◆ One-third of the MLAs are elected by the state's MLAs.
- ◆ Another 1/3<sup>rd</sup> by a **special electorate comprising sitting members of local governments** such as municipalities and district boards. **Hence, statement 3 is correct.**
- ◆ 1/12<sup>th</sup> by an electorate of teachers and another 1/12<sup>th</sup> by registered graduates.
- ◆ The remaining members are appointed by the Governor for distinguished services in various fields namely, literature, science, art, cooperative movement and social service.
- The legislative power of the Councils are limited. Unlike Rajya Sabha which has substantial powers to shape non-financial legislation, Legislative Councils lack a constitutional mandate to do so.
- Assemblies can override suggestions/amendments made to legislation by the Council.
- **Unlike Rajya Sabha MPs, MLAs cannot vote in elections for the President and Vice President.** The Vice President is the Rajya Sabha Chairperson while a member from the Council itself is chosen as the Council Chairperson. **Hence, statement 2 is correct.**

144. Ans: D

Exp:

- The **Central Bureau of Investigation (CBI)** was set up in 1963 by a resolution of the **Ministry of Home Affairs**. **Hence, statement 1 is not correct.**
  - ◆ Now, the CBI comes under the administrative control of the Department of Personnel and Training (DoPT) of the Ministry of Personnel, Public Grievances and Pensions.
- 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**. **Hence, statement 2 is not correct.**

145. Ans: B

Exp:

- Goa is located on the southwestern coast of India within the region known as the Konkan, and geographically separated from the Deccan highlands by the Western Ghats.
  - ◆ **Konkani**, which is one of the 22 languages from the Eight Schedule, is the official language of Goa. **Hence, option A is correct.**

- After India's independence in 1947, after the failure of diplomatic efforts with Portuguese to free Goa, military operation code-named '**Operation Vijay**' was conducted by Indian Navy, Airforce and Army and Goa was liberated on 19th December, 1961. **Hence, option C is correct.**

- ◆ On 30th May, 1987, the **territory was split and Goa was formed**. Daman and Diu remained Union Territory. **Hence, option D is correct.**

● **Geography of Goa:**

- ◆ The **highest point of Goa is Sonsogor (and not Galgibag)**. **Hence, option B is not correct.**
- ◆ Goa's seven major rivers are the Zuari, Mandovi, Terekhol, Chapora, Galgibag, Kumbarjua canal, Talpona and the Sal.
- ◆ Most of Goa's soil cover is made up of laterites.

146. Ans: B

Exp:

- The Chief Secretary of State is **appointed by the Chief Minister**. **Hence, statement 1 is not correct.**
- As the appointment of Chief Secretary is an executive action of the Chief Minister, it is taken in the name of the Governor of the State.
- The post of Chief Secretary is the senior-most position in the civil services of the states and union territories of India.
  - ◆ The position is a cadre post for the Indian Administrative Services.
- The Chief Secretary is the **chief advisor to the Chief Minister** in all matters of the cabinet. **Hence, statement 2 is correct.**
- The office of Chief Secretary has been excluded from the operation of the tenure system.
  - ◆ There is no fixed tenure for this post.
  - ◆ **Hence, statement 3 is not correct.**

147. Ans: D

Exp:

- Citizenship signifies the relationship between individual and state.
  - ◆ Like any other modern state, India has two kinds of people—citizens and aliens.
- Citizens are full members of the Indian State and owe allegiance to it. They enjoy all civil and political rights.
- Citizenship is an idea of exclusion as it excludes non-citizens.
- There are two well-known principles for the grant of citizenship:

- ◆ While '**jus soli**' confers citizenship on the basis of **place of birth**, '**jus sanguinis**' gives **recognition to blood ties**. Hence, **statement 1 is not correct**.
- ◆ From the time of the Motilal Nehru Committee (1928), the Indian leadership was in favour of the enlightened concept of jus soli.
- ◆ The racial idea of **jus sanguinis** was also **rejected by the Constituent Assembly** as it was against the Indian ethos. Hence, **statement 2 is not correct**.

148. Ans: C

Exp:

- The Director of CBI as Inspector General of Police, Delhi Special Police Establishment, is responsible for the administration of the organisation.
  - ◆ The **Central Government is responsible for the appointment of the Director of CBI upon the recommendation of a three-member committee** consisting of the Prime Minister as Chairperson, the Leader of Opposition in the Lok Sabha and the Chief Justice of India or Judge of the Supreme Court (SC) nominated by him. Hence, **statement 1 is correct**.
- **SC Rulings Related to CBI Director:**
  - ◆ In the Prakash Singh case, 2006 the SC had stressed the point that appointment of DGPs "should be purely on the basis of merit and to insulate the office from all kinds of influences and pressures".
  - ◆ The SC in **Union of India versus C. Dinakar, 2001** case has held that "ordinarily **IPS officers of the senior most four batches** in service on the date of retirement of CBI Director, irrespective of their empanelment, **shall be eligible for consideration for appointment to the post of CBI Director**".
  - ◆ Hence, **statement 2 is correct**.

149. Ans: A

Exp:

- Recently, the West Bengal government has decided to set up a Legislative Council (Vidhan Parishad).
- India has a bicameral system of legislature. Just as Parliament has two Houses, the states can also have a **Legislative Council in addition to the Legislative Assembly through Article 169 of the Constitution**. Hence, **statement 1 is correct**.
  - ◆ The **Parliament can abolish a Legislative Council (where it already exists) or create it (where it does not exist) by a simple majority**, that is, a majority of the members of each House present and voting, if the legislative assembly of the concerned state, by a special majority, passes a resolution to that effect. Hence, **statement 2 is not correct**.

- Six States having a Legislative Council: Andhra Pradesh, Telangana, Uttar Pradesh, Bihar, Maharashtra, Karnataka.
  - ◆ In 2020, Andhra Pradesh Legislative Assembly passed the resolution for abolition of the Legislative Council. This resolution is yet to be cleared by the Parliament of India to finally abolish the council.
  - ◆ In 2019, the Jammu & Kashmir Legislative Council was abolished through the J&K Reorganisation Bill, 2019, which reduced the State of J&K to the Union Territories of J&K and Ladakh.

150. Ans: A

Exp:

- **Article 93 of the Constitution** provides for the election of both the Speaker and the Deputy Speaker.
  - ◆ The Speaker is the constitutional and ceremonial head of the House.
- He/She is the final interpreter of the provisions of the Constitution of India, the Rules of Procedure and Conduct of Business of Lok Sabha and the parliamentary precedents, within the House.
  - ◆ In matters regarding interpretation of these provisions, he/she often gives rulings which are respected by members and are binding in nature.
- He/She **presides over a joint sitting of the two Houses of Parliament**. Hence, **statement 1 is correct**.
  - ◆ Such a sitting is summoned by the President to settle a deadlock between the two Houses on a bill.
- He/She can adjourn the House or suspend the meeting in absence one-tenth of the total strength of the House (called the quorum).
- The speaker **does not vote in the first instance** but in the case of a tie; when the House is divided equally on any question, the **Speaker is entitled to vote**.
- Such a vote is called a **Casting Vote**, and its purpose is to resolve a deadlock. Hence, **statement 2 is not correct**.
- He/She decides whether a bill is a money bill or not and his/her decision on this question is final.
- It is the speaker who decides the questions of disqualification of a member of the Lok Sabha, arising on the ground of defection under the provisions of the Tenth Schedule.
  - ◆ The 52nd amendment to the Indian Constitution vests this power in the Speaker.
  - ◆ In 1992, the Supreme Court ruled that the decision of the Speaker in this regard is subject to judicial review.



151. Ans: D

Exp:

- Part XIV of the Constitution of India deals with Services under The Union and The State.
- **Article 309 empowers the Parliament and the State legislature to regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State respectively. Hence, statement 1 is not correct.**
- According to Article 310, except for the provisions provided by the Constitution, a civil servant of the Union works at the pleasure of the President and a civil servant under a State works at the pleasure of the Governor of that State (English doctrine of Pleasure).
  - ◆ But this power of the Government is not absolute.
- **Article 311 puts certain restrictions on the absolute power of the President or Governor for dismissal, removal or reduction in rank of an officer. Hence, statement 2 is not correct.**

152. Ans: D

Exp:

- Human Rights are the rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status.
  - ◆ These include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more.
- The provisions related to Human Rights are enunciated in the Constitution of India via:
  - ◆ **Fundamental Rights (Part-III): Articles 12 to 35** of the Constitution.
  - ◆ **Directive Principles of State Policy (Part-IV): Article 36 to 51** of the Constitution. **Hence, statement 1 is correct.**
- The **Protection of Human Rights Act (PHRA), 1993** provided for the constitution of a **National Human Rights Commission** at the Union level, which steers State Human Rights Commission in States and **Human Rights Courts for better protection of Human Rights** and for matters connected therewith or incidental thereto. **Hence, statement 2 is correct.**
- Moreover, India took active part in drafting of the Universal Declaration of Human Rights (UDHR).

153. Ans: D

Exp:

- **Part-IV** of the constitution deals with **Directive Principles of State Policy (DPSP)**.
  - ◆ They are positive rights and impose positive obligations on the state. **Hence, statement 1 is correct.**
- DPSP as defined in **Article 37, are not justiciable** (not enforceable by any court). **Hence, statement 2 is correct.**
- The principles laid down under DPSPs are fundamental in governance. **Hence, statement 3 is correct.**

154. Ans: A

Exp:

- Article 244(A) allows for creation of an **'autonomous state' within Assam in certain tribal areas. Hence, statement 1 is correct.**
  - ◆ It also envisages creation of a local legislature or Council of Ministers or both to carry out local administration.
  - ◆ It was Inserted into the Constitution by the Twenty-second Constitution Amendment Act, 1969.
- **Tribal habitations in the states of Kerala, Tamil Nadu, Karnataka, West Bengal, Uttar Pradesh and Jammu & Kashmir have not been brought under the Fifth or Sixth Schedule. Hence, statement 2 is not correct.**
  - ◆ At present, 10 States namely Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana have Fifth Schedule Area.

155. Answer: C

Exp:

- A star campaigner is a **celebrity vote seeker in an election for a party**. This person can be anyone, a politician or even a film star. **Expenditure incurred on electioneering by the star campaigner is not added to a candidate's poll expenditure.** According to the **Representation of People's Act, these expenses will be borne by the political parties. Hence, statement 1 is correct.**
  - ◆ However, for an individual candidate to get relief from campaign expenditure, the star campaigner has to limit oneself to general campaigning for the party.

- **Prime Minister as Star Campaigner:**

- ◆ The MCC guidelines say when a prime minister or a former **prime minister is star campaigner, the expenditure incurred on security** including on the bullet-proof vehicles will be borne by the government and will not be added to the election expenses of the party or the individual candidate. **Hence, statement 2 is correct.**

156. Ans: A

Exp:

- Tribunal is a quasi-judicial institution that is set up to deal with problems such as resolving administrative or tax-related disputes.
  - ◆ It performs a number of functions like adjudicating disputes, determining rights between contesting parties, making an administrative decision, reviewing an existing administrative decision and so forth.
- Tribunals were **not originally a part of the Constitution.**
  - ◆ The **42<sup>nd</sup> Amendment Act 1976 introduced provision for tribunals** in accordance with the recommendations of the Swaran Singh Committee. **Hence, statement 1 is correct.**
  - ◆ The Amendment introduced Part XIV-A to the Constitution, which deals with 'Tribunals' and contains two articles:
    - **Article 323A:** It deals with **Administrative Tribunals.** These are quasi-judicial institutions that resolve disputes related to the recruitment and service conditions of persons engaged in public service.
    - **Article 323B:** It deals with **tribunals for other subjects such as Taxation, Industrial and labour,** Foreign exchange, import and export, Land reforms, Food, Ceiling on urban property, Elections to Parliament and state legislatures, Rent and tenancy rights. **Hence, statement 2 is not correct.**

157. Ans: C

Exp:

- The **Chief Election Commissioner (CEC) of India**, along with Election Commissioners, is **appointed by the President** of India. **Hence, statement 1 is correct.**
- The CEC has a fixed tenure of six years, or up to the age of 65 years, whichever is earlier.
- They can resign anytime or can also be removed before the expiry of their term. **Hence, statement 2 is correct.**

- ◆ The CEC can be removed from office only through a process of removal similar to that of a SC judge by Parliament.

- Judges of High Courts and SC, CEC, Comptroller and Auditor General (CAG) may be removed from office through a motion adopted by Parliament on grounds of 'proved misbehaviour or incapacity'.
  - ◆ Removal requires a special majority of 2/3rd members present and voting supported by more than 50% of the total strength of the house.

158. Ans: D

Exp:

- Right to Freedom of movement is guaranteed under Article 19 of the Indian Constitution.
  - ◆ The freedom of movement has two dimensions, viz, **internal (right to move inside the country)** and external (right to move out of the country and right to come back to the country).
    - **Article 19 protects only the first dimension.** The second dimension is dealt by Article 21 (right to life and personal liberty). **Hence, statement 1 is not correct.**
- This right is protected against only state action and not private individuals. Moreover, **it is available only to the citizens** and to shareholders of a company but **not to foreigners or legal persons** like companies or corporations, etc. **Hence, statement 2 is not correct.**

159. Ans: A

Exp:

- Freedom of religion in India is a fundamental right guaranteed by Article 25-28 of the Constitution of India.
  - ◆ **Article 25** (Freedom of conscience and free profession, practice and propagation of religion). **Hence, statement 1 is correct.**
  - ◆ Article 26 (Freedom to manage religious affairs).
  - ◆ **Article 27** (Freedom from **payment of taxes** for promotion of any particular religion). **Hence, statement 2 is not correct.**
  - ◆ Article 28 (Freedom as to attendance at religious instruction or religious worship in certain educational institutions).
- Further, Article 29 and 30 of the Constitution deal with the protection of interest of minorities.

160. Ans: C

Exp:

- In 1992, with the enactment of the National Commission for Minorities (NCM) Act, 1992, the NCM became a statutory body and was renamed as the NCM.



- In 1993, the first Statutory National Commission was set up and five religious communities viz the Muslims, Christians, Sikhs, Buddhists and Zoroastrians (Parsis) were notified as minority communities.
  - ◆ In 2014, Jains were also notified as a minority community.
- The **Government of India has declared six religions** namely, Muslims, Christians, Sikhs, Buddhists and Parsis (Zoroastrian) and Jain as religious minorities in India. **Hence, statement 2 is correct.**
- National Commission for Minority Education Institution (NCMEI) Act, 2004:
  - ◆ It gives the minority status to the educational institutions on the basis of six religious communities notified by the government.
- The term "minority" is not defined in the Indian Constitution. However, the **Constitution recognises** religious and linguistic minorities. **Hence, statement 1 is correct.**

161. Ans: C

Exp:

- The **69<sup>th</sup> Amendment Act, 1992** to the Indian Constitution added two new Articles 239AA and 239AB under which the Union Territory of Delhi has been given a special status. **Hence, statement 1 is correct.**
  - ◆ Article 239AA provides that the Union Territory of Delhi be called the National Capital Territory of Delhi and its administrator shall be known as Lt. Governor.
  - ◆ It also creates a legislative assembly for Delhi which can make laws on subjects under the State List and Concurrent List except on these matters: public order, land, and police.
  - ◆ It also provides for a Council of Ministers for Delhi consisting of not more than 10% of the total number of members in the assembly.
- The Government of National Capital Territory (GNCT) of Delhi (Amendment) Act, 2021, which **gives primacy to the Lieutenant Governor (L-G) over the elected government** in the city, has come into force. **Hence, statement 2 is correct.**

162. Ans: B

Exp:

- The **Election Commission of India (ECI)** is an autonomous constitutional authority responsible for administering Union and State election processes in India.

- The body administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.
  - ◆ **It is not concerned with the elections to panchayats and municipalities** in the states. For this, the Constitution of India provides for a separate State Election Commission. **Hence, statement 1 is correct.**
- **Part XV (Article 324-329) of the Indian Constitution:** It deals with elections, and establishes a commission for these matters. **Hence, statement 2 is not correct.**
  - ◆ **Article 324:** Superintendence, direction and control of elections to be vested in an Election Commission.
  - ◆ **Article 325:** No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.
  - ◆ **Article 326:** Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.
  - ◆ **Article 327:** Power of Parliament to make provision with respect to elections to Legislatures.
  - ◆ **Article 328:** Power of Legislature of a State to make provision with respect to elections to such Legislature.
  - ◆ **Article 329:** Bar to interference by courts in electoral matters.
- The Part XII of the Indian Constitution (Article 264-300A) deals with Finance, Property, Contracts and Suits.

163. Ans: A

Exp:

- Currently there are six languages that enjoy the 'Classical' status in India:
  - ◆ Tamil (declared in 2004), Sanskrit (2005), Kannada (2008), Telugu (2008), Malayalam (2013), and Odia (2014). **Hence, statement 2 is correct.**
- All the Classical Languages are listed in the **Eighth Schedule of the Constitution**. **Hence, statement 1 is not correct.**
  - ◆ The Ministry of Culture provides the guidelines regarding Classical languages.
  - ◆ The Ninth Schedule of the Indian Constitution contains a list of central and state laws which cannot be challenged in courts and was added by the First Amendment to the Indian Constitution, 1951.

164. Ans: C

Exp:

- **Preventive Detention** is the detainment of a person in order to keep him/her from committing future crimes and/or from escaping future prosecution.
- Article 22 (4) of the Indian Constitution states that no law providing for preventive detention shall authorise the detention of a person for a **longer period than three months unless**:
  - ◆ An Advisory Board reports sufficient cause for extended detention.
  - ◆ Such a person is detained in accordance with the provisions of any law made by the Parliament. **(the period is 3 months and can be extended under certain conditions).**
  - ◆ **Hence, statement 1 is not correct.**
- **The National Security Act (NSA), 1980 is a preventive detention law.**
  - ◆ **The NSA empowers the Centre or a State government to detain a person** to prevent him from acting in any manner prejudicial to national security.
  - ◆ **Hence, statement 2 is correct.**
  - ◆ The maximum period for which one may be detained is 12 months. But the term can be extended if the government finds fresh evidence.
- **Conditions when NSA can be evoked:**
  - ◆ Even if a person is in police custody, the DM can invoke NSA against him.
  - ◆ If a person has been **granted bail by a trial court, he can be immediately** detained under the NSA.
  - ◆ If the person has been **acquitted by the court, the same person can be** detained under the NSA.
  - ◆ **Hence, statement 3 is correct.**

165. Ans: C

Exp:

- Both, the Parliament and state legislature can make laws with respect to any of the matters enumerated in the Concurrent List. This list has at present **52 subjects** (originally 47) like criminal law and procedure, civil procedure, marriage and divorce, population control and family planning, electricity, labour welfare, economic and social planning, **drugs**, newspapers, books and printing press, and others.
- The **42<sup>nd</sup> Amendment Act of 1976** transferred five subjects to Concurrent List from State List i.e education, forests, weights and measures, protection of wild animals and birds, and administration of justice; constitution and organisation of all courts except the Supreme Court and the High Courts. **Hence, statement 3 is not correct.**

- Recently, the Chairman of the Fifteenth Finance Commission has recommended to shift health to the Concurrent list under the Constitution.

◆ Presently, **'Health' is under the State List. hence, statement 2 is not correct.**

- The right to health is provided to the citizens of India via the Constitution's Article 21 which guarantees protection of life and liberty.

● **Hence, statement 1 is correct.**

166. Ans: A

Exp:

- Article 244(A) was Inserted into the Constitution by the **Twenty-second Constitution Amendment Act, 1969. Hence, statement 1 is correct.**
  - ◆ It allows for creation of an 'autonomous state' within Assam in certain tribal areas.
- It also envisages creation of a local legislature or Council of Ministers or both to carry out local administration.
- **Article 244(A) accounts for more autonomous powers to tribal areas** than the Sixth Schedule. Among these the most important power is the control over law and order. **Hence, statement 2 is not correct.**
  - ◆ In Autonomous Councils under the Sixth Schedule, they do not have jurisdiction of law and order.
  - ◆ **Hence, statement 3 is not correct.**

167. Ans: D

Exp:

- Article 44 of the Constitution lays down that the state shall endeavour to secure a **Uniform Civil Code (UCC)** for the citizens throughout the territory of India.
  - ◆ Article 44 is one of the **Directive Principles of State Policy (DPSP). Hence, statement 1 is correct.**
- UCC is one that would provide for one law for the entire country, applicable to all religious communities in their personal matters such as marriage, divorce, inheritance, adoption etc. **Hence, statement 2 is correct.**
- In order to bring uniformity, the courts have often said in their judgements that the **government should move towards a UCC.** For example:
  - ◆ The judgement in the Shah Bano case (1985) is well known.
  - ◆ Another case was the **Sarla Mudgal Case (1995)**, which dealt with issue of bigamy and conflict between the personal laws existing on matters of marriage. **Hence, statement 3RR is correct.**

168. Ans: A

Exp:

- The **Model Code of Conduct (MCC)** is a set of guidelines issued by the Election Commission (EC) to regulate political parties and candidates prior to elections. Basically, the code spells out the do's and don'ts for elections. **Hence, statement 1 is correct.**
  - ◆ This is in keeping with Article 324 of the Constitution, which mandates EC to conduct free and fair elections to the Parliament and State Legislatures.
- It is not statutory but Political Parties, Candidates and Polling Agents are expected to observe the norms, on matters ranging from the content of election manifestos, speeches and processions, to general conduct etc. **Hence, statement 2 is not correct.**
- The code comes into force on the announcement of the poll schedule and remains operational till the process is concluded.

169. Ans: D

Exp:

- Part IV of the Indian Constitution, **Article 45 and Article 39 (f) of DPSP**, had a provision for **state funded as well as equitable and accessible education.**
  - ◆ **Article 45** says "the State shall endeavour to provide early childhood care and education for all children until they complete the age of six years". **Hence, statement 1 is correct.**
- The first official document on the Right to Education was the **Ramamurti Committee Report in 1990.** **Hence, statement 2 is correct.**
  - ◆ In 1993, the Supreme Court's landmark judgment in the Unnikrishnan JP vs State of Andhra Pradesh & Others held that Education is a Fundamental right flowing from Article 21.
  - ◆ To assess the financial requirements for operationalizing the proposed constitutional guarantee of free and compulsory education, the GOI constituted the **Tapas Majumdar Committee** in 1997, which submitted its report in January 1999.
  - ◆ Some of the other major recommendations of the Tapas Majumdar Committee are as follows:
    - **Universal participation of children in the age group of 6 to 14 years in school education.** **Hence, statement 3 is correct.**
    - Student-teacher ratio of 30:1 at elementary level.

- ◆ Two teachers in primary school and three teachers and a headmaster in upper primary school.
- ◆ Two classrooms in primary school and three classrooms in upper primary schools.
- ◆ Creation of maintenance fund through community participation.
- ◆ Free uniforms, mid-day meals, and scholarship for all the children coming from the below poverty line families.

170. Ans: B

Exp.

- The CBI was set up in 1963 by a **resolution of the Ministry of Home Affairs.** The CBI is **not a statutory body.** It derives its powers from the Delhi Special Police Establishment Act, 1946. **Hence, statement 1 is not correct.**
- The establishment of the CBI was recommended by the **Santhanam Committee** on Prevention of Corruption (1962–1964). **Hence, statement 2 is correct.**
- The CBI comes under the administrative control of the **Department of Personnel and Training (DoPT) of the Ministry of Personnel, Public Grievances and Pensions.** **Hence, statement 3 is not correct.**

171. Ans.: C

Exp.:

- **Article 239AB** provides that the President may by order suspend the operation of any provision of **Article 239AA (National Capital Territory of Delhi)** or of all or any of the provisions of any law made in pursuance of that article. This provision resembles Article 356 (President's Rule). **Hence, statement 1 is not correct**
- Article 239AA created a legislative assembly for Delhi which can make laws on subjects under the State List and Concurrent List **except on these matters: public order, land, and police.** **Hence, statement 2 is not correct.**
- At present, the Union Territories of Puducherry (in 1963), Delhi (in 1992) and Jammu and Kashmir (in 2019) are provided with a legislative assembly. **Hence, statement 3 is correct.**

172. Ans: B

Exp:

- An **Appropriation Bill** gives power to the government to **withdraw funds from the Consolidated Fund of India** for meeting the expenditure during the financial year.
  - ◆ The amount withdrawn is used to meet the current expenditure during the financial year.
  - ◆ Both appropriation and finance bills are classified as money bills. **Hence, statement 1 is correct.**



- The Appropriation Bill is introduced in the Lok Sabha after discussions on Budget proposals and Voting on Demand for Grants.
  - ◆ Once it is passed by the Lok Sabha it is sent to the Rajya Sabha.
- The Rajya Sabha has the power to recommend any amendments in this Bill. However, the bill does not require the explicit consent of the Rajya Sabha.
  - ◆ The Lok Sabha can **either accept or reject the recommendations made by the Rajya Sabha. Hence, statement 2 is not correct.**

173. Ans.: B

Exp:

- The budget goes through the following six stages in the Parliament:
  - ◆ **Presentation of budget:** Since 2017, the presentation of the budget has been advanced to 1st of February.
  - ◆ **General discussion:** The general discussion on budget takes place in both the Houses of Parliament.
  - ◆ **Scrutiny by departmental committees:** After the general discussion on the budget is over the 24 departmental standing committees of Parliament examine and discuss in detail the demands for grants of the concerned ministers and prepare reports on them.
  - ◆ **Voting on demands for grants:** The Lok Sabha takes up voting of demands for grants. The voting of demands for grants is the exclusive privilege of the Lok Sabha.
  - ◆ **Passing of appropriation bill:** An appropriation bill is introduced to provide for the appropriation, out of the Consolidated Fund of India.
  - ◆ **Passing of finance bill:** The Finance Bill is introduced to give effect to the financial proposals of the Government of India for the following year. **Hence, option B is correct.**

174. Ans: D

Exp:

- **Consolidated Fund of India** is constituted under **Article 266 (1)** of the Constitution of India. **Hence, statement 1 is correct.**
- It is made up of:
  - ◆ **All revenues** received by the Centre by way of **taxes** (Income Tax, Central Excise, Customs and other receipts) and **all non-tax revenues. Hence, statement 2 is correct.**

- ◆ All loans raised by the Centre by issue of Public notifications, treasury bills (internal debt) and from foreign governments and international institutions (external debt).
- The Comptroller and Auditor-General of India (CAG) audits the fund and reports to the relevant legislatures on the management.

175. Ans: B

Exp:

- India has no central legislation governing recovery of damages. At present, action against rioters is limited to the toothless Prevention of Damage to Public **Property Act, 1984**, which prescribes a jail term and fine for convicts but has no provision for recovery for damages.
  - ◆ Despite a law against the destruction of property, incidents of rioting, vandalism, and arson have been common during protests across the country.
- In 2007, the Supreme Court (SC) took suo motu cognizance of the issue and set up two Committees headed by **Justice K T Thomas** and senior advocate Fali Nariman to suggest changes to the law.
  - ◆ The Thomas Committee recommended reversing the **burden of proof** against protesters. The court should have the power to draw a presumption that the **accused is guilty of destroying public property**, and it would then be open to the accused to rebut such presumption. **Hence, option B is correct.**
  - ◆ Such a reversal of the burden of proof is applicable in cases of sexual violence, among others.
  - ◆ Generally, the law presumes that the accused is innocent until the prosecution proves its case.

176. Ans: B

Exp:

- **Supplementary Grant** is granted when the amount authorised by the Parliament through the appropriation act for a particular service for the current financial year is found to be insufficient for that year.
  - ◆ **Article 115** pertains to **supplementary**, additional or excess grants.
  - ◆ Article 116 of the Constitution pertains to Votes on account, votes of credit and exceptional grants. **Hence, statement 1 is not correct.**
- Supplementary, additional, excess and exceptional grants and vote of credit are **regulated by the same procedure which is applicable in the case of a regular budget. Hence, statement 2 is correct.**

177. Ans: A

Exp:

- The Panchayats are included in **Article 40** under the Directive Principles of the Constitution of India. **Hence, statement 1 is not correct.**
  - ◆ Article 244(2) and 275(1) of the constitution provides for the **administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram** to safeguard the rights of the tribal population in these states.
- In 1992, the Government of India introduced the **73<sup>rd</sup> Amendment** to make the Panchayati Raj Institutions (PRIs) Constitutional machinery. **Hence, statement 2 is correct.**
  - ◆ The amendment also vested power in the State Government to endow Panchayats with such powers and authority as may be necessary to enable them to function as institutions of **self-government** such as:
    - Preparation of plans and their execution for economic development and social justice in relation to 29 subjects listed in the XI schedule of the Constitution.
    - To levy, collect and appropriate taxes, duties, tolls and fees. Transfer of taxes, duties, tolls and fees collected by the States to Panchayats.

178. Ans: B

Exp:

- The Sixth Schedule was originally intended for the predominantly tribal areas (tribal population over 90%) of undivided Assam, which was categorised as “excluded areas” under the Government of India Act, 1935 and was under the direct control of the Governor.
- The Sixth Schedule of the Constitution provides for the **administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram** to safeguard the rights of the tribal population in these states. **Hence, statement 1 is not correct.**
  - ◆ This special provision is provided under Article 244(2) and Article 275(1) of the Constitution.
  - ◆ The Sixth Schedule provides for autonomy in the administration of these areas through Autonomous District Councils (ADCs). **Hence, statement 2 is correct.**
- These councils are empowered to make laws in respect of areas under their jurisdiction, which cover the land, forest, cultivation, inheritance, indigenous customs and traditions of tribals, etc. and also to **collect land revenues and certain other taxes**. **Hence, statement 3 is correct.**

- ADCs are like miniature states having specific powers and responsibilities in respect of all the three arms of governance: Legislature, executive and judiciary.

179. Ans: A

Exp:

- The Chief Justice of India and the Judges of the Supreme Court (SC) are appointed by the President under clause (2) of Article 124 of the Constitution. Hence, statement 1 is correct.
- As far as the CJI is concerned, the outgoing CJI recommends his successor.
  - ◆ The Union Law Minister forwards the recommendation to the Prime Minister who, in turn, advises the President.
- SC in the Second Judges Case (1993), ruled that the senior most judge of the Supreme Court should alone be appointed to the office of the CJI. **Hence, statement 2 is not correct.**
- The Supreme Court collegium is headed by the Chief Justice of India and comprises four other senior most judges of the court.
  - ◆ The collegium system is the system of appointment and transfer of judges that has evolved through judgments of the Supreme Court (Judges Cases), and not by an Act of Parliament or by a provision of the Constitution.

180. Ans: C

Exp:

- Electoral Bond is a financial instrument for making donations to political parties. **Hence, statement 1 is correct.**
- The bonds are issued in multiples of Rs. 1,000, Rs. 10,000, Rs. 1 lakh, Rs. 10 lakh and Rs. 1 crore without any maximum limit.
- **State Bank of India is authorised to issue and encash** these bonds, which are valid for fifteen days from the date of issuance. **Hence, statement 1 is correct.**
- These bonds are redeemable in the designated account of a registered political party.
- The bonds are available for purchase by any person (who is a citizen of India or incorporated or established in India) for a period of ten days each in the months of January, April, July and October as may be specified by the Central Government.
  - ◆ A person being an individual can buy bonds, either singly or jointly with other individuals.
  - ◆ Donor’s name is not mentioned on the bond.

**181. Ans.: C****Exp:**

- The first official document on the Right to Education was the Ramamurti Committee Report in 1990.
- In 1993, the Supreme Court's landmark judgment in the Unnikrishnan JP vs State of Andhra Pradesh & Others held that Education is a Fundamental right flowing from Article 21.
- Tapas Majumdar Committee (1999) was set up, which encompassed insertion of Article 21A.
- The 86th Constitutional Amendment in 2002, provided Right to Education as a fundamental right in Part-III of the Constitution. It inserted Article 21A which made Right to Education a fundamental right for children between 6-14 years. It provided for a follow-up legislation Right to Education Act 2009.

**182. Ans.: D****Exp.**

- Article 247 of the Constitution gives **power to Parliament** to establish certain additional courts for the better administration of laws made by it or of any existing laws with respect to a matter enumerated in the Union List. **Hence, statement 1 is not correct.**
- The Constitution declares Delhi as the seat of the Supreme Court. But, it also authorises the **Chief Justice of India** to appoint other place/places as seat of the Supreme Court. He can take decision in this regard **only with the approval of the President.**
- **Hence, statement 2 is not correct.**

**183. Ans: C****Exp:**

- **Provisions Related to Right to Health in India:**
  - ◆ India is a signatory of **Article 25** of the **Universal Declaration of Human Rights (1948)** by the United Nations that grants the right to a standard of living adequate for the health and well-being to humans including food, clothing, housing and medical care and necessary social services. **Hence, statement 1 is correct.**
  - ◆ **Fundamental Rights:** Article 21 of the Constitution of India guarantees a fundamental right to life & personal liberty. The right to health is inherent to a life with dignity. **Hence, statement 2 is correct.**
  - ◆ **Directive Principles of State Policy (DPSP):** Articles 38, 39, 42, 43, & 47 put the obligation on the state in order to ensure the effective realization of right to health.

- ◆ **Judicial Pronouncements:** Supreme Court in Paschim Bangal Khet Mazdoor Samity case(1996) held that in a welfare state, primary duty of the government is to secure the welfare of the people and moreover it is the obligation of the government to provide adequate medical facilities for its people.

- Also in its landmark judgment in Parmanand Katara Vs Union Of India(1989), Supreme Court had ruled that every doctor whether at a government hospital or otherwise has the professional obligation to extend his services with due expertise for protecting life.

**184. Ans: B****Exp:**

- The Constitution of India provides for six Fundamental Rights:
  - ◆ Right to equality (Articles 14–18)
  - ◆ Right to freedom (Articles 19–22)
  - ◆ Right against exploitation (Articles 23–24)
  - ◆ Right to freedom of religion (Articles 25–28)
  - ◆ Cultural and educational rights (Articles 29–30)
  - ◆ Right to constitutional remedies (Article 32)
- Originally the constitution also included **Right to property** (Article 31) which was deleted from the list of Fundamental Rights by the **44th Amendment Act, 1978. Hence, statement 1 is correct.**
  - ◆ It is made a legal right under Article 30(A) in Part XII of the Constitution.
- **Article 13** of the Indian constitution declares that all laws that are inconsistent with or in derogation of any of the fundamental rights shall be void.
  - ◆ It further declares that a constitutional amendment cannot be challenged (as it is not a law).
  - ◆ However, the Supreme Court in the **Kesavananda Bharati case** (1973) held that a **Constitutional amendment can be challenged** if it violates a fundamental right. **Hence, statement 2 is not correct.**

**185. Ans: D****Exp:**

- The **Supreme Court (Article 32)** and the **High courts (Article 226)** can issue the writs of habeas corpus, mandamus, prohibition, certiorari and quo-warranto. **Hence, statement 1 is not correct.**
- This entitlement to constitutional remedies is itself a fundamental right and can be enforced in the form of writs evolved in common law –



- ◆ Habeas Corpus - to direct the release of a person detained unlawfully.
- ◆ Mandamus - to direct a public authority to do its duty.
- ◆ **Quo Warranto** - to direct a person to vacate an office assumed wrongfully. **Hence statement 2 is not correct.**
- ◆ **Prohibition** - to prohibit a lower court from proceeding on a case. **Hence, statement 3 is not correct.**
- ◆ **Certiorari** - power of the higher court to remove a proceeding from a lower court and bring it before itself.

186. Ans: D

Exp:

- **Article 22 grants protection to persons who are arrested or detained. It includes:**
  - ◆ Right to be informed of the grounds of arrest.
  - ◆ Right to consult and be defended by a legal practitioner.
  - ◆ Right to be produced before a magistrate within 24 hours, excluding the journey time.
  - ◆ Right to be released after 24 hours unless the magistrate authorises further detention
  - ◆ The detention of a person cannot exceed three months unless an advisory board (judges of high court) reports sufficient cause for extended detention.
  - ◆ The grounds of detention should be communicated to the detenu.
  - ◆ The detenu should be afforded an opportunity to make a representation against the detention order.
- **Article 19** guarantees to all citizens the six rights of freedom including Right to assemble peaceably and without arms. **Hence, statement 1 is not correct.**
- Double Jeopardy is a legal term and it means that a person can not be punished for the same offense more than once.
  - ◆ **Article 20(2)** of the Constitution of India says that no person shall be prosecuted and punished for the same offense more than once. **Hence, statement 2 is not correct.**

187. Ans: C

Exp:

- Election Commission of India superintendents, direct and control the entire process of conducting elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India.

- The most important function of the commission is to decide the election schedules for the conduct of periodic and timely elections, whether general or bye-elections.
- It prepares electoral rolls, issues an Electronic Photo Identity Card (EPIC).
- It decides on the location of polling stations, assignment of voters to the polling stations, location of counting centres, arrangements to be made in and around polling stations and counting centres and all allied matters.
- It **grants recognition to political parties & allot election symbols** to them along with settling disputes related to it. **Hence, statement 1 is correct.**
- The Commission also has **advisory jurisdiction in the matter of post election disqualification** of sitting members of Parliament and State Legislatures. **Hence, statement 2 is correct.**
- It issues the Model Code of Conduct in elections for political parties and candidates so that no one indulges in unfair practice or there is no arbitrary abuse of powers by those in power.
- It sets limits of campaign expenditure per candidate to all the political parties, and also monitors the same.

188. Ans: D

Exp:

- **Article 87** provides for the special address by the President. It provides two special occasions on which the President addresses a joint sitting. **Hence, statement 1 is correct.**
  - ◆ At the commencement of the **first session after each general election** to the House of the People and at the commencement of the first session of each year. **Hence, statement 3 is correct.**
  - ◆ The President shall inform Parliament of the causes of its summons.
- Such an Address is called 'special address', and it is also an annual feature.
  - ◆ No other business is transacted till the President has addressed both Houses of Parliament assembled together.
- The President's Address is the **statement of policy of the Government** and, as such, is drafted by the Government. **Hence, statement 2 is correct.**
  - ◆ The Address contains a review of various activities and achievements of the Government during the previous year and sets out the policies, projects and programmes which Government of the day wishes to pursue with regard to the important national and international issues.

189. Ans: D

Exp:

- **Rights of Persons with Disabilities Act, 2016** defines benchmark disability as having at least 40% disability of any type recognized under the act.
- The types of disabilities have been increased from 7 to 21.
  - ◆ **The Act added** mental illness, autism, spectrum disorder, cerebral palsy, muscular dystrophy, chronic neurological conditions, speech and language disability, thalassemia, hemophilia, sickle cell disease, multiple disabilities **including deaf blindness, acid attack victims** and Parkinson's disease **which were largely ignored in earlier Act. Hence, statement 1 is correct.**
- The act **increased the quantum of reservation for people suffering from disabilities** from 3% to 4% in government jobs and from 3% to 5% in higher education institutes. Hence, statement 2 is correct.
- **Facility of a scribe** can be provided to **persons with disabilities other than those having benchmark disabilities** as given under the Rights of Persons with Disabilities Act (RPwD) 2016.

190. Ans: c

Exp:

- Hyderabad city (Telangana's Capital) has been recognised as a **'2020 Tree City of the World'** by the Arbor Day Foundation and the Food and Agriculture Organisation of the United Nations (FAO).
- It is an international effort to recognize cities and towns **committed to ensuring that their urban forests and trees** are properly maintained, sustainably managed, and duly celebrated. **Hence, statement 1 is correct.**
- It is a programme partnership between the Arbor Day Foundation and the FAO. Hence, statement 2 is correct.
  - ◆ A city is evaluated on five standards - Establish Responsibility, Set the Rules, Know What You Have, Allocate the Resources, and Celebrate the Achievements.
- Recently, Hyderabad has earned recognition in the Foundation's second year of the programme along with 51 other cities in the world. It is the only City in India to get this recognition so far. **Hence, statement 3 is not correct.**

191. Ans: D

Exp:

- In the context of sexual harassment of women at workplace, judicial activism reached its pinnacle in Vishaka v. State of Rajasthan (Vishaka). **Hence, option D is correct.**
- **The judgement was unprecedented for several reasons:**
  - ◆ Supreme Court acknowledged and relied to a great extent on international treaties that had not been transformed into municipal law;
  - ◆ Supreme Court provided the first authoritative definition of 'sexual harassment' in India; and confronted with a statutory vacuum, it went creative and proposed the route of 'judicial legislation'.

192. Ans: B

Exp:

- **NCSC is a constitutional body** that works to safeguard the interests of the **scheduled castes (SC)** in India.
  - ◆ Article 338 of the constitution of India deals with this commission
  - ◆ **Till 2018**, the commission was also required to discharge similar functions with regard to the **other backward classes (OBCs)**.
    - It was relieved from this responsibility by the 102nd Amendment Act of 2018. **Hence, statement 1 is not correct.**
- The 65<sup>th</sup> amendment to the constitution replaced the one-member system with a multi-member National Commission for Scheduled Castes (SC) and Scheduled Tribes (ST).
  - ◆ By the **89th amendment**, the erstwhile National Commission for SC and ST was replaced by **two separate Commissions** from the year 2004 which were: National Commission for Scheduled Castes (NCSC) and National Commission for Scheduled Tribes (NCST)- under Article 338-A. **Hence, statement 3 is correct.**
- NCSC consists of a Chairperson, vice-chairperson and three other members.
  - ◆ They are appointed by the President by warrant under his hand and seal. **Hence, statement 2 is correct.**

193. Ans: A

Exp:

- The President's Rule is imposed through the invocation of Article 356 of the Constitution by the President on the **advice of the Union Council of Ministers. Hence, statement 1 is correct.**
  - ◆ Under Article 356, President's Rule is imposed if the President, upon receipt of the report from the Governor of the State or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution.
- **Parliamentary Approval and Duration:**
  - ◆ **A proclamation imposing President's Rule** must be approved by both the Houses of Parliament **within two months** from the date of its issue. **Hence, statement 2 is not correct.**
  - ◆ The approval takes place through simple majority in either House, that is, a majority of the members of the House present and voting.
  - ◆ Initially valid for six months, the President's Rule can be extended for a maximum period of three years with the approval of the Parliament, every six months.

194. Ans.: C

Exp.

- **Article 239A** empowers the Parliament to create a Legislative Assembly/Council of Ministers for the Union territory of Puducherry. Article 239AA created a legislative assembly for Delhi which can make laws on subjects under the State List and Concurrent List **except on these matters: public order, land, and police. Hence, statement 1 is correct.**
- **Article 239AB** provides that the President may by order suspend the operation of any provision of **Article 239AA (National Capital Territory of Delhi, and NOT Puducherry)** or of all or any of the provisions of any law made in pursuance of that article. This provision resembles Article 356 (President's Rule). **Hence, statement 2 is not correct.**
- At present, the Union Territories of Puducherry (in 1963), Delhi (in 1992) and Jammu and Kashmir (in 2019) are provided with a legislative assembly. **Hence, statement 3 is not correct.**

195. Ans: C

Exp:

- Article 370 of the Indian Constitution provided that only Articles 1 and 370 itself would apply to J&K. The application of other Articles was to be determined by the President in consultation with the government of the state.
  - ◆ However, this provision has been amended by the Constitution (Application to Jammu and Kashmir) Order, 2019.
- Article 370 is present in part **XXI of the Indian Constitution** which comprises Temporary, Transitional and Special Provisions with rest to various states of India. **Hence, statement 1 is correct.**
- This part formed the basis of the "Special Status" of J&K. **Hence, statement 2 is correct.**

196. Ans: B

Exp:

- The **Fifth Schedule** of the Indian Constitution deals with the provisions regarding the administration and control of Scheduled and Tribal Areas of any state except the four states (Assam, Meghalaya, Tripura, Mizoram).
- The **Sixth Schedule of the Indian Constitution** deals with the administration and control of the scheduled and tribal areas of the four states of Assam, Meghalaya, Tripura, Mizoram. **Hence, statement 1 is not correct.**
- **Article 244A** of the Indian constitution deals with the formation of an autonomous state comprising certain tribal areas in Assam and creation of local legislature or Council of Ministers or both therefore. **Hence, statement 2 is correct.**

197. Ans:C

Exp

- The United States of America (USA) Constitution states that the President can be removed for conviction of treason, bribery, or other high crimes or misdemeanour.
- Three USA Presidents, Trump in 2019, Bill Clinton in 1998 and Andrew Johnson in 1868, previously were **impeached by the House of representatives** but acquitted by the Senate. Thus, **no USA President ever has been removed from office through impeachment. Hence, statement 1 is correct.**
- In India, the President can be removed only for 'violation of the Constitution' and the Constitution does not define the meaning of the phrase 'violation of the Constitution'.
- The impeachment charges can be initiated by either House of Parliament - Lok Sabha or Rajya Sabha. **Hence, statement 2 is correct.**



198. Ans: A

Exp:

- The **Central Vigilance Commission (CVC)** is the apex vigilance institution, **free of control from any executive authority**, monitoring all vigilance activity under the Central Government and advising various authorities in Central Government organizations in planning, executing, reviewing and reforming their vigilance work.
  - ◆ CVC is **not an investigating agency**. The CVC either gets the investigation done through the Central Bureau of Investigation or through Chief Vigilance Officers (CVO) in government offices. **Hence, statement 2 is not correct.**
- The CVC was set up by the Government in 1964 on the **recommendations of the Committee headed by Shri K. Santhanam**. In 2003, the Parliament enacted CVC Act conferring statutory status on the CVC. **Hence, statement 1 is correct.**
- The CVC receives complaints on corruption or misuse of office and to recommend appropriate action.
- The Central Vigilance Commissioner or any Vigilance Commissioner can be removed from his office only by order of the President on the ground of proved misbehavior or incapacity after the Supreme Court, on a reference made to it by the President, has, on inquiry, reported that the Central Vigilance Commissioner or any Vigilance Commissioner, as the case may be, ought to be removed.

199. Ans: B

Exp:

- **Article 110** of the Constitution deals with the Money Bills. It states that a bill is deemed to be a money bill if it contains 'only' provisions dealing with all or any of the following matters: **Hence, statement 1 is correct.**
  - ◆ The imposition, abolition, remission, alteration or regulation of any tax.
  - ◆ The regulation of the borrowing of money by the Union government.
  - ◆ The custody of the Consolidated Fund of India or the contingency fund of India.
    - The payment of money into or the withdrawal of money from any such fund.
  - ◆ The appropriation of money out of the Consolidated Fund of India.
  - ◆ Declaration of any expenditure charged on the Consolidated Fund of India or increasing the amount of any such expenditure.
  - ◆ The receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money, or the audit of the accounts of the Union or of a state.

- ◆ Any matter incidental to any of the matters specified above.
- Money Bills can be **introduced only in Lok Sabha**. **Hence, statement 2 is not correct.**
  - ◆ The President's recommendation is needed to introduce them.
  - ◆ It cannot be amended or rejected by the Rajya Sabha. **Hence, statement 3 is not correct.**

200. Ans: C

Exp:

- Under **Article 72** of the Constitution, the President shall have the power to grant pardons, reprieves, respites, or remissions of punishment or to suspend, remit or commute the sentence of any person convicted of any offense where the sentence is a sentence of death.
  - ◆ However, the **President cannot exercise his power of pardon independent of the government.**
  - ◆ In several cases, the SC has ruled that the President has to act on the advice of the Council of Ministers while deciding mercy pleas. These include Maru Ram vs Union of India in 1980 and Dhananjay Chatterjee vs State of West Bengal in 1994. **Hence, statement 1 is correct.**
- The scope of the **pardoning power of the President under Article 72 is wider than the pardoning power of the Governor** under Article 161 which differs in the following two ways:
  - ◆ **Court Martial:** The power of the President to grant pardon extends in cases where the punishment or sentence is by a Court Martial but Article 161 does not provide any such power to the Governor.
  - ◆ **Death sentence:** The President can grant pardon in all cases where the sentence is given is the sentence of death but the pardoning power of the Governor does not extend to death sentence cases. **Hence, statement 2 is correct.**

201. Ans.A

Exp

- Recently, the Question Hour, which had been suspended by the government during the monsoon session, will resume when Parliament meets for the budget session.
- The summoning of Parliament is specified in **Article 85** of the Constitution. The power to convene a session of Parliament rests with the government. **Hence, statement 1 is correct.**
- By convention (i.e. not provided by the Constitution), Parliament meets for three sessions in a year. However, the gap between two sessions of the Parliament cannot exceed 6 months, which means the Parliament meets at least two times in one year. **Hence, statement 2 is not correct.**



202. Ans: D

Exp:

President's Assent:

- **Article 111 of the Constitution** specifies that the President can either sign off on the Bill or withhold his consent. Hence, statement 1 is correct.
- The President of India can exercise three types of Veto Power: Absolute veto, Suspensive veto and Pocket veto.
  - ◆ **Exception:** The President has no veto power when it comes to the constitutional amendment bills. Hence, statement 3 is correct.
- **Suspensive Veto:** The President uses a suspensive veto when he returns the bill to the Indian Parliament for its reconsideration.
  - ◆ **Exception:** The President cannot exercise his suspensive veto in relation to Money Bill.
- **Absolute Veto:** It refers to the power of the President to withhold his assent to a bill passed by the Parliament. The bill then ends and does not become an act. Hence, statement 2 is correct.
- **Pocket Veto:** The bill is kept pending by the President for an indefinite period when he exercises his pocket veto. Hence, statement 4 is not correct.

203. Ans: B

Exp:

Evolution of the System of judicial appointments:

- **First Judges Case (1981):** It declared that the "primacy" of the Chief Justice of India (CJI)s recommendation on judicial appointments and transfers can be refused for "cogent reasons."
  - ◆ The ruling gave the Executive primacy over the Judiciary in judicial appointments for the next 12 years.
- **Second Judges Case (1993):** SC introduced the Collegium system, holding that "consultation" really meant "concurrence".
  - ◆ It added that it was **not the CJI's individual opinion, but an institutional opinion** formed in consultation with the two senior-most judges in the SC. Hence, statement 3 is not correct.
- **Third Judges Case (1998):** SC on President's reference expanded the Collegium to a five-member body, comprising the CJI and four of his senior-most colleagues.
- Judges of the higher judiciary are appointed only through the **collegium system** and the government has a role only after names have been decided by the collegium.

- ◆ The attempt made to replace the collegium by a 'National Judicial Appointments Commission' was struck down by the court in 2015 on the ground that it posed a threat to the independence of the judiciary. Hence, statement 1 is not correct.

Article 124(2) of the Indian Constitution provides that the Judges of the Supreme Court are appointed by the President after consultation with such a number of the Judges of the Supreme Court and of the High Courts in the States as the President may deem necessary for the purpose.

**Article 217 of the Indian Constitution** states that the **Judge of a High Court shall be appointed** by the President **consultation with the Chief Justice of India, the Governor of the State**, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court. Hence, statement 2 is correct.

204. Ans: B

Exp:

Fundamental Duties:

- The idea of Fundamental Duties is inspired by the Constitution of Russia (erstwhile Soviet Union). Hence, statement 1 is not correct.
- These were incorporated in Part IV-A of the Constitution by the 42nd Constitutional Amendment Act, 1976 on the recommendations of the Swaran Singh Committee. Hence, statement 2 is correct.
- Originally 10 in number, one more duty was added through the 86th Constitutional Amendment Act, 2002.
- Like the Directive Principles of State Policy, the Fundamental duties are also non-justiciable in nature. Hence, statement 3 is not correct.
- **List of Fundamental Duties:**
  - ◆ To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem,
  - ◆ To cherish and follow the noble ideals that inspired the national struggle for freedom,
  - ◆ To uphold and protect the sovereignty, unity and integrity of India,
  - ◆ To defend the country and render national service when called upon to do so,
  - ◆ To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities and to renounce practices derogatory to the dignity of women,
  - ◆ To value and preserve the rich heritage of the country's composite culture,

- ◆ To protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures,
- ◆ To develop scientific temper, humanism and the spirit of inquiry and reform,
- ◆ To safeguard public property and to abjure violence,
- ◆ To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement, and
- ◆ To provide opportunities for education to his child or ward between the age of six and fourteen years (added by the 86th Constitutional Amendment Act, 2002).

205. Ans: B

Exp:

- In **S. R. Bommai v. Union of India (1994)** case, the Supreme Court laid down that the Constitution is federal and characterised federalism as its 'basic feature'.
- It observed the fact that under the scheme of our Constitution, **greater power is conferred upon the Centre vis-a-vis the states does not mean that the states are mere appendages of the Centre.**
- Hence, **option B is correct.**
  - ◆ The states have an independent constitutional existence. They are not satellites or agents of the Centre. Within the sphere allotted to them, the states are supreme.
  - ◆ The fact that during an emergency and in certain other eventualities their powers are overridden or invaded by the Centre is not destructive of the essential federal feature of the Constitution.
  - ◆ They are exceptions and the exceptions are not a rule. Let it be said that the federalism in the Indian Constitution is not a matter of administrative convenience, but one of principle—the outcome of our own process and a recognition of the ground realities.

206. Ans: D

Exp:

- The Government of India constituted a **Commission on Centre-State Relations** under the chairmanship of **Justice Madan Mohan Punchhi**, former Chief Justice of India on 27 April 2007.

- The Commission examined and reviewed the working of the existing arrangements between the Union and States, various pronouncements of the Courts in regard to powers, functions and responsibilities in all spheres including legislative relations, **administrative relations, role of governors, emergency provisions, financial relations, economic and social planning, Panchayati Raj institutions, sharing of resources including inter-state river water etc.**

- ◆ The Commission made 273 recommendations in its seven volume report presented to the Government on 30 March 2010.

- Hence, **option D is correct.**

207. Ans: B

Exp:

**Motions in Indian Parliament:**

- **Privilege Motion:** It is moved by a member when he feels that a minister has committed a breach of privilege of the House or one or more of its members by withholding facts of a case or by giving wrong or distorted facts. Its purpose is to censure the concerned minister.
  - ◆ It can be moved in **Rajya Sabha as well as Lok Sabha.**
- **Call-Attention Motion:** It should state the reasons for its adoption in the Lok Sabha. It can be moved against an individual minister or a group of ministers or the entire council of ministers.
  - ◆ It is moved to censure the council of ministers for specific policies and actions. **It can be moved only in Lok Sabha.**
- **No-Day-Yet-Named Motion:** It is a motion that has been admitted by the Speaker but no date has been fixed for its discussion.
  - ◆ It can be moved in **Rajya Sabha as well as Lok Sabha.**
- **No Confidence Motion:** Article 75 of the Constitution says that the council of ministers shall be collectively responsible to the Lok Sabha. In other words, the Lok Sabha can remove the ministry from office by passing a no-confidence motion. The motion needs the support of 50 members to be admitted.
  - ◆ It can be moved **only in Lok Sabha.**
- Hence, **option B is correct.**