

TS SC STUDY CIRCLE : HYDERABAD  
CSAT – 2023 BATCH  
POLITY Q. Paper & Answers

GS Mock Test – 10

Date: 06.03.2023

Time Allowed: 2hrs.

Max. Marks : 200

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1. Which among the following constitutes the strongest argument in favour of democracy?

- (a) The democratically elected leaders know the best interest of the people.
- (b) The decisions are taken after many consultations and discussions.
- (c) The existence of democracy enhances the dignity of citizens.**
- (d) Democracy solves the socio-economic problems of a nation.

**EXPLANATION:**

In a democracy the Government has to respond to the needs of the people, they are accountable to the people of the country but it is not in all cases that the elected leaders always know the best interests of the people.

Eg- Tamil People protesting for their own rights in Sri Lanka (Democratically elected). **So, Option (a) is not correct.**

Decisions taken in a democracy are based on discussions, consultations and meetings always involves many persons. When a number of people put their heads together, they are able to point out possible mistakes in any decision and it takes more time but there is a big advantage, even if it takes time over important decisions. Thus, democracy improves the quality of decision-making.

But it is not always that many people are involved in decision making as it hampers the decision making process itself. Eg- Cabinet is the highest decision making body in some democracies like Britain. **So, Option (b) is not correct.**

Democratic form of government enhances the dignity of citizens, by providing them equal status and opportunity to each and every one of them. All individuals have equal rights in electing representatives. Democratic government's selection, governance, and change revolve around the people's wishes. Poor and least educated have the same status as the rich and educated. **So, Option (c) is correct.**

Democracy is not a solution for all problems. It has not ended poverty in our country and in other parts of the world. It only ensures that people take their own decision, which does not guarantee that, the decision taken will be good. Hence, it cannot be sure that the democracy will solve the socio- economic problems of the nation. **So, Option (d) is not correct**

2. Consider the following about the Charter Act of 1813.

- 1. The company's monopoly over trade with India completely ended.
- 2. The constitutional position of the British territories in India was defined explicitly for the

first time.

3. Christian missionaries were also permitted to come to India and preach their religion. Select the correct answer using the codes given below:

(a) 1 only

**(b) 2 and 3**

(c) 2 only

(d) 1 and 3

**EXPLANATION:**

The charter Act of 1813 doesn't completely end the monopoly of the east India company in India, however, the company's monopoly in trade with china and trade in Indian tea remained with that company for 20 more years. Whereas in the 1833 charter Act, the company's commercial activity was completely banned and it became a purely administrative body. **So, Statement 1 is not correct.**

In charter Act 1813, for the first time, the Constitutional position of the British territories in India was defined explicitly which means the EIC was given the power to retain the possession of territories and the revenue for 20 more years (until 1833-so comes charter Act of 1833), which also asserted crowns sovereignty over British possessions in India. **So, Statement 2 is correct.**

1813 Charter act Legally permitted Christian missionaries to come to India and preach Christianity while engaged in religious conversion. **So, Statement 3 is correct.**

3. Which among the following is **not** explicitly stated in the Constitution of India but implicitly provided under it?

1. Doctrine of Eminent Domain

2. Doctrine of Basic Structure

3. Doctrine of Eclipse

Select the correct answer using the codes given below:

(a) 1 and 2 only

(b) 1 only

(c) 3 only

(d) 1 and 3 only

**EXPLANATION:**

**OPTION ELIMINATION STRATEGY**

Doctrine of Basic Structure is based on judicial innovation. **So, Statement 2 could be eliminated.** Eminent Domain is power of the sovereign to acquire property of an individual for public use without the necessity of his consent. This power is based on sovereignty of the State. Payment of just compensation to the owner of the land which is acquired is part of exercise of this power. Eminent

domain power is regarded as an inherent power of the State to take private property for public purpose.

The Constitution of India also recognizes the power of eminent domain.

Acquisition or taking possession of private property which is implied in clause (1) of Article 31a of Indian Constitution, such taking must be for public purpose. The other condition is that no property can be taken, unless the law authorizes such appropriation contains a provision for payment of compensation in the manner as laid down in the clause.

Article 300-A reads as, “No person shall be deprived of his property save by authority of law”.

The current status is that, the State can acquire any private property for public purposes only by the authority of law (300-A) and also while doing so just compensation has to be paid (31a) and therefore Eminent domain is implicit in the Indian constitution through the above articles. **So, Statement 1 is correct.**

The Doctrine of Basic Structure is neither explicitly nor implicitly stated in the Constitution of India but derived as Judicial innovation by the Supreme Court in the *Kesavananda Bharati case* (1973), which tells that the constituent power of Parliament under Article 368 does not enable it to alter the ‘basic structure of the Constitution. **So, Statement 2 is not correct.**

The Doctrine of Eclipse states that any law which is inconsistent with fundamental rights is not invalid as such. It is not totally dead but overshadowed by the fundamental right.

It is implicitly contended in Article 13(1) of the Indian Constitution which states that any law which was made before the commencement of the constitution must be consistent with part III of the Indian Constitution.

If any statute is inconsistent with the provisions provided under part III of the Indian constitution such statute shall become void. At the same time, such a statute shall not be treated as dead but will be in moribund condition until and unless it is abolished by the Parliament.

Through Article 13, Doctrine of Eclipse is thus implicit in Indian Constitution. **So, Statement 3 is correct.**

4. Liberty means the absence of constraints on individuals. Consider the following statements about Liberty.

1. Positive Liberty means no external authority can interfere in the exercise of free will.

2. Negative Liberty means freedom as an expansion of opportunities to express one’s self. Which of the statements given above is/are correct?

(a) 1 only

(b) 2 only

(c) 1 and 2 only

**(d) Neither 1 nor 2**

5. Consider the following statements with regards to the Government of India Act, 1919.

1. It Introduced Diarchy for the first time in the Centre.
2. Bicameralism was introduced for the first time through this Act.
3. Members of both the Upper and Lower Houses were elected directly as well as nominated. Which of the statements given above is/are correct?

(a) 1 and 2 only

**(b) 2 and 3 only**

(c) 1 and 3 only

(d) 1, 2 and 3

**EXPLANATION:**

The Government of India Act of 1919 was enacted by the British Parliament and came into force in 1921 and it is also known as Montagu-Chelmsford Reforms. The Act provided for a dual form of governance that is "dyarchy" for the major provinces.

The Act divided the provincial subjects into two parts– transferred and reserved. The transferred subjects were to be administered by the Governor with the aid of Ministers responsible to the legislative council. The reserved subjects, on the other hand, were to be administered by the Governor and his executive council without being responsible to the legislative council.

The Government of India Act of 1935 provided for the adoption of dyarchy at the Centre. However, this provision of the act did not come into existence.

Thus the GOI,1919 Act provides dyarchy only at the Provincial level and not the centre. **So, Statement 1 is not correct.**

The Government of India Act of 1919 introduced, for the first time, bicameralism and direct elections in the country. Thus, the Indian legislative council was replaced by a bicameral legislature consisting of an Upper House (Council of State) and a Lower House (Legislative Assembly). **So, Statements 2 is correct.** The members of the both houses were elected as well as nominated from the provinces. The Lower house had 145 members (both directly elected as well as nominated)with the tenure of 3 years and the Upper House had 60 members (both directly elected as well as nominated)with the tenure of 5 years **So, Statements 3 is correct.**

6. Which among the following mechanism(s) is/are carried out in a Parliamentary form of Government to ensure the responsibility of the Executive to the Legislature?

1. No-confidence motion
2. Adjournment Motion
3. Debate on President's address

Select the correct answer using the codes given below:

(a) 1 only

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

### EXPLANATION:

The Constitution of India provides for a parliamentary form of government, where the Executive is responsible to the Parliament for its policies and acts. The parliamentary democracy provides for assessment of accountability of the executive to the legislature through instruments such as adjournment motion, no-confidence motion. **So, Statement 1 and 2 are correct.**

Article 87 of the constitution provides two instances when the President specially addresses both Houses of Parliament at the beginning of the first Session after each general election when the reconstituted lower house meets for the first time. The President also addresses both the houses at beginning of the first session of each year.

The President's speech essentially highlights the government's policy priorities and plans for the upcoming year. The address provides a broad framework of the government's agenda and direction.

After the President or Governor delivers the address, a debate takes place not only on the contents of the address but also the broad issues of governance in the country.

Therefore, the failure of Motion of Thanks on the President's address in parliament amounts to defeat of the Government as a whole. By doing so, it ensures that the Executive is made responsible to the legislature. **So, Statement 3 is correct.**

7. Consider the following statements regarding the Indian Constitution.

1. Any expansion of Fundamental Rights under the Indian Constitution solely rests only on the Parliament of India.
2. The concept of Equality before law guarantees the idea of similarity of treatment as well as identical treatment.

Which of the statements given above is/are correct?

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

**(d) Neither 1 nor 2**

### EXPLANATION:

Any expansion or alteration in fundamental rights could be done in two ways.

1. A Constitutional amendment by parliament
2. By judicial interpretation [E.g. Expansion of fundamental rights under Article 21]

**So, Statement 1 is not correct.**

Constitution of India under Article 14 states, “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”. It guarantees only the idea of similarity of treatment but not identical treatment. The identical treatment is contradictory to the idea of Equal protection of the law which allows positive discrimination in the favour of less privileged groups. **So, Statement 2 is not correct.**

8. When personal liberty is taken away by competent legislation, then the person affected can have no remedy. This statement implies which one of the following concepts?

**(a) Procedure Established by Law**

- (b) Due Process of Law
- (c) A law passed with reasonable restrictions
- (d) A law passed during the National Emergency

**EXPLANATION:**

The Right to life and personal liberty is of utmost importance and very essential to the enjoyment of all other rights. Personal liberty refers to the freedoms and dignity to be provided to all the citizens of the country so that they can live in peace without the interference of the state in their life matters, which can be limited only by the authority of a politically organized society.

When the personal liberty of a person is taken away by competent legislation (by passing a law in the Parliament) through appropriate procedure, then the affected person is not able to seek any remedy like approaching the court. Then the country is said to follow the concept of “Procedure Established by Law”.

This concept of Procedure Established by Law can be witnessed in Britain, where the Parliament is sovereign and even have the right to curtail the liberty of a person, where the affected person doesn't have any remedy. **So, Option (a) is correct.**

9. Which of the following Supreme Court verdicts is either directly or indirectly related to the Right to Life and Liberty under Article 21 of the Indian Constitution?

- 1. AK Gopalan Case
- 2. Maneka Gandhi's case
- 3. Puttaswamy Case
- 4. Vishaka Guidelines

Select the correct answer using the codes given below:

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

**EXPLANATION:**

**OPTION ELIMINATION STRATEGY**

The Vishaka guidelines mentions about the security needed for women in workplace which inhibits, right to decency and dignity under Article 21. **So, Option (d) could be arrived.**

In the famous *Gopalan case (1950)*, the Supreme Court has taken a narrow interpretation of Article 21. It held that the protection under Article 21 is available only against arbitrary executive action and not from arbitrary legislative action. This means that the State can deprive the right to life and personal liberty of a person based on a law. This is because of the expression 'procedure established by law' in Article 21, which is different from the expression 'due process of law' contained in the American Constitution.

In the *Maneka Gandhi case (1978)*, the Supreme Court overruled its judgment in the *Gopalan case* by taking a wider interpretation of Article 21. Therefore, it ruled that the right to life and personal liberty of a person can be deprived by law provided the procedure prescribed by that law is reasonable, fair, and just. In other words, it has introduced the American expression 'due process of law'. In effect, the protection under Article 21 should be available not only against arbitrary executive action but also against arbitrary legislative action.

In the seminal *Justice K.S. Puttaswamy (Retd) vs Union of India case*, the Supreme Court of India ordered, that the right to privacy is an intrinsic part of the right to life and personal freedom guaranteed by the Indian Constitution under Article 21.

Vishaka Guidelines were laid down by the Supreme Court in *Vishaka and Others Vs. State of Rajasthan and Others case (1997)* deals against sexual harassment in the workplace. These Guidelines States that 'All employers or persons in charge of work place whether in the public or private sector should take appropriate steps to prevent sexual harassment.' Article 21 of the Indian constitution, gives force to the guidelines by giving the right to women to be treated with decency and dignity. **So, Option (d) is correct.**

**10.** What are the common objectives of the Prohibition as well as Certiorari under the Writ Jurisdiction of the Indian Constitution?

1. To ensure the jurisdiction of an inferior court or tribunal is properly exercised.
2. To ensure that the functioning of the inferior courts is within the limits of its jurisdiction.
3. To quash the order or decision of the inferior court or tribunal. Select the correct answer using the codes given

below:

(a) 1 only

**(b) 1 and 2 only**

(c) 2 and 3 only

(d) 1, 2 and 3

**EXPLANATION:**

The common objectives of the Prohibition, as well as Certiorari under the Writ Jurisdiction of the Indian

Constitution, are,

- The objective is to secure that the jurisdiction of an inferior court or tribunal is properly exercised.
- It is issued by a higher court to a lower court or tribunal to prevent the latter from exceeding its jurisdiction or taking over the jurisdiction that it does not possess.
- The term Prohibition means 'to forbid'. It is available during the pendency of the proceedings and before the order is made.
- The term Certiorari means 'to be certified' or to be informed. It is issued by a higher court to a lower court or tribunal either to transfer a case pending with the latter to itself.

**So, Statements 1 and 2 are correct.**

In Certiorari can be issued only after the order is made but Prohibition is issued during the proceedings or the before the order is made.

Thus, quashing of order take place in Certiorari and not in Prohibition. **So, Statement 3 is not correct.**

**11.** Mandamus can be issued under which of the following circumstances?

1. To indirectly restrain an authority from exercising statutory functions.
2. Against CJI acting in his/her judicial capacity.
3. To enforce contractual obligations against a Private body performing public duty. Choose the correct answer from the options below:
  - (a) 1 and 2 only
  - (b) 1 and 3 only
  - (c) 3 only**
  - (d) None of the above

**EXPLANATION:**

Mandamus is a Latin word that means "we order" or "Command". Mandamus is issued by the court against any inferior court, public official, public body, corporation, tribunal, or the government and it directs the persons or body who are bound to do a public duty or if he has a legal right to perform and the performance which they are refusing to perform. Mandamus directs an authority to exercise its statutory functions and it cannot be issued to directly or indirectly restrain an authority from performing or exercising its statutory functions. **So, Statement 1 is not correct.**

Mandamus cannot be issued against the president or governor of the state, against the Chief Justice of India, or the Chief Justice of a high court acting in a judicial capacity. It cannot be issued against a private individual or body. **So, Statement 2 is not correct.**

The Supreme court held that mandamus can be issued to enforce contractual obligations only when the contractual relationship is related to public duty. If the contractual relationship does not have any public duty element, then a mandamus cannot be issued. **So, Statement 3 is correct.**

**12.** On the eve of Republic Day, the Padma awards were announced. In this regard, consider the



following statements about the Padma Awards:

1. It was instituted in 1954 along with Bharat Ratna.
2. The awards are given in three categories.
3. None of the awardees rejected the awards till date. Which of the statements given above are correct?

(a) 1 only

(b) 2 only

**(c) 1 and 2**

(d) 2 and 3

**EXPLANATION:**

- The Government of India instituted two civilian awards -Bharat Ratna and Padma Vibhushan in 1954.
- Padma Awards, which were instituted in the year 1954, are announced every year on the occasion of Republic Day except for brief interruptions during the years 1978 and 1979 and 1993 to 1997. **So, Statement 1 is correct.**

The award is given in three categories namely,

- Padma Vibhushan for exceptional and distinguished service;
- Padma Bhushan for distinguished service of a high order; and
- Padma Shri for distinguished service.

**So, Statement 2 is correct.**

- Many people have refused to accept the Padma Bhushan award.
- Some of them are singer Janaki, Keshub Mahindra, etc and recently, Buddhadeb Bhattacharjee refused to accept the Padma Bhushan award, in 2022.

**So, Statement 3 is not correct.**

**13.** Part III of the Indian Constitution has provisions for both Indian citizens and foreigners other than enemy aliens. Which of the following rights are available exclusively for Indian citizens?

1. Freedom of Speech and Expression
2. Freedom to Manage religious affairs
3. Right of Minorities to establish and administer educational institutions. Choose the correct answer from the options below:

(a) 1 only

(b) 1 and 2 only

**(c) 1 and 3 only**

(d) 1, 2 and 3

**EXPLANATION:**

**OPTION ELIMINATION STRATEGY**

Article 26: Freedom to manage religious affairs of the Indian Constitution are applicable to all persons, whether they are a citizen of India or not (except enemy aliens). **So, Statement 2 could be eliminated.**

Part III of the Indian constitution deals with Fundamental Rights from Article 14 to 32, where only the following Fundamental rights were available exclusively for Indian citizens. They are

- Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth (Article 15).
- Equality of Opportunity in matters of public employment (Article 16)
- Protection of six rights regarding freedom of (i) speech and expression, (ii) assembly, (iii) association, (iv) movement, (v) residence, and (vi) profession (Article 19).
- Protection of life and personal liberty (Article 21).
- Right of minorities to establish and administer educational institutions (Article 30).

Where Freedom to manage religious affairs under Article 226 of the Constitution is available to both citizens and foreigners (except Enemy Alien). **So, Option (c) is correct.**

**14.** Which of the following are part of Fundamental Rights in India?

1. Right to elementary education until the age of 14 years of age
2. Right to Speedy trial in all stages
3. Right to sleep
4. Right to Free and Fair trial

Select the correct answer using the codes given below:

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

**EXPLANATION:**

According to Article 21A of the Indian Constitution, “the State shall provide free and compulsory education to all children of the age group of 6-14 years in such a manner as the state may, by law, determine.” Hence, right to elementary education until the age of 14 years of age is a fundamental right. **So, Statement 1 is Correct.**

The Supreme Court of India, with a liberal interpretation to Article 21 of the constitution which deals with Protection of life and personal liberty, it had included several rights under article 21 such as,

- Right to live with dignity
- Right to privacy

- Right to health
- Right to speedy trial in all stages
- Right to travel abroad
- Right to free and fair trial
- Right to sleep and so on.

**So Statements 2 and 3 and 4 are correct.**

**15.** Consider the following statements with respect to the definition of ‘State’ in the Indian context:

1. Article 12 defines ‘State’ which includes not only Executive and legislative organs of the Union and States but also local bodies.
2. Article 36 defines ‘State’ as a permanent territory that implements the policies as enshrined in directive principles.

Which of the following statements are correct?

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

**EXPLANATION:**

The term ‘State’ has been used in different provisions concerning Fundamental Rights. Hence, Article 12 has defined the term ‘State’ for the purposes of Part III. According to it, the State includes the following:

- Government and Parliament of India, that is, executive and legislative organs of the Union Government.
- Government and legislature of states, that is, executive and legislative organs of state government
- All local authorities, that is, Municipalities, Panchayats, District boards, improvement trusts, etc.
- All other authorities, that is, statutory or non-statutory authorities like LIC, ONGC, SAIL, etc.

**So, Statement 1 is correct.**

According to Article 36, the term ‘State’ in Part IV has the same meaning as mentioned in Article 12 under Part III dealing with Fundamental Rights. Therefore, it includes the legislative and executive organs of the central and state governments, all local authorities and all other public authorities in the country within the territory of India or under the control of the Government of India which implements the policies as enshrined in directive principles.

Every state must have

- a Population,
- a Definite territory,

- a Duly Established Government and
- Sovereignty.

The Article 12 of the Indian constitution mentions only the phrase “The Territory of India” not Permanent Territory because the territory is prone to change. **So, Statement 2 is not correct.**

**16.** Consider the following Rights:

1. Right to Freedom of religion
2. Right to Life and Personal liberty
3. Right to Form Cooperative societies
4. Abolition of Untouchability
5. Right to reside in any part of the territory of India

Which of the above statements is/are part of the Right to Freedom in the Constitution of India?

(a) 1 and 4 only

**(b) 2, 3 and 5 only**

(c) 3 and 5 only

(d) 1,2,3 and 4 only

**EXPLANATION:**

The Right to Freedom of religion (Article 25–28) is one of the Fundamental Rights of the constitution. Article 25 says that all persons are equally entitled to freedom of conscience and the right to freely profess, practice, and propagate religion.

Article 25 covers not only religious beliefs (doctrines) but also religious practices (rituals). Moreover, these rights are available to all persons–citizens as well as non-citizens. **So, Statement 1 is not correct.**

Constitution of India provides for Right to Freedom in Article 19 to 22 under Fundamental Rights. They are,

- Article 19 - Protection of certain rights concerning the freedom of Speech etc
- Article 20 - Protection with respect to conviction for offences
- Article 21 - Right to life and personal liberty
- Article 21A - Right to Education
- Article 22 - Protection against arrest and detention in certain cases

Article 21 declares that no person shall be deprived of his life or personal liberty except according to the procedure established by law. This right is available to both citizens and non-citizens are part of the right to freedom in the constitution of India. **So Statement 2 is correct.**

The right to freedom guarantees freedom for citizens to live a life of dignity among other things.

These are given in Articles 19, 20, 21A, and 22 of the Indian Constitution. These rights aim to promote the ideals of liberty held by the Preamble in newly independent India, remove inequalities amongst the individuals, and entitle all individuals to a dignified life. The right to form cooperative societies and the Right to reside in any part of the territory of India is part of the right to freedom under Article 19 of the constitution of India

**So, Statement 3 and 5 are correct.**

Article 17 - Abolition of Untouchability. "Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of "Untouchability" shall be an offence punishable in accordance with the law.

The Supreme Court held that the right under Article 17 is available against private individuals and it is the constitutional obligation of the State to take necessary action to ensure that this right is not violated. **So, Statement 4 is not correct.**

**17.** A new state 'X' is created by separating a part of the territory from State 'A'. On which of the below occasions the Constitution mandates the recommendation of the President?

1. Introduction of Bill in either House of Parliament
2. Introduction of Bill in the Legislature of State 'A'

Select the correct answer using the codes given below.

**(a) 1 only**

(b) 2 only

(c) Both 1 and 2

(d) Neither 1 nor 2

**18.** A 'law' made under Article 2 and Article 3 is not to be considered as an amendment of the Constitution under Article 368. What does this connote?

1. Such a law need not follow the procedure of amendment mentioned in Article 368.
2. Such a law does not make any changes to the provisions of the Constitution. Select the correct answer using the codes given below.

**(a) 1 only**

(b) 2 only

(c) Both 1 and 2

(d) Neither 1 nor 2

**EXPLANATION:**

The bill for formation of new state is required to be passed by both the houses of the parliament by simple majority. Hence it does not follow the procedure established by article 368 for the amendment of the constitution. **So, Statement 1 is correct.**

A constitutional provision of India is a law that is inscribed within the founding laws of the

constitution itself. The Laws made under articles 2 and 3 the amends the First and the Fourth Schedule of the constitution. Hence it changes certain provisions of the constitution. **So, Statement 2 is not correct.**

19. Justice in terms of Social, Economic and Political is mentioned in the Preamble. Which of the following are included under the term 'Justice' as mentioned in the Preamble of the Indian Constitution?

1. Equal treatment for equals.
2. Equal Voice in the government
3. Recognition of the special needs.
4. Well-being of all people.
5. Elimination of inequalities in Wealth and property

Which of the statement given above is/are correct?

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

**EXPLANATION:**

The principle of treating equals equally would require that people should not be discriminated against on grounds of class, caste, race, or gender. This is enshrined under the Right to Equality in Fundamental Rights. **So, Statement 1 is correct.**

Political justice implies that all citizens should have equal political rights, equal access to all political offices, and an equal voice in the government. In India based on adult suffrage voting rights are given to a citizen. **So, Statement 2 is correct.**

One of the principles of justice mentioned under the preamble of the constitution of India is to take into account the special needs of people while distributing rewards or duties and promoting social justice. People with special needs or disabilities could be considered unequal in some particular respect and deserving of special help. Physical disabilities, age, or lack of access to good education or health care, are some of the factors which are considered grounds for special treatment. **So, Statement 3 is correct.** Justice involves the well-being of all people which must be the main concern of the government. Ensuring the well-being of the people includes giving each person his due. Today well-being means ensuring the dignity of the individual and providing them the opportunity to develop their talents and pursue their chosen goals. **So, Statement 4 is correct.**

Economic justice denotes the non-discrimination between people based on economic factors. It involves the elimination of glaring inequalities in wealth, income, and property. In the DPSP, Article 38 requires the State to minimize inequalities in income, status, facilities, and opportunities. **So, Statement 5 is correct.**

20. Consider the following about The Charter Act of 1853:

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1. All restrictions on European immigration and the acquisition of property in India were lifted.
2. Covenanted civil service was thrown open to the Indians.
3. It Introduces the local representation in the governor-General Executive council. Which of the statement given above is/are **not** correct?
  - (a) 1 only
  - (b) 2 only
  - (c) 1 and 3 only**
  - (d) 3 only

### EXPLANATION:

The Charter Act of 1833 relaxed all restrictions on European Immigration and the acquisition of property in India and it made Europeans settle, trade, and colonize India (Hence, it was not lifted by the Charter Act of 1853). **So, Statement 1 is not correct.**

In 1833, the Charter Act attempted to introduce a system of open competition for selection in civil services but due to opposition from the Court of Directors, it goes nullified. Later in the 1853 Act, the Open competition system of Selection and recruitment of civil servants was introduced and Covenanted civil service which means civil servants occupying the higher posts in the government were opened to Indians also in 1853 charter act. **So, Statement 2 is correct.**

Governor General Executive council is called a cabinet of the government of British India whereas the Imperial legislative council was called as legislature (like parliament) for British India. For the First time, the 1853 Charter Act introduced local representation in the Indian legislative council, and not for the Executive council. Out of 6 legislative members, four were appointed by the local or provincial governments of Madras, Bombay, Bengal, and Agra. **So, Statement 3 is not correct.**

21. Consider the following statements with reference to the powers of the State Legislature :

1. The State Legislature ceases to have the power to make law under a subject that has been voluntarily submitted by it to the Parliament.
2. If the subject matter of law falls within the state list, the prior consent of the state legislatures has to obtained by the parliament to give effect to international treaty
3. It will not have the power to enact a law on a subject for which a resolution in the Upper House already exists.

Which of the statements given above is/are correct ?

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

### EXPLANATION:

The Parliament may enact laws to regulate a matter on the State List when the legislatures of two

or more states pass resolutions asking the Parliament under Article 252 to do so. Only the states that have adopted the resolutions are subject to the law that is so enacted.

Any other state, however, may enact a resolution to that effect in its legislature. Only the Parliament, not the legislatures of the concerned states, may change or repeal such legislation.

**So, Statement 1 is correct.**

Article 253 of the Indian constitution states that the Legislation for giving effect to international agreements, Parliament has the power to make any law for the whole or any part of the territory of India for implementing any treaty, agreement or convention with any other country or countries or any decision made at any international conference, association or other body. Thus under Article 253, Parliament can make laws on any matter in the State List for implementing international treaties, agreements, or conventions which doesn't require prior consultation of the State Legislatures. **So, Statement 2 is not correct.**

The Rajya Sabha has the authority to declare that it is in the public interest for the Parliament to pass legislation on a State List if it deems that required. A two-thirds vote of the members present and voting must be required for such a resolution to pass. The resolution remains in force for one year; it can be renewed any number of times but not exceeding one year at a time.

After six months have passed since the resolution's expiration date, the laws are no longer in effect. The power of a state legislature to enact laws on the same subject is not limited by this provision. However, if there is a conflict between parliamentary and state laws, the former will prevail. **So, Statement 3 is not correct.**

22. Consider the following statements with reference to the taxation powers of the Centre and the States:

1. The property of the Centre is exempted from taxation by states, but it can be taxed by municipalities and panchayats.
2. The property dealing with sovereign functions of a state is exempted from taxation by the Centre, but the Centre can tax the property of municipalities and panchayats.

Which of the statements given above is/are correct ?

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

**EXPLANATION:**

All taxes levied by the state or any authority within the state, such as municipalities, district boards, panchayats, and so on, do not apply to the Centre's property. But this ban may be lifted by the Parliament. The word 'property' includes lands, buildings, chattels, shares, debts, everything that has a monetary value, and every kind of property—movable or immovable and tangible or intangible.

**So, Statement 1 is not correct.**



- A state is exempt from paying taxes on its property and income at the central level. Such income may come from either commercial or sovereign tasks. But if Parliament authorises it, the Center may levy taxes on a state's commercial activities but not on the sovereign tasks. However, the Parliament can declare any particular trade or business as incidental to the ordinary functions of the government and it would then not be taxable.
- Notably, the property and income of local authorities like municipalities and panchayats situated within a state are not exempted from Central taxation. Similarly, the property or income of corporations and companies owned by a state can be taxed by the Centre.

**So, Statement 2 is correct.**

23. Consider the following statements :

1. Fourth schedule of the Constitution of India shall provide for the allocation of seats in the Upper House of the Parliament and State Legislatures.
2. The Estimates Committee consists of 30 members elected by members of the Lok Sabha for one year.

Which of the statements given above is/are correct ?

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

**EXPLANATION:**

- The fourth schedule provides for the allotted number of seats by the State or Union territory to the Council of States or Upper house of Parliament i.e., Rajya Sabha only.
- The representatives of states in the Rajya Sabha are elected by the elected members of state legislative assemblies.
- The representatives of each union territory in the Rajya Sabha are indirectly elected by members of an electoral college specially constituted for the purpose.
- The president nominates 12 members to the Rajya Sabha from people who have special knowledge or practical experience in art, literature, science, and social service.
- **So, Statement 1 is not correct.**
- The Committee on Estimates is constituted for the first time in 1950. It is a part of Parliamentary Financial Committees. It consists of 30 members, elected every year by the Lok Sabha from amongst its members.

The Chairperson of the Committee is appointed by the Speaker from among its members. A Minister cannot be elected as a member of the Committee and if a member after selection to the Committee is appointed a Minister, the member ceases to be a Member of the Committee from the date of such appointment.

**So, Statement 2 is correct.**

24. Consider the following statements with reference to the Legislative powers of the Parliament and State Legislatures :

1. Parliament has the power to override the state law enacted under the List II of the Seventh Schedule under normal circumstances.
2. Parliament can override a state law made under the concurrent list.
3. In case of conflict between the Centre and the State laws on the Concurrent list, the latter prevails if it has received the President's assent.

Which of the statements given above is/are correct ?

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

**EXPLANATION:**

The scheme of distribution of legislative powers between the Centre and the states is to be maintained in normal times. But, in abnormal times, the scheme of distribution is either modified or suspended. In other words, the Constitution empowers the Parliament to make laws on any matter enumerated in the State List under the following five extraordinary circumstances:

- When Rajya Sabha passes a resolution to that effect.
- When a proclamation of National Emergency is in operation.
- When two or more states make a joint request to the Parliament.
- When necessary it gives effect to international agreements, treaties, and conventions.
- When President's Rule is in operation in the state.

Hence, Parliament has the power to override the state law enacted under the seventh schedule, only under special circumstances. **So, Statement 1 is not correct.**

The Indian Constitution states that the central law will prevail when there is a disagreement between a central legislation and a state law on a subject listed by the Concurrent List. However, the Center and the State may pass laws on subjects mentioned in the Concurrent List. Thus, the Parliament can override a state law made under the concurrent list.

**So, Statement 2 is correct.**

In the event of a conflict between central and state laws on a subject listed in the Concurrent List, central law will prevail. But there is an exception to that is, the state law gets priority when the president gives his assent. However, the Parliament would still have the authority to revoke such a statute by passing a new law addressing the same matter. **So, Statement 3 is correct.**

25. Consider the following statements with reference to the Delimitation Commission :

1. It is constituted by the Election Commission of India from time to time.
2. The Commission shall determine its own procedure and have all the powers of a civil court while functioning
3. The orders of the Commission cannot be challenged once they are published in the Gazette of India.

Which of the statements given above is/are correct?

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

**EXPLANATION:**

Article 82 of the Indian constitution, the Parliament enacts a Delimitation Act after every Census. Delimitation Act, of 2002 was enacted to set up a Delimitation Commission for the purpose of effecting delimitation based on the 2001 census to correct the aforesaid distortion in the sizes of electoral constituencies.

Delimitation is the act or process of determining the boundaries of territorial constituencies in a nation to reflect population changes. Delimitation is conducted for the following reasons:

- To ensure that all population segments are equally represented.
- Fair allocation of geographic areas to prevent election advantages for one political party over another.
- To follow the principle of “One Vote One Value”.

The Delimitation Commission will be constituted by the Central Government from time to time and is appointed by the President of India, who also works along with the Election Commission of India. **So, Statement 1 is not correct.**

This Commission shall determine its own procedure and shall, in the performance of its functions, have all the powers of a civil court under the Code of Civil Procedure while trying a suit in respect of the following matters

- summoning and enforcing the attendance of witnesses
- requiring the production of any document
- requisitioning any public record from any court or office

**So, Statement 2 is correct.**

Section 10(2) of the Delimitation Act, 2002, bars challenging the orders of the Delimitation Commission once they are published in the Gazette of India. **So, Statement 3 is correct.**

26. Which of the following is/are extra-constitutional devices that promote cooperative federalism in India ?

1. GST council

2. NITI Aayog
3. Inter-state council
4. The National Development Council

Select the correct answer using the code given below :

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

**EXPLANATION:**

The extra constitution bodies are not mentioned in the Indian Constitution but are formed either by the statute or through executive action.

The Goods and Services Tax (GST Council) came into force after both Houses of Parliament passed the Constitutional Amendment Bill in 2016. It is a joint forum of the Centre and the states, which the President set up under Article 279A (1) of the amended Constitution. One of the biggest triumphs associated with GST is the spirit and display of cooperative federalism, with almost all decisions on GST being taken with consensus among members of the GST Council. Hence, it is a Constitutional body.

NITI Aayog (National Institution for Transforming India) was created by an executive resolution of the Government of India (i.e., Union Cabinet). Hence, it is neither a constitutional body nor a statutory body. In other words, it is a non-constitutional or extra-constitutional body (i.e., not created by the Constitution) and a non-statutory body (not created by an Act of Parliament).

It is the premier policy 'Think Tank' of the Government of India, providing both directional and policy inputs. One of its main objectives is to continuously foster cooperative federalism through structured support initiatives and mechanisms with the States, recognizing that strong States make a strong nation.

Inter-State Council is a Constitutional body set up under Article 263 for the effective coordination between the states and between the Centre and states. The President can establish such a council if, at any time, it appears to him that the public interest would be served by its establishment. He can define the nature of duties to be performed by such a council and its organization and procedure. Hence, it is not an extra-constitutional device.

The National Development Council (NDC) was established in 1952 by an executive resolution of the Government of India on the recommendation of the First Five Year Plan. Like the erstwhile Planning Commission, it is neither a constitutional nor a statutory body. This extra-constitutional Council helps to secure the cooperation of states in the execution of the Plan. **So, Option (c) is correct.**

27. Consider the following statements :

1. Article 102 and Article 191 of the Indian Constitution deals with the disqualification of the members of the Parliaments and State Legislature.
2. Disqualification under the office of profit was practised for the first time in India since

Morley- Minto reforms.

3. The term “office of profit” has not been defined in the Constitution of India or in the Representation of People Act 1951.
4. A person shall not be deemed to hold an office of profit under the Government of India or the government of any state by reason only that he is a minister.

Which of the statements given above are correct ?

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

**EXPLANATION:**

An office of profit has been interpreted to be a position that brings to the officeholder some financial gain, advantage, or benefit. The amount of such profit is immaterial.

- Article 102 of the Indian Constitution deals with disqualifying a person as a member of either House of Parliament, i.e. Loksabha or Rajya Sabha.
- Article 191 of the Indian Constitution deals with disqualifying a person as a member of a State's Legislative Assembly or Legislative Council. **So, Statement 1 is correct.**
- In India, the office of profit disqualifying the holder was imported from Britain and made its appearance for the first time in the Act of 1909, which embodied the Morley- Minto Reforms proposals
- The basic idea was - and remains - that the legislators should not be vulnerable to temptations an executive can offer. **So, Statement 2 is correct.**

The expression, office of profit has not been defined in the Constitution or the Representation of People Act 1951. Its ambit has to be inferred only from the pronouncement of the courts and other competent authorities like the Election Commission and the President.

The object of the provision is to secure the independence of the members of Parliament and does not contain persons who have received favors or benefits from the executive and who consequently being under an obligation to the executive might be amenable to influence. **So, Statement 3 is correct.**

- Under the provisions of Article 102 (1) and Article 191 (1) of the Constitution, an MP or an MLA (or an MLC) is barred from holding any office of profit under the central or State Government.
- The articles clarify that "a person shall not be deemed to hold an office of profit under the Government of India or the Government of any state by reason only that he is a minister". **So, Statement 4 is correct.**

28. Consider the following statements with reference to the Indian Constitution :

1. The Governor of a State cannot reserve a Money Bill for the consideration of the President.
2. No time limit is fixed within which the President should take a decision on a bill which is reserved by Governor to the President.

3. When the State Legislature reconsiders and passes the Bill after it is returned by the Governor on the direction of the President, the President is bound to grant his assent.

Which of the statements given above is/are correct ?

(a) 1 and 2 only

**(b) 2 only**

(c) 1 and 3 only

(d) 1, 2 and 3

**EXPLANATION:**

The Money bill is passed by the legislative assembly and legislative council, then it is given to the governor for assent. Governor may give or withhold it or reserve the president's consideration. President too may give or withhold assent. But neither the governor nor the president can return the bill for reconsideration. **So, Statement 1 is not correct.**

- When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent or he may return the bill for reconsideration by the House or Houses of the state legislature. When a bill is so returned, the House or Houses have to reconsider it within six months. If the bill is passed by the House or Houses again with or without amendments and presented to the president for his assent, the president is not bound to give his assent to the bill. He may give his assent to such a bill or withhold his assent.
- There is no time limit within which the president has to decide about a bill reserved by the governor for his consideration and it is also not mentioned in the constitution. There have been instances where Bills have been pending with the President for periods of up to six years or more. **So, Statement 2 is correct.**

According to Article 201, If the bill is presented again to the presidential assent after it is passed by the House or Houses with or without amendments, it is not obligatory on the part of the president to give his assent to such a bill because he may give his assent to such a bill or withhold his assent and also no time period is mentioned in the constitution regarding this. **So, Statement 3 is not correct.**

29. Which of the following is/are taxes levied by the Centre but collected and appropriated by the States?

1. Cess levied for specific purposes
2. Stamp duties on policies of insurance
3. Excise duties on alcohol-containing products
4. Professional tax not exceeding ₹2,500 per annum

Select the correct answer from the code given below :

(a) 1 and 2 only

(b) 2 only

(c) 1 and 4 only

(d) 2 and 3 only

**EXPLANATION:**

Surcharge on certain taxes and cess collected for specific purposes shall be levied and collected by the Government of India and distributed between the union and states under Article 270. **So,**

**Statement 1 is not correct.**

Stamp duties on bills of exchange, cheques, promissory notes, policies of insurance, transfer of shares, and others, and excise duties on medicinal and toilet preparations containing alcohol are levied by the union but collected and appropriated by the states under Article 268.

**So, Statements 2 is correct.**

Duties of excise on alcoholic liquors for human consumption; opium, Indian hemp, and other narcotic drugs and narcotics, are Levied and Collected and Retained by the States. **So, Statement 3 is not correct.**

Professional tax is levied by state governments or municipalities under Article 276 of the Constitution, which provides for the levy of tax in respect of profession, trade, calling, and employment. It has a fixed ceiling of 2,500 per taxpayer per annum. **So, Statement 4 is not correct.**

30. With reference to Indian Polity, consider the following statements :

1. The President, through ordinance, can provide for the adjudication of any dispute with respect to the use, distribution of any inter-State river or river valley.
2. The Supreme Court has the original jurisdiction with respect to any inter-state river dispute between two or more States.

Which of the statements given above is/are correct ?

(a) 1 only

(b) 2 only

(c) Both 1 and 2

(d) Neither 1 nor 2

**EXPLANATION:**

Article 242A of the Indian constitution empowered the Union Parliament to adjudicate inter-state water disputes.

If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require. Thus, through ordinance, he can provide for the adjudication of any dispute with respect to the use, distribution of any inter-State River or river valley. **So, Statement 1 is correct.**

The Original jurisdiction of the Supreme Court is the power of the court to hear and adjudicate upon the matter as the court of the first instance. But Article 262 of India's Constitution provides in case of disputes relating to waters says,

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

**So, Statement 2 is not correct.**

31. With reference to the Parliament of India, consider the following statements :

1. A Private member bill is introduced by a legislator who is not acting on behalf of the executive branch.
2. Any member of the Parliament can introduce a Constitutional Amendment bill.
3. A Private member cannot introduce more than four bills during a session.

Which of the statements given above is/are correct ?

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

**EXPLANATION:**

The law-making process begins with introducing a Bill in either House of Parliament. A Bill can be introduced either by a Minister who is acting on behalf of the executive branch or by a member other than a Minister. In the former case, it is called a Government Bill and in the latter case, it is known as a Private Member's Bill. Every member of Parliament, who is not a Minister, is called a Private Member and they not acting on behalf of the executive branch. **So, Statement 1 is correct.**

The Constitution vests in Parliament the power to amend it. Constitution Amendment Bills can be introduced in either House of Parliament by both ministers and private members.

The bill must be passed in each House by a special majority, that is, a majority of the total membership of the House and a majority of two-thirds of the members of the House present and voting. **So, Statement 2 is correct.**

As the Committee on Private Members' Bills and Resolutions (Third Lok Sabha) recommended in their Fourteenth Report, a private member cannot introduce more than four Bills during a session.

**So, Statement 3 is correct.**

32. With respect to Parliamentary System, consider the following statements :

1. It is more conducive to the implementation of long-term policies when compared to the Presidential system.



2. Cooperation between the Legislature and executive is more when compared to the Presidential system.
3. It can provide representation to all sections and regions in the government. Which of the statements given above are correct ?
  - (a) 1 and 2 only
  - (b) 2 and 3 only**
  - (c) 1 and 3 only
  - (d) 1, 2 and 3

**EXPLANATION:**

The government's tenure in a parliamentary form of government is uncertain as the lower house can be dissolved before the completion of the tenure by mechanisms such as no-confidence motion, dissolution of government by the Prime minister, etc. As soon as the Government changes there is a chance of drastic change in policies and it also depends on the party in rule and how they frame their policies of the administration.

Hence, the parliamentary form of government is not more conducive for the implementation of long- term policies when compared to the Presidential system as they have definiteness in policy formations. **So, Statement 1 is not correct.**

The greatest advantage of the parliamentary system is that it ensures harmonious relationships and cooperation between the legislative and executive organs of the government. The executive is a part of the legislature and both are interdependent at work. As a result, there is less scope for disputes and conflicts between the two organs.

But in the Presidential system, the doctrine of separation of powers is the basis. The legislative, executive, and judicial powers of the government are separated and vested in the three independent organs of the government.

Hence, Cooperation between the Legislature and executive is more in the Parliamentary system when compared to the Presidential system. **So, Statement 2 is correct.**

The Lok Sabha is constituted of members elected directly by the people. These members are from varied sections of society, representing the varied interests of the people. As executives are selected among the members of the parliament, the representation of all sections and regions in the government is possible. **So, Statement 3 is correct.**

33. Consider the following statements :

1. Parliamentary law made in the concurrent list should be executed by states.
2. The President of India can exercise absolute veto if the cabinet resigns before the bill gets his/her assent.
3. Since the enactment of the Constitution of India, the pocket veto has not been exercised by the President.

Which of the statements given above is/are correct ?

- (a) 1 and 2 only**

- (b) 2 only
- (c) 3 only
- (d) 2 and 3 only

**EXPLANATION:**

Articles 256 to 263 of the Indian Constitution deal with the administrative relations between the Centre and the states. The Constitution has delimited the scope of legislative and executive authority of the union and the states. When an act of a subject in the concurrent list is made by the parliament, usually it is executed by states unless or until the parliamentary law mentions that it should be executed by the centre. **So, Statement 1 is correct.**

Absolute Veto is used by the president in two scenarios,

- In the case of Private Member Bills.
- In the case of a government bill when a situation arises where the cabinet resigns after the passage of the bill and before President could give his assent to the bill.

**So, Statement 2 is correct.**

- According to Article 111 of the Indian Constitution, when a bill has been passed by the Houses of Parliament, it shall be presented to the President. He / She may, as soon as possible take action on that bill (either he assents to the Bill, or that he withholds assent).
- So, there is no time limit conferred on the President to take action on the bill presented to him. This situation is known as “Pocket Veto” where the president may simply keep the bill on the desk for an indefinite time without taking any action.
- But in 1986, President Zail Singh exercised the pocket veto concerning the Indian Post Office (Amendment) Bill. So, Statement 3 is not correct.

34. Consider the following statements with reference to the Inter-State Council :

1. It is formed on the recommendation of the Sarkaria Commission.
2. The standing committee of the Council is chaired by the Union Home Minister.
3. Prior consultation of the Council is mandatory for the Union government before signing any treaty affecting the interests of the States regarding the matters in the State list.

Which of the statements given above is/are correct ?

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

**EXPLANATION:**

The Union Government constituted a Commission in 1988 under the Chairmanship of Justice R.S. Sarkaria to review the working of the existing arrangements between the Union and the States. One of the important recommendations of the Sarkaria Commission was for establishing

a permanent Inter-State Council as an independent national forum.

On the recommendation, the Inter-State-Council was set up under Article 263 of the Constitution of India in the year 1990. This forum was formed to have coordination between the states and between the Centre and states **So, Statement 1 is correct.**

The Standing Committee comprises of Union Home Minister as Chairman and Union Ministers of Cabinet Rank and Chief Ministers of States as Members nominated by the Chairman of the Inter- State Council.

The standing committee will have continuous consultation and process matters for consideration of the council, process all matters pertaining to center-state relations before they are taken up for consideration in the inter-state council. **So, Statement 2 is correct.**

Inter-State Council is a recommendatory body with duties to investigate and discuss the subjects of common interest between the Union and State(s) or among the States, making recommendations, particularly for better coordination of policy and action on these subjects and deliberating upon such other matters of general interest to the States which may be referred to it by its Chairman.

The Council also deliberates upon such other matters of general interest to the States as may be referred by the Chairman to the Council. As of now, there is no mandatory prior consultation with the inter-State Council is required for the union government to sign any treaty vitally affecting the interests of the States regarding matters in the State List.

But the Sarkaria Commission recommends that for reducing tension or friction between States and the Union and for expeditious decision-making on important issues involving States, the desirability of prior consultation by the Union Government with the inter-State Council may be considered before signing any treaty vitally affecting the interests of the States regarding matters in the State List.

**So, Statement 3 is not correct.**

35. The President of India has the power to remove which of the following office ?

1. The Members of the State Public Service Commission
2. The State Election Commissioner
3. The Advocate General of the state

Select the correct answer using the code given below :

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

**EXPLANATION:**

- Article 317 of the Indian Constitution states the Removal and suspension of a member of the Union Public Service Commission (UPSC) or State Public Service Commission (SPSC).
- The Chairman or any other member of the State Public Service Commission (SPSC) shall only be removed from his/her office by order of the President of India.
- The president can remove them on the same grounds and in the same manner as he can

remove a chairman or a member of the UPSC.

**So, Statement 1 is correct.**

Article 243K of the Indian Constitution states that the state election commissioner is to be appointed by the Governor. The Governor shall also determine his conditions of service and tenure of office. He shall not be removed from the office except in the manner and on the grounds prescribed for the Removal of a judge of the state high court.

A high court judge can be removed from his office by the president on the recommendation of the Parliament. This means that a state election commissioner cannot be removed by the Governor, though appointed by him. He/She can be removed by the president. **So, Statement 2 is correct.**

Article 165 of the Indian Constitution provides for the office of the *Advocate General* for the States. He is the highest law officer in the state. The Governor appoints the advocate general of the state on the advice of the council of ministers of the state. The tenure of the Advocate General of State is not fixed by the Constitution and remains in office at the pleasure of the Governor.

The Constitution does not specify the procedure and grounds for removing the Advocate General of State. At any time, the Governor has the right to have them removed.

Advocate General can resign from public office by submitting a resignation letter to the state governor.

**So, Statement 3 is not correct.**

36. Consider the following statements with reference to the Anti-Defection Law :

1. The law applies to both the Members of the Parliament and State Assemblies.
2. It does not penalise political parties for encouraging or accepting defecting legislators.
3. The Speakers should decide on a defection petition within three months under the law.
4. It does not restrict a legislator from voting in line with his conscience, judgement and interests of his electorate.

Which of the statements given above are correct ?

**(a) 1 and 2 only**

(b) 1, 2 and 4 only

(c) 3 and 4 only

(d) 1 and 4 only

**EXPLANATION:**

The Anti-defection law was passed in 1985 through the 52nd Amendment to the Constitution. The law was contained in the 10th Schedule of the Constitution. It was formulated to bring stability to the Indian political system.

It lays down the process by which legislators may be disqualified on the grounds of defection by the Presiding Officer of a legislature based on a petition by any other member of the House. This law applies to both the Parliament and State Legislature. **So, Statement 1 is correct**

A legislator is deemed to have defected if he either voluntarily gives up his party's membership or disobeys the party leadership's directives on a vote. This implies that a legislator defying (abstaining or voting against) the party whip on any issue can lose his membership in the House. But this law does not penalize the political parties for encouraging or accepting defecting legislators. **So, Statement 2 is correct.**

This law does not provide a time frame for the presiding officer to decide on a defection case. There have been many instances when a Speaker has not determined the case of a defecting MLA until the end of the legislature term. There have also been instances of defecting MLAs becoming

ministers while a defection petition against them has been pending before the Speaker. The court held that Speakers should decide on a defection petition within three months, but it is not a mandatory provision mentioned in the law. **So, Statement 3 is not correct.**

Anti-Defection law restricts a legislator from voting in line with his conscience, judgement and interests of his electorate. Such a situation obstructs the legislature's function over the government by ensuring that members vote based on the decisions taken by the party leadership and not to achieve the interest of their constituents would like them to vote for. **So, Statement 4 is not correct.**

37. With reference to the Speaker of the State Legislature, consider the following statements:

1. His/Her salary and allowances are charged upon the Consolidated Fund of India.
2. He/She can be removed by the Lok Sabha by a resolution passed by a simple majority of the House.
3. He/She does not vote in the first instance normally but exercises a casting vote in the case of an equality of votes.

Which of the statements given above is/are correct ?

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

**(d) 3 only**

**EXPLANATION:**

Article 202(3) of the Indian Constitution mentions the salaries and allowances of the Speaker and the Deputy Speaker of the State Legislative Assembly and, In the case of a State having a Legislative Council, also of the Chairman and the Deputy Chairman of the Legislative Council are charged on the Consolidated Fund of each State, not from the consolidated fund of India. **So, Statement 1 is not correct.**

The Speaker of the state legislature may be removed from his office by a resolution of the state legislative Assembly passed by a majority of all the then members (simple majority) of the Assembly.

He cannot be removed by the Lok Sabha. **So, Statement 2 is not correct.**

Casting votes is an extra vote given by a chairperson to decide an issue when the votes on each side are equal. The Speaker cannot vote in the first instance, but when there is an equality of votes, he can exercise a casting vote. But there is an exceptional case; he can vote in the first instance when there is a resolution has been passed for his removal. Thus he normally does not vote in the first instance. **So, Statement 3 is correct.**

38. The Prime Minister recently unveiled the National Emblem cast on the roof of the New Parliament Building. Which of the following statements are correct regarding the National Emblem of India ?

1. It is an adaptation of the Lion Capital of Asoka at Sarnath.
2. It was adopted on January 26, 1950.
3. The abacus of the emblem has a Dharma Chakra in the Centre, a galloping horse on the left and a bull on the right.
4. The motto 'Satyameva Jayate' also forms part of the emblem. Select the correct answer using the code given below

:

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

**EXPLANATION:**

The State Emblem is an adaptation of the Lion Capital of Asoka at Sarnath. In the original, four lions are mounted back to back on a circular abacus, which rests on a bell-shaped lotus. The frieze of the abacus has sculptures in high relief of an elephant, a galloping horse, a bull and a lion separated by intervening Dharma Chakras. **So, Statement 1 is correct.**

The profile of the Lion Capital shows three lions mounted on the abacus with a Dharma Chakra in the center, a bull on the right and a galloping horse on the left, and outlines of Dharma Chakras on the extreme right and left were adopted as the State Emblem of India on January 26, 1950.

**So, Statements 2 and 3 are correct.**

The motto Satyameva Jayate, which means 'Truth Alone Triumphs', written in Devanagari script below the profile of the Lion Capital, is part of the State Emblem of India. **So, Statement 4 is correct.**

39. With reference to the Constitution of India, Rajya Sabha has equal powers with the Lok Sabha in which of the following matters ?

1. Approval of proclamation of all three types of emergencies by the President
2. Removal of the Comptroller and Auditor General
3. Approval of ordinances issued by the President

4. Consideration of the reports of the Finance Commission Select the correct answer using the code given below :

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

**EXPLANATION:**

Rajya Sabha has equal powers with Lok Sabha concerning the following matters such as,

- Introduction and passage of ordinary bills
- Introduction and passage of Constitutional amendment bills.
- Introduction and passage of financial bills involving expenditure from the Consolidated Fund of India
- Election and impeachment of the President
- Election and removal of the Vice-President. However, Rajya Sabha alone can initiate the removal of the vice president. He is removed by a resolution passed by the Rajya Sabha by an effective majority (which is a type of special majority) and agreed to by the Lok Sabha by a simple majority
- Making recommendations to the President for removing the Chief Justice and judges of the Supreme Court and high courts, chief election commissioner, comptroller, and auditor general.
- Approval of ordinances issued by the President
- Approval of proclamation of all three types of emergencies by the President
- Selection of ministers, including the Prime Minister. Under the Constitution, the ministers, including the Prime Minister, can be members of either House. However, irrespective of their membership, they are responsible only to the Lok Sabha.
- Consideration of the reports of the constitutional bodies like the Finance Commission, Union Public Service Commission, comptroller and auditor general, etc.
- Enlargement of the jurisdiction of the Supreme Court and the Union Public Service Commission.

**So, Option (d) is correct.**

40. Collective responsibility is based on the Principle of the Solidarity of the cabinet. It implies which of the below provisions ?

1. No confidence Motion passed against the failure of a single Minister leads to the resignation of the entire Council of Ministers.
2. If a Minister does not agree with a policy or decision of the cabinet, he or she must either accept the decision or resign.

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Select the correct answer using the code given below :

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

### EXPLANATION:

Collective responsibility is based on the principle of the solidarity of the cabinet. No Confidence motion can be passed only against the entire Council of ministers, followed by their resignation from Office either due to the failure of a single minister or by the entire Council of Ministers. This motion need not state the reasons for its adoption in the Lok Sabha. **So, Statement 1 is correct.**

- The principle of collective responsibility also means that the cabinet decisions bind all cabinet ministers (and other ministers) even if they defer in the cabinet meeting.
- Every minister must stand by the cabinet decisions and support them within and outside the state legislature.

If any minister disagrees with a cabinet decision and is not prepared to defend it, he must accept or resign. **So, Statement 2 is correct.**

41. Consider the following statements :

1. The basic features of the Constitution are finite in nature.
2. Limited amending power of the Parliament is one of the Basic features of our Constitution.
3. In Kesavananda Bharati's case, it has been observed that the claim of any particular feature of the Constitution to be a 'basic' feature would be determined by the Court.

Which of the statements given above is/are correct ?

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

### EXPLANATION:

A Constitution contains basic or fundamental laws of the land and establishes the rule of law. The government is accountable to the people for all of its actions, which is controlled, ruled, or limited by a constitution, is called a constitutional government

The basic features of the Constitution are not finite in nature; since the Supreme Court is yet to define or clarify what constitutes the 'basic structure of the Constitution and claims any particular feature to be determined by the Court in each case that comes before for various judgements to be a basic feature of the Constitution.

**So, Statement 1 is not correct.**

The Supreme Court, in the *Minerva Mills case (1980)*, by applying the doctrine of 'basic structure'



with respect to Article 368, inserted by the 42nd Amendment, ruled by the Court that a limited amending power itself is a basic feature of the Constitution. Hence the Limited amending Power of the Parliament is one of the basic features of our Constitution. **So, Statement 2 is correct.**

The *Kesavananda Bharati v. State of Kerala and Another (1973)* case held that the Parliament has the authority to amend any clause of the Constitution as long as the Amendment does not violate the Basic Structure of the Constitution or essential features of the Constitution.

In *Indira Nehru Gandhi v. Raj Narayan* and the *Minerva Mills case*, it was observed that the claim of any particular feature of the Constitution to be a "basic" feature would be determined by the Court in each case before it.

Thus, it is mentioned in the *Minerva Mills case*, not in the *Kesavanandha Bharathi case*. **So, Statement 3 is not correct.**

42. Which of the following amendments are **not** considered as an Amendment of the Constitution under Article 368 ?

1. Lists in the Seventh schedule
2. Conferment of more jurisdiction on the Supreme Court
3. Amendments to the Procedure of Amendment of the constitution
4. Representation of states in Parliament

Select the correct answer using the code given below :

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

**EXPLANATION:**

Article 368 in Part XX of the Constitution deals with the powers of Parliament to amend the Constitution and its procedure.

- Any of the Lists in the Seventh Schedule.
- The representation of States in Parliament.

The above provisions are related to the federal structure of the polity of the Constitution, which can be amended by a special majority of the Parliament and with the consent of half of the state legislatures by a simple majority. **So, Statements 1 and 4 are not correct.**

Article 139 of the Constitution states that the Conferment on the Supreme Court of powers to issue certain writs in this provisions in the Constitution can be amended by a simple majority of the two Houses of Parliament outside the scope of Article 368; hence it is not considered as an amendment of the Constitution under Article 368. **So, Statement 2 is correct.**

Article 368 of the Indian Constitution provides the procedure of Amendment. The Power of Parliament to amend the Constitution and its procedure provisions (Article 368 itself) can be amended by a Special Majority of Parliament and the Consent of States. **So, Statement 3 is not**

**correct.**

43. Which of the following amendments to the Constitution of India requires the consent of a majority of the states ?

1. Amendment to the quorum of Rajya Sabha
2. Amendment to the salaries of High Court Judges
3. Representation of states in Parliament

Select the correct answer using the code given below:

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

**EXPLANATION:**

Quorum is the minimum number of members required to be present in the House before it can transact any business.

It is one-tenth of the total number of members in each House, including the presiding officer. The quorum of the Rajya Sabha is 25 members.

Article 100 of the Constitution states that if at any time during a meeting of a House there is no quorum, it shall be the duty of the chairman, Speaker, or person acting as such, either to adjourn the House or to suspend the meeting until there is a quorum.

A quorum in Parliament can be amended by a simple majority of the two Houses of Parliament and does not require the consent of a majority of the states. **So, Statement 1 is not correct.**

The salary and allowances of High Court Judges are determined by the Parliament by law.

Eg: The High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, determine the Salaries of judges of the High court and Supreme court, respectively.

The High Court and Supreme Court Judges (Salaries and Conditions Of Service) Amendment Act, 2021 was enacted recently by the Parliament amending the above two acts and received the President's assent.

Therefore, salaries of both Supreme court and High court judges do not come under the purview of the Constitutional Amendment, and so, it does not require the consent of a majority of the states.

**So, Statement 2 is not correct.**

The provisions related to the federal structure of the constitution can be amended by a special majority of the Parliament and also with the consent of half of the state legislatures by a simple majority. There is no time limit within which the states should give their consent to the bill.

The following provisions can be amended in this way:

1. Election of the President and its manner.
2. Extent of the executive power of the Union and the states.
3. Supreme Court and high courts.
4. Distribution of legislative powers between the Union and the states.
5. Any of the lists in the Seventh Schedule.
6. Representation of states in Parliament.
7. Power of Parliament to amend the Constitution and its procedure (Article 368 itself).

**So, Statement 3 is correct.**

44. Consider the following statements :

1. According to the Representation of the People Act 1951, a person cannot contest from more than two constituencies for a Lok Sabha election.
2. A person shall not vote at any election if he is under Preventive detention.
3. Acceptance of money to vote for a candidate is not an offense under the Indian Penal Code.
4. If somebody is convicted for some offense and is sentenced to imprisonment for 3 years, he cannot contest the election.

Which of the statements given above are correct ?

**(a) 1 and 4 only**

(b) 1, 3 and 4 only

(c) 1, 2 and 3 only

(d) 2 and 4 only

**EXPLANATION:**

According to Section 33(7) of the Representation of People's Act, a candidate can contest in any election from up to two constituencies. This provision was introduced in 1996, before which there was no bar on the number of constituencies from which a candidate could contest. **So, Statement 1 is correct**

Proviso to sub-Section (5) of Section 62 of the Representation of the People Act, 1951 confers voting rights on the electors subjected to preventive detention. As per Rule 18 of the Conduct of Elections Rules, 1961, the electors under preventive detention are entitled to cast their votes by post. **So, Statement 2 is not correct**

Acceptance of money to vote for a candidate is a corrupt practice of bribery under Section 123 (1) of the RPA, 1951. It is also an offense under section 171-B of the Indian Penal Code and is punishable with imprisonment of either description for a term that may extend to one year or with a fine or both. **So, Statement 3 is not correct**

According to Section 8 (3) of the Representation of People Act, 1951) A person cannot contest any election if he/she is sentenced to jail for 2 or more years. **So, Statement 4 is correct**

45. Consider the following statements with reference to the Public Accounts Committee of the Parliament :

1. It is the oldest Parliamentary Committee in the country.
2. Bhupendra Nath Mitra was the first Indian Chairman of the committee.
3. It examines the cases of excess expenditure incurred over voted Grants and Charged Appropriations.
4. The Speaker of Lok Sabha is the ex-officio Chairman of the Committee. Which of the statements given above are correct ?

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

**EXPLANATION:**

Public Accounts Committee (PAC) is a Joint Parliamentary Committee. The Committee on Public Accounts was first set up in 1921 based on the recommendations of Montague-Chelmsford Reforms. It is the oldest parliamentary Committee. **So, Statement 1 is correct.**

In 1910, Bhupendranath Mitra was appointed Assistant Secretary to the Government of India in the Finance Department. In 1928, he was appointed chairperson of the Public Accounts Committee. He became the first Indian to be appointed as the chairperson of the PAC. **So, Statement 2 is correct.**

The PAC examines the Appropriation Accounts and Report of the CA, as well as the annual Finance Accounts of the Government and any other accounts placed before the House. Suppose the Government has spent any money on service in excess of the amount granted by the House for the purpose; PAC will also examine the excess expenditure incurred and makes recommendations as it may deem fit. **So, Statement 3 is correct.**

The Chairman of the Public Accounts Committee is appointed by the Speaker from amongst the members of the Committee from Lok Sabha. Thus, Speaker is not the ex-officio Chairman of the Committee. **So, Statement 4 is not correct.**

46. In the context of General Elections in India, which of the following rights are available to a Citizen of India ?

1. Right to contest from anywhere in India
  2. Right to vote anywhere in India
  3. Right to canvas anywhere in India
  4. Right to form a political party anywhere in India
- Select the correct answer using the code given below:

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

**EXPLANATION:**

India is the world's largest democracy. It has a quasi-federal government selected directly by citizens through elections held every 5 years. The Representation of the People Acts 1950 and the Representation of the People Act 1951 deal with all aspects of the conduct of elections and post-election disputes.

To contest an election, a person must be registered as a voter. Sec 4 (d) of the Representation People Act, 1951 precludes a person from contesting unless he is an elector in any parliamentary constituency. Section 5 (c) of R. P. Act, 1951 has a similar provision for Assembly Constituencies.

An Indian Citizen can contest an election from any Constituency in the country except the Autonomous Districts of Assam, Lakshadweep and Sikkim. As per Section 33(7) of the Representation of People Act, 1951, A person cannot contest from more than two constituencies at a general election of Lok Sabha (House of People) / Vidhan Sabha (Legislative Assembly). **So, Statement 1 is not correct.**

Any Indian citizen (who resides in the country) can vote in any state election. But this doesn't mean that one can vote in multiple elections. Election commission officers check all documents before adding names to the voters' list, so if a resident of Delhi moves to Chennai and wants to vote in Chennai, then they will have to get their name removed from Delhi's electoral roll and then get their name added to Chennai's electoral role. Thus, Only a voter who is registered in the constituency can vote in the constituency. **So, Statement 2 is not correct.**

Canvassing is an activity which tries to persuade people to vote for a particular person or party in an election. Section 130 of the Representation of the People Act, 1951 prohibits canvassing in or near polling stations on the day of the polling.

The right to canvass anywhere in India is a right available to the citizens of India except on the Day of the poll, Canvassing for votes within a distance of one hundred meters of polling stations is prohibited under the RPA Act, 1951. **So, Statement 3 is correct.**

A political party is an organized group of citizens who hold common views on governance and act as a political unit that seeks to obtain control of the government to further the agenda and policy they profess. The Indian Constitution elaborately deals with cooperative societies. The right to form cooperative societies is a fundamental right under Article 19 (1)(c), but the right to form political parties is not a Fundamental Right. But it is considered as a political right which is available to Indian Citizens. **So, Statement 4 is correct.**

47. With respect to Parliamentary Privileges, consider the following statements :

1. Immunity to a member from any proceedings in any court in respect of anything said or any vote given by him in Parliament.

2. Freedom from arrest and detention of members under civil proceedings during the continuance of the meeting of the House.
3. Courts are prohibited from inquiring into the validity of any proceedings in Parliament on the ground of an alleged irregularity of procedure.

Which of the statements given above is/are correct ?

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

**EXPLANATION:**

The term “privilege” concerning parliamentary privilege refers to an immunity from the common law recognized by the law as a right of the Houses and their members. “Parliamentary privilege is the sum of certain rights enjoyed by each House collectively and by members of each House individually, without which they could not discharge their functions.

Article 105 of the Indian Constitution deals with the Powers and privileges of the Members of the Houses of Parliament and the committees.

Certain rights and immunities, such as

- Freedom of speech in Parliament,
- Immunity to a member from any proceedings in any court in respect of anything said or any vote given by them in Parliament or any Committee thereof,
- Immunity to a person from proceedings in any court in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes, or proceedings,
- Apart from the privileges as specified in the Constitution, the Code of Civil Procedure, 1908, also provides for, Freedom from arrest and detention of members under civil process during the continuance of the meeting of the House or a committee thereof and forty days before its commencement and forty days after its conclusion. The privilege of freedom from arrest does not extend to preventive arrest or detention under statutory authority by executive order and in criminal cases. Intimation regarding arrest, detention, imprisonment, and release of members under such cases has to be immediately communicated to the Speaker, Lok Sabha, by the concerned authorities in the prescribed form.
- Fundamentally, however, these privileges are only as a means to the effective discharge of the collective functions of the House that members enjoy the individual privileges.”

**So, Statements 1 and 2 are correct.**

Article 122 of the Indian Constitution mentions that Court should not inquire into proceedings of the Parliament. Hence, the Court will be prohibited to inquire,

- The validity of any proceedings in Parliament which shall be called into question on the ground of any alleged irregularity of procedure
- No officer or member of Parliament in whom powers are vested by or under this Constitution

for regulating procedure or the conduct of business, or for maintaining order, in Parliament shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers Chapter III Legislative Powers Of The President.

**So, Statement 3 is correct.**

48. Consider the following statements :

1. President can resign from his office at any time by addressing the resignation letter to the Vice President.
2. Speaker can resign from his office at any time by addressing the resignation letter to the President.
3. Vice President can resign from his office at any time by addressing the resignation letter to the Deputy Chairman.
4. Deputy Speaker can resign from his office at any time by addressing the resignation letter to the Speaker.

Which of the statements given above are correct ?

**(a) 1 and 4 only**

(b) 1, 3 and 4 only

(c) 2 and 3 only

(d) 1, 2 and 4

**EXPLANATION:**

The President holds Office for five years from the date on which he enters his Office. However, he can resign from his Office at any time by addressing the resignation letter to the VicePresident. Further, he can also be removed from Office before the completion of his term by the process of impeachment. **So, Statement 1 is correct.**

Speaker holds Office from the date of his election till immediately before the first meeting of the Lok Sabha after the dissolution of the one to which he was elected. The Speaker may, at any time, resign from Office by writing under his hand to the Deputy Speaker. **So, Statement 2 is not correct**

The Vice-President holds Office for five years from the date he enters his Office. However, he can resign from his Office at any time by addressing the resignation letter to the President. He can also be removed from Office before the completion of his term. A formal impeachment is not required for his removal. He can be removed by a resolution passed by a majority of all the then members of the Rajya Sabha and agreed to by the Lok Sabha. **So, Statement 3 is not correct.**

- The Lok Sabha itself elects the Deputy Speaker from amongst its members.
- Whenever the Office of the Deputy Speaker falls vacant, the Lok Sabha elects another member to fill the vacancy.
- Like the Speaker, the Deputy Speaker usually remains in Office during the Lok Sabha's life.
- However, he may vacate his Office earlier in the following three cases.
  - If he ceases to be a member of the Lok Sabha,

- If he resigns by writing to the Speaker
- Suppose he is removed by a resolution passed by a majority of all the then members of the Lok Sabha. Such a resolution can be moved only after giving 14 days' advance notice. **So, Statement 4 is correct.**

49. Consider the following statements with reference to Lieutenant Governors in India :

1. At present, only four Union Territories have Lieutenant Governors in India.
2. Lieutenant Governor of a union territory is the head of the executive of that Union Territory. Which of the statements given above is/are correct ?

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

**(d) Neither 1 nor 2**

**EXPLANATION:**

Articles 239 to 241 in Part VIII of the Indian Constitution deal with the union territories. Even though all the union territories belong to one category, there is no uniformity in their administrative system. In India, Union Territories, namely Delhi, Puducherry, Ladakh, J&K, and Andaman and Nicobar Island, are governed by the Lieutenant Governor, while the Administrator governs the rest of the 3 Union territories such as Chandigarh, Dadra, and Nagar Haveli and Daman and Diu, Lakshadweep. **So, Statement 1 is not correct.**

Every union territory is administered by the President acting through an administrator appointed by him. An administrator of a union territory is an agent of the President and not the head of state like a governor. The President can specify the designation of an administrator as it may be a Lieutenant Governor or Chief Commissioner or Administrator. Hence, the President is the head of the executive of that Union Territory. **So, Statement 2 is not correct.**

50. The makers of the Indian Constitution preferred the phrase 'Union of States' over 'Federation of States'. Which one of the following reflects the rationale behind it?

- (a) Parliament has authority over Concurrent and State list of the Seventh Schedule of the Constitution  
(b) Union of India is indestructible in nature as States do not have the right to secede  
(c) India was formed as a result of agreement between states before its independence  
(d) There is integrated judicial and election machinery in India

Answer: b

Explanation:

- Article 1(1) of the Indian Constitution says **India, that is Bharat, shall be a Union of States.** It implies two things - one, the Indian Federation is **not the result of an agreement by the states**; and two, **no state has the right to secede** from the federation. This implies the **indestructible nature of the Indian Union.**



Therefore, option (b) is the correct answer.

51. With reference to Zonal Councils, consider the following statements:

1. They are statutory bodies established under the States Reorganisation Act of 1956.
2. The Chief Minister of each member state acts as the Chairperson of the Council by rotation.
3. All states in India are members of the Zonal Councils.

Which of the statements given above is/are correct?

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

Answer: a

Explanation:

- The Zonal Councils are statutory bodies created by an act of the Parliament. Thus they do not owe their origin to the Constitution. They are established by, States Reorganisation Act of 1956. The act divided the country into five zones (Northern, Central, Eastern, Western and Southern) and provided a zonal council for each zone. So, statement 1 is correct.
- Each zonal council consists of the **Union Home Minister, Chief Ministers of all the States in the zone**, two other Ministers from each State in the zone and Administrator of each Union Territory in the zone. **The Union Home Minister has been nominated to be the common chairman of all the Zonal Councils.** Each Chief Minister acts as a Vice-Chairman of the council by rotation, holding office for a period of one year at a time. **So, statement 2 is not correct.**
- In addition to the Zonal Councils, a North-Eastern Council was created by a separate Act of Parliament—the North-Eastern Council Act of 1971. Its members include Assam, Manipur, Mizoram, Arunachal Pradesh, Nagaland, Meghalaya, Tripura and Sikkim. So, statement 3 is not correct.

**Therefore, option (a) is the correct answer.**

**Relevance:** Recently, the Union Home Minister presided over the meeting of Northern Zonal Council.

52. Which of the following are the principles of the Welfare State?

1. Every member of the community is entitled to a minimum standard of living
2. Policy of economic stability and progress
3. Full employment is one of the top priorities of public policy

Select the correct answer using the code given below:

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

Answer: d

Explanation:

- The term 'welfare state' describes collectively a range of social policies that aim to provide basic services such as health and education, according to the need and normally, free of charge through state funding.
- The Principles of Welfare State are as follows:
  - The recognition that every member of the community, solely because he is a human being, is entitled to a **minimum standard of living**. **So, point 1 is correct.**
  - The welfare state is committed to a **policy of economic stability and progress**, seeking to eliminate the cycles of violent booms and busts in the economy by public policies, whenever private enterprise is unable to prevent by itself the threat of economic instability or decline. **So, point 2 is correct.**
  - The welfare state is **committed to full employment** as one of the top priorities of public policy. Adherents of the welfare state believe that free enterprise can be preserved and strengthened by **full employment policies**, Taxation, interest rates determined by governmental decisions, fiscal policies designed to redistribute purchasing power in harmony etc. **So, point 3 is correct.**

Therefore, option (d) is the correct answer.

**Relevance:** The Karnataka High Court has observed that in a Welfare State, the Government as a litigant is ordinarily governed by the same norms that govern the commoners.

**53.** Consider the following statements with reference to the Indian Independence Act, 1947:

1. It provided Dominion status to India and Pakistan with the right to secede from the British Commonwealth.
2. Both India and Pakistan were to be governed by the provisions of the Government of India Act of 1935 till their respective Constitutions came into force.
3. It abolished of the post of Governor- General and vested its power in the office of President.

Which of the statements given above is/are

**not** correct?

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

Answer: b

Explanation:

The features of the **Indian Independence Act, 1947**, were as follows:

- It ended the British rule in India and declared India as an independent and sovereign state from August 15, 1947. It provided for the partition of India and creation of **two independent dominions of India and Pakistan** with the right to secede from the British Commonwealth. It

granted freedom to the Indian princely states **either to join the Dominion of India or Dominion of Pakistan** or to remain independent. **So, statement 1 is correct.**

- It empowered the Constituent Assemblies of the two dominions to frame and adopt any constitution for their respective nations and to repeal any act of the British Parliament, including the Independence act itself.
- It provided for the governance of each of the dominions and the provinces by the **Government of India Act of 1935**, till the new Constitutions were framed. The dominions were however authorised to make modifications in the Act. **So, statement 2 is correct.**
- It abolished the office of the Secretary of State for India and transferred his functions to the Secretary of State for Commonwealth Affairs.
- It **abolished the office of Viceroy** and provided, for each dominion, a **Governor-General**, who was to be appointed by the British King on the advice of the dominion cabinet. **So, statement 3 is not correct.**

Therefore, option (b) is the answer.

**Relevance:** It is the 75<sup>th</sup> year since the passage the Indian Independence Act of 1947 came into force on July 18, 1947.

**54.** With reference to the Lok Adalat, consider the following statements:

1. It has been given statutory status under the Legal Services Authorities Act, 1987.
2. Its award is final and binding and no appeal against such an award lies before any court.
3. There is no court fee payable when a matter is filed in a Lok Adalat.
4. Cases pending before any other court cannot be referred to it.

Which of the statements given above are correct?

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

Answer: a

Explanation:

- **Lok Adalat** is one of the **alternative dispute redressal mechanisms** and it is a forum where **disputes/cases pending in the court of law** or at **pre-litigation stage** are settled/compromised amicably. Lok Adalats have been given statutory status under the **Legal Services Authorities Act, 1987**. **So, statement 1 is correct.**
- Under the Act, the award (decision) made by the Lok Adalats is deemed to be a **decree of a civil court** and is final and binding on all parties and **no appeal against such an award** lies before any court of law. **So, statement 2 is correct.**
- There is **no court fee payable** when a matter is filed in a Lok Adalat. If a matter pending in the court of law is referred to the Lok Adalat and is settled subsequently, the court fee originally

paid in the court on the complaints/petition is also refunded back to the parties. **So, statement 3 is correct.**

- Nature of Cases to be referred to Lok Adalat:
  - Any case pending before any court. So, statement 4 is not correct.
  - Any dispute which has not been brought before any court and is likely to be filed before the court.

Therefore, option (a) is the correct answer.

**Relevance:** The 2nd National Lok Adalat of 2022 held on June 25 and June 26 in nine states witnessed disposal of a record number of over 20 lakh cases.

**55.** Which of the following are considered as elements of ‘Constitutionalism’?

1. Separation of power
2. Sovereignty of the people
3. Constitutional review
4. Independent judiciary

Select the correct answer using the code given below:

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

Answer: d

Explanation:

- Constitutionalism can be defined as a **complex of ideas, attitudes, and patterns of behavior** elaborating the principle that the authority of Government derives from and is limited by a body of fundamental law.
- Louis Henkin defines Constitutionalism as constituting the following elements:
  - Government according to the constitution
  - Separation of power. So, point 1 is correct.
  - **Sovereignty of the people** and democratic government. **So, point 2 is correct.**
  - Constitutional review. So, point 3 is correct.
    - **Independent judiciary. So, point 4 is correct.**
    - Limited government subject to a bill of individual rights
    - Controlling the police
    - Civilian control of the military
    - No state power, or very limited and strictly circumscribed state power, to suspend the operation of some parts of, or the entire, constitution.

Therefore, option (d) is the correct answer.

**Relevance:** The recent drawing of the draft Chilean Constitution is being hailed as a historic triumph in the annals of global constitutionalism.

56. Which one of the following objectives is **not** embodied in the Preamble to the Constitution of India?

- (a) Social Justice
- (b) Liberty of Worship
- (c) Political Liberty
- (d) Equality of Opportunity

Answer: c

Explanation:

- The Preamble doesn't mention the term Political Liberty in its text.
- The text of the Preamble of the Constitution of India is as follows: WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN, SOCIALIST, SECULAR DEMOCRATIC and REPUBLIC and to secure to all its citizens:  
**JUSTICE, social**, economic and political;  
**LIBERTY** of thought, expression, belief, faith and worship;  
**EQUALITY of status and of opportunity**; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation; IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION

Therefore, option (c) is the answer.

57. Consider the following statements with reference to the Foreigners' Tribunals:

1. These are quasi-judicial bodies established as per the Foreigners' Act, 1946.
2. The Governor of a State has the authority to establish tribunals to determine whether a person staying illegally in India is a foreigner or not.
3. The Foreigners Tribunals have been established only in the state of Assam.

Which of the statements given above are correct?

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

Answer: c

Explanation:

- Foreigners' Tribunals are **quasi-judicial bodies** established as per the **Foreigners' Tribunal Order, 1964 and the Foreigners' Act, 1946. So, statement 1 is correct.**
- The **District Magistrates** in all States and Union Territories to set up tribunals to decide whether a person staying illegally in India is a foreigner or not. Earlier, the powers to constitute

tribunals were vested only with the Centre. **So, statement 2 is not correct.**

- Under the provisions of the Foreigners Act 1946 and Foreigners (Tribunals) Order 1964, **only Foreigners Tribunals** are empowered to declare a person as a foreigner. **The Foreigners Tribunals under this order have been established only in Assam** and in no other state. **So statement 3 is correct.**
- The Foreigners (Tribunals) Order, 1964, issued by the Central Government under Section 3 of The Foreigners Act, 1946, is applicable to the **whole country** and is not specific to any state.

Therefore, option (c) is the correct answer.

**Relevance:** The Foreigners Tribunals operating in Assam have declared 143,466 people as foreigners until December 31, 2021.

**58.** In which of the following circumstances the Parliament gets empowered to make laws on a matter enumerated in the State List?

1. A resolution passed by the Rajya Sabha in the National Interest
2. During National Emergency
3. When a State Legislature makes a request to the Parliament
4. During President's Rule
5. To implement International Agreements

Select the correct answer using the code given below:

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

Answer: a

Explanation:

- Under the normal circumstances the State Legislature has exclusive powers to make laws with respect to any of the matters enumerated in the State List. However during the extraordinary conditions the Parliament is authorised to make laws on any matter enumerated in the State List. The Constitution empowers the Parliament to make laws on any matter enumerated in the State List under the following five extraordinary circumstances:
- **A resolution of the Rajya Sabha** declaring that it is necessary **in the national interest** that Parliament should make laws with respect to a matter in the State List, then the Parliament becomes competent to make laws on that matter. Such a resolution must be supported by **two-thirds of the members present and voting. So, point 1 is correct.**
- During a **National Emergency** the **Parliament acquires the power to legislate** with respect matters in the State List. However such laws become inoperative on the expiration of six months after the emergency has ceased to operate. **So, point 2 is correct.**
- When the **legislatures of two or more states pass resolutions** requesting the Parliament to enact laws on a matter in the State List, then the Parliament can make laws for regulating that

matter. Thus the resolution **in such cases has to be passed by two or more states and not a single state. So, point 3 is not correct.**

The **Parliament can make laws** on any matter in the State List **for implementing international treaties**, agreements or conventions. This provision enables the Central government to fulfil its international obligations and commitments. **So, point 5 is correct.**

- When the **President's rule is imposed in a state**, the **Parliament becomes empowered** to make laws with respect to any matter in the State List in relation to that state. A law made so by the Parliament continues to be operative even after the president's rule. **So, point 4 is correct.**

Therefore, option (a) is the correct answer.

**59.** Which of the following items are listed under the Concurrent List (List III) of the Indian Constitution?

1. Insurance
2. Relief of the disabled and unemployable
3. Electricity
4. Taxes on the sale of electricity
5. Bankruptcy and insolvency
6. Marriage and divorce

Select the correct answer using the code given below:

- (a) 1, 3, 4 and 5 only
- (b) 2, 4 and 6 only
- (c) 3, 5 and 6 only
- (d) 2, 3, 4 and 6 only

Answer: c

Explanation:

- The Seventh Schedule of the Indian Constitution specifies the distribution of powers and responsibilities between the states and the centre. The **Union List** is a list of 100 subjects that the Union Government enjoys supreme jurisdiction over. The **State List** is a list of 61 subjects that State Legislatures enjoy jurisdiction over. The **Concurrent List** is a list of 47 subjects on which both the Union and State legislatures enjoy jurisdiction over.
- **Insurance** is listed as an entry in the **Union list** of the 7<sup>th</sup> schedule. **So, point 1 is not correct.**
- Relief of the disabled and unemployable and Taxes on the consumption or sale of electricity are listed in the State list. So, point 2 and point 4 are not correct.
- **Electricity, Bankruptcy and insolvency** and **Marriage and divorce** is listed in the Concurrent list of the 7<sup>th</sup> schedule. **So, point 3, point 5 and point 6 are correct.**

Therefore, option (c) is the correct answer.

**60.** Consider the following statements with reference to Overseas Citizenship of India (OCI) cardholder:

1. OCI cardholders are granted dual citizenship based on the recommendations of the L.M. Singhvi Committee.
2. Both OCI cardholders and Non-Resident Indians have the right to vote in India.
3. Pakistan and Bangladesh nationals are not eligible for OCI status in India.

Which of the statements given above is/are correct?

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

Answer: c

Explanation:

- The Citizenship (Amendment) Act, 2015, replaced the nomenclature of “Overseas Citizen of India” with that of “Overseas Citizen of India Cardholder”
- **L.M. Singhvi Committee (2002)** recommended the amendment of the Citizenship Act (1955) to provide for grant of dual citizenship to the Persons of Indian Origin (PIOs) belonging to certain specified countries. Accordingly, the Citizenship (Amendment) Act, 2003, made provision for the acquisition of Overseas Citizenship of India (OCI) by the PIOs of 16 specified countries. But, the OCI is **not actually a dual citizenship** as the Indian Constitution forbids dual citizenship or dual nationality (Article 9). **So, statement 1 is not correct.**
- OCI card holders are eligible for multiple entry lifelong visa for visiting India for any purpose. They are treated in parity with Non-Resident Indians (NRIs) in respect of all facilities available to them in **economic, financial, and educational fields (no political rights)** except in matters relating to the acquisition of agricultural or plantation properties. While the NRIs have the right to vote, **OCI cardholders do not have the right to vote in India. So, statement 2 is not correct.**
- A person, who or either of whose parents or grandparents or great grandparents is or had been a citizen of **Pakistan, Bangladesh** or such other country as the Central Government may specify, are not eligible for registration as an OCI Cardholder. **So, statement 3 is correct.**

Therefore, option (c) is the correct answer.

**Relevance:** A recent news report said at least a dozen Overseas Citizen of India (OCI) cards holders in Canada have had their cards and long-term visas revoked for backing “anti-India” activities.

**61.** With reference to the Public Interest Litigation (PIL) in India, consider the following statements:

1. It can be filed before both the Supreme Court and the High Court.
2. It is not defined in any statute or in any act.
3. Only the person whose rights are infringed can file a PIL in the court.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 1 and 2 only



(c) 3 only

(d) 1, 2 and 3

Answer: b

Explanation:

- A Public Interest Litigation (PIL) in simple words, means, litigation filed in a court of law, for the protection of Public Interest. Public interest litigation is not defined in any statute or in any act. It has been interpreted by judges to consider the intent of public at large.
- **Public Interest Litigation** petition is filed in the same manner, as a writ petition is filed. A PIL can be **filed before the Supreme Court under Article 32 of the Constitution or before the High Court of a State under Article 226** of the Constitution under their respective Writ Jurisdictions. **So, statement 1 is correct.**
- **Public interest litigation is not defined in any statute or in any act.** It has been interpreted by judges to consider the intent of public at large. Although, the main and only focus of such litigation is only Public Interest there are various areas where a Public interest litigation can be filed. **So, statement 2 is correct.**
- **PIL is brought before the Court not for the purpose of enforcing the right of one individual against another** as happens in the case of ordinary litigation, but it is intended to promote and vindicate public interest.
- The introduction of **PIL** in India was facilitated by **the relaxation of the traditional rule of 'locus standi'**. According to this rule, **only that person whose rights are infringed alone can move the court for remedies**, whereas, the PIL is an exception to this traditional rule. Under the PIL, any public-spirited citizen or a social organisation can move the court for the enforcement of the rights of any person or group of persons who because of their poverty or ignorance or socially or economically disadvantaged position are themselves unable to approach the court for the remedies. **So, statement 3 is not correct.**

Therefore, option (b) is the correct answer.

62. Consider the following statements:

1. The strength of the Judges in the Supreme Court is determined by the President of India.
2. The Constitution has not fixed the tenure of a judge of the Supreme Court.
3. A Supreme Court Judge can be removed from his/her office by the President of India.
4. A person who has been a High Court Judge for 6 years can be appointed as a Judge of the Supreme Court.

Which of the statements given above are correct?

(a) 1, 2 and 3 only

(b) 2 and 4 only

(c) 2, 3 and 4 only

(d) 1, 3 and 4 only

Answer: c

Explanation:

- The Parliament is authorised to regulate the organisation, independence, jurisdiction, powers, and procedures of the Supreme Court. The **strength of the Supreme Court Judges is determined by the Parliament**. At present, the Supreme Court consists of **thirty-four judges (one chief justice and thirty three other judges)**. So, **statement 1 is not correct**.
- The Constitution **has not fixed the tenure of a judge of the Supreme Court**. It provides that the judge holds office until he/she **attains the age of 65 years**. So, **statement 2 is correct**.
- The Constitution provides that a judge of the **Supreme Court can be removed by the President** upon an address to that effect being passed by a **special majority of each House of the Parliament**. So, **statement 3 is correct**.
- A person to be appointed as a **judge of the Supreme Court** should have the following qualifications:
  - He/She is a citizen of India
  - must have been, **for atleast five years, a Judge of a High Court** or of two or more such Courts in succession, or an **Advocate of a High Court** or of two or more such Courts in succession for at **least 10 years** or he must be, in the opinion of the President, **a distinguished jurist**. Thus, a person who has been High Court Judge for 6 years can be appointed as a Judge of the Supreme Court.So, statement 4 is correct.

**Therefore, option (c) is the correct answer. Relevance:** Recently, the number of Supreme Court judges has increased to 32 as against a sanctioned strength of 34 judges.

**63.** Which one of the following statements best defines the term Judicial Activism?

- (a) Power of the judiciary to examine the constitutionality of legislative enactments and executive orders of both the Central and State Governments.
- (b) Interpretation of existing provisions of law, without an attempt to enhance its beneficial aspect.
- (c) Refusal to exercise judicial review in deference to the process of ordinary politics.
- (d) An active interpretation of existing legislation by a judge, made with a view to enhance the utility of that legislation for social betterment.

Answer: d Explanation:

Judicial activism:

- Judicial activism denotes the **proactive role played by the judiciary** in the protection of the rights of citizens and in the promotion of justice in the society. It can be defined as the process of law-making by judges. It means an **active interpretation of existing legislation by a judge**, made with a view to **enhance the utility of that legislation for social betterment**.
- It is also known as **“judicial dynamism”**. It is the antithesis of “judicial restraint”, which means the selfcontrol exercised by the judiciary.

Judicial restraint:

- Judicial restraint is the **refusal to exercise judicial review** in deference to the process of ordinary politics. It is a **procedural or substantive approach** to the exercise of judicial review. As a procedural doctrine, the principle of restraint urges **judges to refrain from deciding legal issues**, and especially constitutional ones, unless the decision is necessary to the resolution of a concrete dispute between adverse parties.

Judicial review:

- Judicial review is the power of the judiciary to **examine the constitutionality of legislative enactments and executive orders** of both the Central and State Governments. On examination, if they are found to be violative of the Constitution (ultra vires), they can be **declared as illegal, unconstitutional and invalid** (null and void) by the judiciary.

Judicial pessimism:

- It means interpretation of existing provisions of law, without an attempt to enhance its beneficial aspects.

Therefore, option (d) is the correct answer.

**Relevance:** A Judge of Supreme Court of India, said that the role of judicial activism cannot be negated or overlooked as it plays a significant role in providing justice to the underprivileged sections of the society.

**64.** Which of the following are a part of the 'basic structure' of the Indian Constitution?

1. Welfare state
  2. Absolute power of the Parliament to amend the Constitution
  3. Effective access to justice
  4. Indirect election of the President
  5. Freedom and dignity of the individual
- Select the correct answer using the code given below:
- (a) 1, 2 and 4 only  
(b) 3, 4 and 5 only  
(c) 1, 3 and 5 only  
(d) 1, 2, 3 and 5 only

Answer: c

Explanation:

- **Amendability of Fundamental Rights** was one of the major questions involved in multiple Landmark judgements of the Supreme Court. Finally, in the **Kesavananda Bharati case (1973)**, the Supreme Court laid down the Basic Structure of the Indian Constitution.
- It ruled that the constituent power of Parliament under **Article 368 does not enable it to alter the 'basic structure'** of the Constitution. This means that the Parliament cannot abridge or take away a Fundamental Right that forms a part of the 'basic structure' of the Constitution.
- Welfare state, effective access to justice and freedom and dignity of the individual are part of the basic structure. **So, point 1, point 3 and point 5 are correct.**
- **Limited (and not unlimited) power** of the Parliament to amend the Constitution is a part of

basic structure. **So, point 2 is not correct.**

- Election of the President is not a part of basic structure. **So, point 4 is not correct.**

**Therefore, option (c) is the correct answer.**

**65.** Which one of the following is the apex body in charge of providing strategic direction to civil service reforms and capacity building under 'Mission Karmayogi'?

- (a) NITI Aayog
- (b) Department of Personnel and Training
- (c) Prime Minister's Public Human Resource Council
- (d) Cabinet Secretariat.

Answer: c

Explanation:

- The **National Programme for Civil Services Capacity Building ('NPCSCB')** – "Mission Karmayogi" has been launched with the objective of **enhancing governance through Civil Service Capacity Building.**
- For implementation and monitoring of the programme, following institutional framework has been approved:
  - **Prime Minister's Public Human Resource Council (PMHRC):** A Council under the chairmanship of Prime Minister is conceived to be the **apex body for driving and providing strategic direction to civil service reforms and capacity building.**
  - **Cabinet Secretariat Coordination Unit:** It will monitor the implementation of NPCSCB, align stakeholders and provide mechanism for overseeing capacity building plans.
  - **Capacity Building Commission:** It will be set up for functional supervision of training institutions and facilitate in preparation of annual capacity building plans.
  - **Special Purpose Vehicle (SPV,** an autonomous company) under Section 8 of the Companies Act, 2013: It will own and operate all the digital assets created for NPCSCB on behalf of the Government of India.
  - **Programme Management Unit (PMU):** It will provide Program Management and Support services to the Department.

Therefore, option (c) is the correct answer.

**Relevance:** E-learning platform 'iGOT Karmayogi' has been launched to provide training resources and opportunities bureaucrats.

**66.** Consider the following statements with reference to Fundamental Rights in India:

1. State can put reasonable restrictions on the exercise of Fundamental Rights.
2. The Parliament can only amend the Fundamental Rights but cannot repeal them.
3. They are justiciable and are guaranteed by the Supreme Court.

Which of the statements given above are correct?

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

Answer: c

Explanation:

- Fundamental Rights are **not absolute but qualified**. The state can **impose reasonable restrictions** on them. However, whether such restrictions are reasonable or not is to be decided by the courts. Thus, they strike a balance between the rights of the individual and those of the society as a whole, between individual liberty and social control. **So, statement 1 is correct.**
- They are **not sacrosanct or permanent**. The Parliament **can curtail or repeal them** but only by a Constitutional Amendment Act and not by an Ordinary Act. Moreover, this can be done without affecting the 'Basic Structure' of the Constitution. **So, statement 2 is not correct.**
- They are **justiciable**, allowing persons to move the courts for their enforcement, if and when they are violated. Similarly, they are **defended and guaranteed by the Supreme Court**. Hence, the aggrieved person can directly go to the Supreme Court, not necessarily by way of appeal against the judgement of the High Courts. **So, statement 3 is correct.**

Therefore, option (c) is the correct answer.

67. With reference to the Family Courts, consider the following statements:

1. They are established under the provisions of the Civil Courts Act of 1977.
2. They are set up and function within the domain of the State Government.
3. The right to legal representation by counsel is not available to litigants in Family Courts.

Which of the statements given above are correct?

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

Answer: b

Explanation:

- The **Family Courts Act, 1984** was enacted to provide for the establishment of Family Courts with a view to **promote conciliation and secure speedy settlement of disputes** relating to marriage and family affairs. **So, statement 1 is not correct.**
- Setting up of Family Courts and its functioning lies within the **domain of State Government** in consultation **with their respective High Courts**. **So, statement 2 is correct.**
- As per the Act, it is **mandatory for the State Government to set up a Family Court** for every city or town whose population exceeds **one million**. In other areas of the States, Family Courts may be set up if the State Governments deem it necessary.

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- The salient features of the Family Courts Act, 1984 are as follows:
  - It makes it obligatory on the part of the Family Court to endeavour, in the first instance to effect a reconciliation or a settlement between the parties to a family dispute.
  - It provides that the parties to a dispute before a Family Court **shall not be entitled, as of right, to be represented by legal practitioner.** However, the Court may, in the interest of justice, seek assistance of a legal expert as **amicus curiae.** **So, statement 3 is correct.**

It provides for only **one right of appeal** which shall lie to the **High Court.** **Therefore, option (b) is the correct answer.**

**68.** Consider the following statements with reference to Central Administrative Tribunal (CAT):

1. The civilian employees of defence services are not covered under the CAT's jurisdiction.
2. The appeals against the orders of the CAT can be directly made in the Supreme Court.

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

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

Answer: d

Explanation:

- **The Central Administrative Tribunal (CAT) was set up in 1985** with the principal bench at Delhi and additional benches in different states.
- The Chairman and Members of the CAT are drawn from both **judicial and administrative streams and are appointed by the President.** They hold office for a term of **five years or until they attain the age of 65 years in case of chairman** and 62 years in case of members, whichever is earlier.
- The CAT does not cover the members of the defence forces, officers and servants of the Supreme Court and secretarial staff of the Parliament. **It covers the Civilian employees of defence services. So, statement 1 is not correct.**
- Originally, appeals against the orders of the CAT could be made only in the Supreme Court and not in the High Courts. However, in the Chandra Kumar case (1997), the Supreme Court declared this restriction on the jurisdiction of the high courts as unconstitutional, laying down that appeals against the orders of the CAT shall **lie before the division bench of the concerned High Court.** Consequently, now it is **not possible** for an aggrieved public servant to approach the Supreme Court directly against an order of the CAT, without first going to the concerned High Court. **So, statement 2 is not correct.**

Therefore, option (d) is the answer.

69. Consider the following statements with reference to the Cultural and Educational Rights provided in the Constitution of India:

1. It provides the right of conservation of language and culture only to minorities.
2. Under Article 30, only minorities have the right to establish educational institutions of their choice.

Which of the statements given above is/are correct?

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

Answer: b

**Explanation:**

- **Article 29** 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. Article 29 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 it is commonly assumed to be. This is because of the use of the words 'section of citizens' in the Article that include minorities as well as majority. **So, statement 1 is not correct.**
- The term 'minority' has **not been defined** anywhere in the Constitution.
- Article 30 states that 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). **So, statement 2 is correct.**

Therefore, option (b) is the correct answer.

70. Consider the following statements:

1. Procedural justice refers to the impartiality of the procedures that are used to frame a law.
2. Substantive justice refers to the fairness of the outcome of laws, policies and decisions.
3. Right-based justice is seen as procedural justice whereas need-based justice is seen as substantive justice.

Which of the statements given above are correct?

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

Answer: d

**Explanation:**

- In discussions of justice, a distinction is drawn between procedural justice and substantive

justice. **Procedural justice** refers to justice or fairness or impartiality of the processes and procedures through which a law or policy or decision is arrived at

and applied. **Substantive justice** refers to justice or fairness of the content or outcome of laws, policies, decisions, etc. **So, statements 1 and 2 are correct.**

- Principles of procedural justice have traditionally been based on the **idea of formal equality of persons**, i.e., their equality as human beings or as subjects of the rule of law, irrespective of their differences in gender, religion, race, caste, wealth, etc. Often, **rights-based justice is seen as procedural justice, whereas needs-based justice is seen as substantive justice.** **So, statement 3 is correct.**
- Needs-based justice calls for egalitarian distribution of resources within and across countries. Rights-based conceptions of justice differ from needs-based justice as the main function of the state was to protect the negative liberty rights of the individuals. The welfare-state or egalitarian liberals stress the positive freedom or welfare rights of the citizens.

Therefore, option (d) is the correct answer.

**71.** Consider the following statements:

1. The statutory grants given to the States on the recommendations of the Finance Commission are charged on the Consolidated Fund of India.
2. The states can give grants for any public purpose even if the matter is not within their legislative competence.
3. The Centre can provide specific grants from the Consolidated Fund of India for the welfare of the Scheduled Tribes in a State.

Which of the statements given above are correct?

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

Answer: d

Explanation:

- **Article 275** of the Constitution provides for grants to certain States by the Union. It empowers the Parliament to make grants to the States which are in need of financial assistance and not to every State. These sums are charged on the **Consolidated Fund of India** every year. These grants are given to the states on the **recommendations of the Finance Commission.** **So, statement 1 is correct.**
- **Article 282** of the Constitution provides that the **Union or a State may make any grants for any public purpose**, notwithstanding that the purpose is not one with respect to which Parliament or the Legislature of the State, as the case may be, may make laws. Thus, Article 282 allows States to give grants for any public purpose **even if the matter is not within their legislative competence.** **So, statement 2 is correct.**



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- The Constitution under Article 275, empowers the **Centre to provide for specific grants for promoting the welfare of the Scheduled Tribes in a State** or for raising the level of administration of the scheduled areas in a State including the State of Assam. **So, statement 3 is correct.**

Therefore, option (d) is the correct answer.

**72.** With reference to the National Legal Services Authority (NALSA), consider the following statements:

1. It is a statutory body constituted to promote settlement of disputes through Alternative Dispute Resolution Mechanisms.
2. The Chief Justice of India is the Patron-in- Chief of NALSA.
3. Persons with an annual income of less than Rs. 1,00,000 are eligible for getting free legal services under NALSA.

Which of the statements given above are correct?

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

Answer: d

Explanation:

- The **National Legal Services Authority (NALSA)** has been constituted under the **Legal Services Authorities Act, 1987** to provide **free Legal Services** to the weaker sections of the society, to **organize Lok Adalats** for amicable settlement of disputes and to promote settlement of disputes through **Alternative Dispute Resolution Mechanisms**. **So, statement 1 is correct.**
- The **Chief Justice of India** is the **Patron-in-Chief** of NALSA. **So, statement 2 is correct.**
- The persons eligible for getting free legal services include:
  - Women and Children
  - Members of Scheduled caste or Scheduled Tribes
  - Industrial Workmen
  - Persons with Disability
  - Persons in Custody
  - Victims of Human trafficking
  - Victims of Natural Disasters, Ethnic/caste violence, industrial Disaster
  - Persons with an annual income of less than Rs 1,00,000/- Or as notified by the Central/State Governments. So, statement 3 is correct.

Therefore, option (d) is the correct answer.

**73.** With reference to Arbitration, consider the following statements:

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1. The arbitral award is binding on the disputing parties.
2. Like a judge in the court, the arbitrator has the authority to grant interim measures.
3. The arbitral award does not hold precedential value for future arbitrations.

Which of the above statements is/are correct?

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

Answer: d

Explanation:

- Arbitration can be chosen by the parties either by way of an agreement (Arbitration Agreement) or through the reference of the Court.
- The parties in an arbitration have the freedom to select a qualified expert known as an arbitrator. The process of dispute resolution through arbitration is confidential, unlike the court proceedings which are open to the public.
- The decision rendered by an arbitrator is known as an arbitral award. Similar to a judgment given by a judge, the arbitral award is binding on the disputing parties. **So, statement 1 is correct.**
- Once an arbitral award is rendered, it is recognised and enforced (given effect to) akin to a court pronounced judgment or order. In addition to an arbitral award, the **arbitrator also holds power and authority to grant interim measures**, like a judge in the court. **So, statement 2 is correct.**
- These interim measures are in the nature of a temporary relief and may be granted while the legal proceedings are on-going in order to preserve and protect certain rights of the parties, till the final award is rendered. Therefore, an arbitral award holds several similarities with a court order or judgment. However, unlike a judgment rendered by a judge in the court, the award does not hold precedential value for future arbitrations. **So, statement 3 is correct.**
- Arbitrators are free to base their decisions on their own conception of what is fair and just. Thus unlike judges, they are not strictly required to follow the law or the reasoning of earlier case decisions.

Therefore, option (d) is the correct answer.

Relevance: Recently, Arbitration and Conciliation (Amendment) Bill, 2021, was passed by Parliament.

- 74.** Which of the following was the first to mandate Social Audits on all Projects undertaken in the Gram Panchayat?
- (a) Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), 2005
  - (b) Building and other Construction Workers Act, 1996
  - (c) The National Food Security Act, 2013

(d) Scheme for Rehabilitation of Manual Scavengers (SRMS)

Answer: a

Explanation:

- **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) was the first Act** to mandate Social Audits by the Gram Sabha of all the projects taken up in the Gram Panchayat.
  - According to **Section 17** of the MGNREGA, 2005, 'The Gram Sabha shall conduct **regular social audits of all the projects** under the scheme taken up within the Gram Panchayat'.
  - MGNREGA Audit of Schemes Rules was passed by the Central Government, in consultation with the **Comptroller and Auditor General (C&AG) in 2011.**
- The Labour Ministry had issued the draft framework for the social audit on implementation of the Building and Other **Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (BOCW)**, in accordance with the Supreme Court's orders of **March 18, 2018 judgment .**
- **National Food Security Act, 2013** also provides for Social Audit. The Act states that
  - o Every local authority, or any other authority or body, as may be authorised by the State Government, shall conduct or cause to be conducted, periodic social audits on the functioning of fair price shops, Targeted Public Distribution System and other welfare schemes, and cause to publicise its findings and take necessary action, in such manner as may be prescribed by the State Government.
- The Ministry of Social Justice and Empowerment has formulated a scheme, namely **Information-Monitoring, Evaluation and Social Audit (I-MESA) in FY 2021-22**, where social Audits are to be conducted for all the schemes of the Department starting FY 2021-22. These social audits are done through Social Audit Units (SAU) of the States and National Institute for Rural Development and Panchayati Raj. This also includes, **Scheme for Rehabilitation of Manual Scavengers (SRMS).**

Therefore, option (a) is the correct answer.

75. Consider the following statements with reference to All-India Services (AIS) officers in India:

1. They are recruited to work exclusively for the Central Government.
2. They can be dismissed from service by the President of India.
3. The Parliament has the power to establish a new AIS in India on the basis of a Rajya Sabha resolution.

Which of the statements given above are correct?

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

Answer: b

Explanation:

- The Officers of **All India Services** are recruited and trained by the Central Government but work for **both Central and State Governments**. **So, statement 1 is not correct.**
- **Article 311** of the Indian Constitution states that an officer of the Union civil service or an all-India service or a state civil service or holds a civil post under the Union or a State cannot be dismissed or removed by an authority **subordinate to that by which she/he was appointed**. As per Article 311, as they are appointed by the President, they can be dismissed from service only by the President. **So, statement 2 is correct.**
- Two All India Services were formed at the time of commencement of the Constitution which increased to three after the inclusion of the Indian Forest Service. Article 312 of the Constitution authorises the **Parliament** to create new All-India Services on the basis of a **Rajya Sabha resolution** supported by not less than **two thirds of the members present and voting**. **So, statement 3 is correct.**

Therefore, option (b) is the correct answer.

**76.** Consider the following statements with reference to Articles 323 A and 323 B of the Indian Constitution:

1. They empower both Parliament and State Legislature to establish tribunals.
2. Both the Articles provide for the establishment of tribunals for public service matters only.

Which of the statements given above is/are correct?

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

Answer: d

Explanation:

Articles 323 A and 323 B differ in the following aspects:

- While Article 323 A contemplates the establishment of tribunals for **public service matters only**, Article 323 B contemplates the establishment of tribunals for certain other matters. **So, statement 2 is not correct.**
- While tribunals under **Article 323 A can be established only by Parliament**, tribunals under **Article 323 B can be established both by Parliament and State Legislatures** with respect to matters falling within their legislative competence. **So, statement 1 is not correct.**
- Under Article 323 A, only one tribunal for the Centre and one for each state or two or more states may be established. There is no question of hierarchy of tribunals, whereas under **Article 323 B hierarchy of tribunals** may be created.

Therefore, option (d) is the correct answer.

**77.** With reference to the Gram Nyayalaya, consider the following statements:

1. Its presiding officer is appointed by the State Government in consultation with the respective High Court.

2. A person eligible to be appointed as a Judicial Magistrate of the first class is qualified to be appointed as a Nyayadhikari.
3. It is not bound by the rules of evidence provided in the Indian Evidence Act, 1872.

Which of the statements given above are correct?

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

Answer: d

Explanation:

- The **Gram Nyayalayas Act, 2008** has been enacted to provide for the establishment of the **Gram Nyayalayas**.
- Some of the salient features of the Gram Nyayalayas Act are as follows:
  - The **State Government** shall, in consultation with the **High Court**, appoint a Nyayadhikari for every Gram Nyayalaya. **So, statement 1 is correct.**
  - Qualifications for appointment of Nyayadhikari:
    - A person shall not be qualified to be appointed as a Nyayadhikari unless he is eligible to be appointed as a Judicial Magistrate of the first class. **So, statement 2 is correct.**
    - While appointing a Nyayadhikari, representation shall be given to the members of the Scheduled Castes, the Scheduled Tribes, women and such other classes or communities as may be specified by notification, by the State Government from time to time.
  - The Gram Nyayalaya **shall not be bound** by the rules of evidence provided in the **Indian Evidence Act, 1872** but shall be **guided by the principles of natural justice** and subject to any rule made by the High Court. **So, statement 3 is correct.**
  - The Gram Nyayalaya shall be a **mobile court** and exercise **both criminal and civil courts' powers.**
- Therefore, option (d) is the correct answer.

78. Consider the following statements:

1. Remission refers to the substitution of one form of punishment for a lighter form of punishment.
2. Remission cannot be availed as a right by the convicts.
3. Central and State Governments are empowered to remit whole or any part of the punishment with or without conditions.

Which of the statements given above are correct?

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

(d) 1, 2 and 3

Answer: b

Explanation:

- Remission implies **reducing the period of sentence without changing its character**. For example, a sentence of rigorous imprisonment for two years may be remitted to rigorous imprisonment for one year. On the contrary, **commutation denotes the substitution of one form of punishment for a lighter form**. For example, a death sentence may be commuted to rigorous imprisonment, which in turn may be commuted to a simple imprisonment. **So, statement 1 is not correct.**
- **Section 432 of the Code of Criminal Procedure (CrPC)** vests ‘**appropriate governments**’ – **Central or State, with the power to remit whole or any part of the punishment with or without conditions**. While the power under Section 432 is quite broad, Section 433A restricts the power in serious cases such as murder. In such cases remission can be granted only when the convict has served at least 14 years of imprisonment. In any case, **prisoners do not have a right to remission, only a right to ask for it. So, statements 2 and 3 are correct.**

Therefore, option (b) is the correct answer.

**Relevance:** There was a recent controversial remission of sentence of people convicted under the Bilkis Bano case.

79. With reference to National Investigation Agency (NIA), consider the following statements:

1. It can enter a state without permission of the State Government for investigation of offences.
2. Its jurisdiction applies to Indian citizens residing in India only.
3. The Central Government can suo motu direct NIA to investigate a scheduled offence.

Which of the statements given above are correct?

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

Answer: c

Explanation:

- **National Investigation Agency (NIA)** is an agency at the national level to investigate and prosecute offenses affecting the sovereignty, security and integrity of India, security of State, friendly relations with foreign States and offenses under Acts enacted to implement international treaties, agreements, conventions and resolutions of the United Nations, its agencies and other international organizations.
- It has the power to enter any state **without permission from the respective State Government** to investigate and arrest people. **So, statement 1 is correct.**
- Its jurisdiction extends to the whole of India and it applies also— **to citizens of India outside India**; to persons in the service of the Government wherever they may be; to persons on ships and

aircrafts registered in India wherever they may be; and to persons who commit a Scheduled Offense **beyond India** against the Indian citizen or affecting the interest of India. **So, statement 2 is not correct.**

- If the Central Government is of the opinion that a Scheduled Offense has been committed which is required to be investigated under **NIA Act, 2008, it may, suo motu, direct the Agency to investigate the said offense. So, statement 3 is correct.**
- Scheduled Offences under the NIA Act, 2008 are the offences which are explicitly provided under the schedule of the act.

Therefore, option (c) is the correct answer.

**Relevance:** NIA has recently investigated cases in Russia related to an ISIS bomber.

80. With reference to Financial Emergency in India, consider the following statements:

1. There is no maximum period prescribed for its operation in the Constitution.
2. Repeated parliamentary approval is not required for its continuation.

Which of the statements given above is/are correct?

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

Answer: c

**Explanation:**

- **Article 360** of the Indian Constitution empowers the President to proclaim a Financial Emergency if s/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.
- Once approved by both the Houses of Parliament, the Financial Emergency continues indefinitely till it is revoked. This implies two things:
  - There is **no maximum period** prescribed for its operation. **So, statement 1 is correct.**
  - **Repeated parliamentary approval** is **not required** for its continuation. **So, statement 2 is correct.**

Therefore, option (c) is the correct answer.

81. With reference to the Representation of the People Act (RPA), 1951, consider the following statements:

1. It defines bribery, under corrupt practices, as any gift, offer or promise by an election candidate.
2. Pre-poll promises made by a political party in election manifestos do not constitute 'corrupt practice' under the Act.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only

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

Answer:c

Explanation:

- **Section 123 in The Representation of the People Act, 1951** defines ‘Corrupt practices’such as:
  - Bribery is any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his election agent of any gratification. **So, statement 1 is correct.**
  - The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India **on grounds of religion, race, caste, community, or language**, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.
- In the Balaji case judgment, a Division Bench of the Supreme Court had held that making promises in election manifestos **do not amount to a ‘corrupt practice’** under Section 123 of the Representation of People Act (RP). **So, statement 2 is correct.**

Therefore, option (c) is the correct answer.

**Relevance:** Supreme Court to reconsider judgment that making promises in election manifestos is not ‘corrupt practice’.

82. Consider the following statements:

1. Elected and nominated members of the Parliament are part of the Electoral College for Presidential and Vice-Presidential elections.
2. Members of the State Legislative Assemblies do not take part in the election of the Vice-President of India.
3. Members of the dissolved State Legislative Assembly cease to be qualified to vote in the Presidential election.

Which of the statements given above are correct?

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

Answer: b

Explanation:

- The President of India is elected not directly by the people but by members of the Electoral College consisting of: the **elected members** of both the Houses of Parliament; the elected members of the Legislative Assemblies of the states and the elected members of the Legislative Assemblies of the Union Territories of Delhi and Puducherry.



- Thus, the **nominated members** of Rajya Sabha, the nominated members of the State Legislative Assemblies, the members (both elected and nominated) of the State Legislative Councils (in the case of the bicameral legislature) and the nominated members of the Legislative Assemblies of Delhi and Puducherry **do not participate** in the election of the President. **So, statement 1 is not correct.**
- Electoral college of Vice-President is different from the electoral college for the election of the President as it consists of both elected and nominated members of the Parliament (in the case of President, only elected members) and it **does not include the members of the State** Legislative Assemblies (in the case of President, the elected members of the State Legislative Assemblies are included). **So, statement 2 is correct.**
- Where an Assembly is **dissolved, the members cease to be qualified to vote** in the Presidential election, even if fresh elections to the dissolved assembly are not held before the Presidential election. **So, statement 3 is correct.**

Therefore, option (b) is the correct answer.

83. Which one of the following statements best describes 'Gram Sabha'?

- (a) It is a local government body at the tehsil or taluka level.
- (b) It is an elected body that functions at the district levels in all states.
- (c) It is a village assembly consisting of all the registered voters in the area of a Panchayat.
- (d) It is a village assembly of all the people residing in the area of Panchayat.

Answer: c

Explanation:

- **Gram Sabha:** The **Constitution (73rd Amendment) Act, 1992**, provides for a Gram Sabha as the foundation of the Panchayati Raj system. It is a body consisting of **persons registered in the electoral rolls** of a village comprised within the area of Panchayat at the village level. Thus, it is a village assembly **consisting of all the registered voters in the area of a Panchayat**. It may exercise such powers and perform such functions at the village level as the legislature of a State determines.

Therefore, option (c) is the correct answer.

84. Which of the following statements is/are correct with reference to the ordinance making power of the Governor of a State?

1. It is a discretionary power.
2. In case of bicameral legislature, ordinance can be promulgated when the State Legislative Council is not in session.
3. It is wider than the legislative power of the State Legislature.

Select the correct answer using the code given below:

- (a) 1 and 2 only
- (b) 2 only

(c) 3 only

(d) 1, 2 and 3

Answer: b

Explanation:

- The ordinance-making power of the Governor is **not a discretionary power**. This means that he/she can promulgate or withdraw an ordinance **only on the advice** of the Council of Ministers headed by the Chief Minister. **So, statement 1 is not correct.**
- He/She can promulgate an ordinance **only when the Legislative Assembly** (in case of a unicameral legislature) is **not in session** or (in case of a bi-cameral legislature) when both the Houses of the State Legislature are not in session or **when either of the two Houses of the State Legislature is not in session. So, statement 2 is correct.**
- His ordinance-making power is **coextensive with the legislative power** of the State Legislature. This means that s/he can issue ordinances only on those subjects on which the State Legislature can make laws. **So, statement 3 is not correct.**

Therefore, option (b) is the answer.

**Relevance:** The Karnataka Governor promulgated an ordinance on the recommendation of the State Cabinet to increase the reservation for Scheduled Castes and Scheduled Tribes.

85. Consider the following statements with reference to the Union Public Service Commission (UPSC):

1. It is consulted by the Government while making reservations of appointments in favour of backward class of citizens.
2. A selection by the UPSC does not confer a right to the post upon the candidate.

Which of the statements given above is/are correct?

(a) 1 only

(b) 2 only

(c) Both 1 and 2

(d) Neither 1 nor 2

Answer: b

Explanation:

- **Articles 315 to 323 in Part XIV** of the Indian Constitution contain elaborate provisions regarding the composition, appointment and removal of members along with the independence, powers and functions of the Union Public Service Commission (UPSC).
- The following matters are *kept outside the functional jurisdiction* of the UPSC. In other words, the UPSC is not consulted on the following matters:
  - While making reservations of appointments or posts in favour of any backward class of citizens. So, statement 1 is not correct.
    - While taking into consideration the claims of scheduled castes and scheduled tribes in making appointments to services and posts.

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- The Supreme Court held that **a selection by the UPSC does not confer any right to the post upon the candidate**. However, the government is to act fairly and without arbitrariness or mala fides. **So, statement 2 is correct.**

Therefore, option (b) is the correct answer

86. In context of Indian political system, who among the following takes the oath of secrecy?

1. President of India
2. Prime Minister
3. Private Members of Parliament
4. Chief Justice of India
5. Speaker of Lok Sabha
6. Ministers of State Legislature

Select the correct answer using the code given below:

- (a) 1, 2 and 3 only
- (b) 1, 3, 4 and 5 only
- (c) 2 and 3 only
- (d) 2 and 6 only

Answer: d

Explanation:

- Before the **Prime Minister, Chief Ministers, and Ministers of both Centre and States** enter their respective offices, they are administered the oaths of office and secrecy. **So, points 2 and 6 are correct.**
- In the oath of secrecy, they swear that they will not directly or indirectly communicate or reveal to any person(s) any matter that is brought under his/her consideration or becomes known to him/her except as may be required for the due discharge of his/her duties.
- The President, Private Members of Parliament, Chief Justice of India and Speaker do not take oath of secrecy. **So, points 1, 3, 4 and 5 are not correct.**

Therefore, option (d) is the correct answer.

87. Consider the following statements with reference to the District Council established under the Sixth Schedule of the Constitution of India:

1. Some of its members are nominated by the Governor of the respective State.
2. It can make regulations for the control of money lending and trading by non-tribals.
3. Like the Regional Council, it is empowered to assess and collect land revenue.

Which of the statements given above are correct?

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

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(d) 1, 2 and 3

Answer: d

Explanation:

- The Constitution, under Sixth Schedule, contains special provisions for the administration of Tribal Areas in the four north-eastern states of **Assam, Meghalaya, Tripura and Mizoram**.
- Each Autonomous District has a District Council consisting of 30 members, of whom four are **nominated by the Governor** and the remaining 26 are elected on the **basis of adult franchise**. The elected members hold office for a term of **five years** (unless the council is dissolved earlier) and nominated members hold office during the **pleasure of the Governor**. **So, statement 1 is correct.**
- The District Council can establish, construct or manage primary schools, dispensaries, markets, ferries, fisheries, roads and so on in the district. **It can also make regulations for the control of money lending and trading by non-tribals**. But, such regulations require the assent of the Governor. **So, statement 2 is correct.**
- The District and Regional Councils are empowered to **assess and collect land revenue** and to impose certain specified taxes. So, statement 3 is correct.

**Therefore, option (d) is the correct answer.**

**Relevance:** The Leh Apex Body and Kargil Democratic Alliance have sought constitutional safeguards for Ladakh on the lines of the Sixth Schedule of the Constitution.

88. Consider the following statements:

1. No civil and criminal proceedings can be initiated against the President and the Prime Minister during their tenure.
2. Civil servants are conferred personal immunity from legal liability for official contracts.
3. Ministers do not enjoy any immunity for their personal acts and can be sued for crimes like common citizens.

Which of the statements given above are correct?

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

Answer: b

Explanation:

- According to **Article 361 of the Constitution of India**, no criminal proceedings can be started against the **President and the Governor** during their tenure in respect of their personal acts. They cannot be arrested or imprisoned. However, **civil proceedings can be started** against them during their term of office in respect of their personal acts **after giving two months' advance notice**. **So, statement 1 is not correct.**

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- Under the Constitution, civil servants are conferred **personal immunity from legal liability for official contracts**. This means that the civil servant who made a contract in his official capacity is not personally liable in respect of that contract but it is the Government (Central or State) that is liable for the contract. **So, statement 2 is correct.**
- Ministers **do not enjoy any immunity for their personal acts** and can be sued for crimes as well as torts in ordinary courts like common citizens. **So, statement 3 is correct.**

Therefore, option (b) is the correct answer.

89. Consider the following statements:

1. Any speech delivered to insult citizens' religious beliefs is a punishable under law in India.
2. The term, Hate Speech & Blasphemy, is mentioned as a reasonable restriction to the Fundamental Right to Freedom of Speech and Expression.

Which of the statements given above is/are correct?

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

Answer: a

Explanation:

- **Section 295(A) of the Indian Penal Code (IPC)**, punishes any speech, writings, or signs that “with premeditated and malicious intent” **insult citizens' religion or religious beliefs** with a fine and imprisonment for up to three years. Section 295A is a **cognizable offence**, which means that the police are authorised to arrest accused persons without the need for a judicially sanctioned warrant. **So, statement 1 is correct.**
- **The term ‘Hate speech & Blasphemy’ is not mentioned as reasonable restriction on the Fundamental Right to freedom of speech & expression.** In 1957, the constitutionality of Section 295A was challenged in *Ramji Lal Modi v State of Uttar Pradesh*. The Supreme Court upheld the law on the grounds that it **was brought in to preserve “public order”**. Public order is an exemption to the Fundamental Right to Freedom of Speech and Expression and the Right to Religion recognised by the Constitution. **So, statement 2 is not correct.**

Therefore, option (a) is the correct answer.

90. Which one of the following is the common goal of Indian Socialism and Marxism?

- (a) Nationalisation of all means of production
- (b) Abolition of private property
- (c) Democratic elections
- (d) Equality

Answer: d

Explanation:

- Indian socialism is a blend of **Marxism and Gandhism**, leaning heavily towards Gandhian socialism.
- The Indian brand of socialism is a ‘democratic socialism’ and not a ‘communistic socialism’ (also known as ‘state socialism’). State socialism involves the **nationalisation of all means of production and distribution and the abolition of private property**.
- Democratic socialism, on the other hand, holds faith in a ‘mixed economy’ where both **public and private sectors** co-exist side by side.
- A democratic polity, as stipulated in the Preamble, is based on the **doctrine of popular sovereignty**, that is, possession of supreme power by the people. The Indian Constitution provides for **representative parliamentary democracy** under which the executive is responsible to the legislature for all its policies and actions. Whereas this is not the same in Marxism.
- A common goal of both Indian Socialism and Marxism is equality. Therefore, option (d) is the correct answer.

91. Who among the following can be registered as service voters under the Representation of People Act, 1950?

1. Member of the armed Forces of the Union
2. Member of an Armed Police Force of a State serving outside that state
3. Person employed under the Government of India, in a post outside India

Select the correct answer using the code given below:

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

Answer: d

Explanation:

- Service voter is a voter having service qualification. According to the provisions of sub-section (8) of Section 20 of Representation of People Act, 1950, service qualification means:
  - Being a member of the armed Forces of the Union
  - Being a member of a force to which provisions of the Army Act, 1950 (46 of 1950), have been made applicable whether with or without modification
  - Being a member of an Armed Police Force of a State, and serving outside that state
  - Being a person who is employed under the Government of India, in a post outside India

Therefore, option (d) is the correct answer.

92. With reference to a Motion in the Lok Sabha, consider the following statements:

1. It allows the members to raise matters of urgent public importance.
2. The notice of a Motion is given in writing and addressed to the Speaker.
3. A motion can be disallowed by the Speaker if it affects the procedure of the house.

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Which of the statements given above are correct?

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

Answer: c

Explanation:

- In Parliament, a proper procedure is to be followed for raising and discussing issues in an orderly manner. The term 'motion' in its wide sense means any proposal made for the purpose of eliciting a decision of the House. A Motion is one of the important Parliamentary devices through which members can raise **matters of urgent public importance. So, statement 1 is correct.**
- The **notice of a motion** is given in writing **and addressed to the Secretary-General. So, statement 2 is not correct.**
- The admissibility of a motion or part thereof is decided by the Speaker. A motion may **be disallowed by the Speaker if it is an abuse of the right of moving a motion** or, it obstructs or affects the procedure of the House or, it is in contravention of rules. **So, statement 3 is correct.**

Therefore, option (c) is the correct answer.

93. Consider the following statements:

1. Natural rights are rights based on a sense of goodness and public opinion.
2. Legal rights can be enforced against both individuals and governments.
3. There can be no legal sanctions against the violation of moral rights.

Which of the statements given above are correct?

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

Answer: b

Explanation:

- Natural rights are rights possessed by men in the **state of nature** and these rights were attributed to individuals as if they were the **essential properties of individuals as individuals**. Therefore, rights are inalienable, imprescriptible and indefeasible. They are **parts of human nature and reason**. This strand of political theory maintains that an **individual enters into society with certain basic rights** and that no Government can deny these rights. *Sense of goodness and public opinion are the sanctions behind moral rights and not natural rights.* **So, statement 1 is not correct.**
- Legal rights are rights that are enshrined in law and are, therefore, enforceable through the courts. These rights **can be enforced against individuals and also against the government**. In

this way, legal rights are different from moral rights. Legal rights are equally available to all citizens. They can go to the courts for getting their legal rights enforced. **So, statement 2 is correct.**

- Moral rights are based on human consciousness. They are supported by the **moral force of the human mind**. These are based on the **human sense of goodness and justice**. If any person disrupts any moral right, **no legal action can be taken against him**. Moral rights include rules of good conduct, courtesy and moral behaviour. **So, statement 3 is correct.**

Therefore, option (b) is the correct answer.

94. Which of the following has the authority to establish a Joint State Public Service Commission (JSPSC) for two or more states in India?

- (a) Union Public Service Commission
- (b) State Public Service Commission of the respective States
- (c) Parliament
- (d) Concerned State Legislatures

Answer: c

Explanation:

- The Indian Constitution makes a provision for the establishment of a **Joint State Public Service Commission (JSPSC)** for two or more States.
- While the Union Public Service Commission (UPSC) and the State Public Service Commission (SPSC) are created directly by the Constitution, a JSPSC can be created by an **Act of Parliament** at the request of the concerned State Legislatures.
- A JSPSC is a **statutory** and **not a constitutional body**. The Chairperson and members of the JSPSC are appointed by the President.

Therefore, option (c) is the correct answer.

95. Consider the following statements with reference to the office of profit:

1. The expression 'office of profit' has not been defined in the Constitution or in the Representation of the People Act, 1951.
2. The final decision of whether a Member of Parliament is disqualified for holding any office of profit rests with the Parliament.

Which of the statements given above is/are correct?

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

Answer: a

Explanation:



- **The expression “Office of Profit” has not been defined in the Constitution or in the Representation of the People Act, 1951, or in the Parliament (Prevention of Disqualification) Act, 1959, evidently, because it is not easy to frame an all-embracing definition, covering all the different kinds of posts which exist under Government and those which might hereafter be created. So, statement 1 is correct.**
- Unless otherwise declared by Parliament by law, a person is disqualified for being chosen as, and for being, a member of either House of Parliament if he holds any office of profit under the Government of India or the Government of any State. If any question arises as to whether a Member of Parliament has become subject to any of the disqualifications laid down in the Constitution, including the one whether he is holding an office of profit or not, the question is referred for the decision of the President and his decision is final. However, before giving any decision on any such question, the President is required to obtain the opinion of the Election Commission and shall act according to such opinions. It is important to note that in this matter the President does not act on the advice of his Council of Ministers.
- In Ashok Kumar Bhattacharya vs Ajoy Biswas, the Supreme Court held that to determine whether a person holds an office under the Government, each case must be measured and judged in the light of the relevant provisions and sections. **The final interpretation and decision whether a person is disqualified or not rests with the courts and not with the Parliament. So, statement 2 is not correct.**

Therefore, option (a) is the correct answer.

96. With reference to the Enforcement Directorate (ED) of India, consider the following statements:

1. It was created as an attached body to the Central Bureau of Investigation.
2. It has the power to arrest an accused under the Prevention of Money Laundering Act, 2002, without a warrant.

Which of the statements given above is/are correct?

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

Answer: b

Explanation:

- The Enforcement Directorate (ED) was established in 1956. It is a multi-dimensional organization investigating economic offenses under the Prevention of Money Laundering Act (PMLA), 2002, Fugitive Economic Offenders Act, 2018, Foreign Exchange Management Act, 1999 and Foreign Exchange Regulation Act, 1973. **It was not created as an attached body to the Central Bureau of Investigation. So, statement 1 is not correct.**
- Under the Prevention of Money Laundering Act (PMLA), 2002, the ED carries out search (property) and seizure (money/documents) and will decide if arrest is needed as per Section 19 (power of

arrest). **All PMLA offenses will be cognisable and non-bailable.** Therefore, ED officers are **empowered to arrest an accused without a warrant**, subject to certain conditions. **So, statement 2 is correct.**

Therefore, option (b) is the correct answer.

97. Which of the following functional items can be placed within the purview of Panchayat under the Eleventh Schedule of the Indian Constitution?

1. Minor Forest Produce
2. Water supply for domestic and industrial purposes
3. Regulation of land use and construction of buildings
4. Education, including primary and secondary schools
5. Family welfare

Select the correct answer using the code given below:

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

Answer: c

Explanation:

- **Eleventh Schedule** contains **29 functional items** placed within the purview of Panchayats, some of which are:
  - Agriculture, including agricultural extension
  - Social forestry and farm forestry
  - Minor forest produce. So, point 1 is correct.
  - Small-scale industries, including food processing industries
  - Khadi, village and cottage industries
  - Rural electrification, including distribution of electricity
  - Poverty alleviation programme
  - Education, including primary and secondary schools. So, point 4 is correct.
  - Technical training and vocational education
  - Health and sanitation including hospitals, primary health centers and dispensaries
  - Family welfare. So, point 5 is correct.
  - Public distribution system.
- The 74th Amendment Act, 1992 added a new **Twelfth Schedule** to the Constitution. This schedule contains eighteen functional items of municipalities. Items like **regulation of land use** and construction of buildings and **water supply for domestic, industrial and commercial purposes** are included in this Schedule. **So, points 2 and 3 are not correct.**

Therefore, option (c) is the correct answer.

98. Consider the following:

The 73<sup>rd</sup> Constitutional Amendment Act, 1992, provides for compulsory reservation in Panchayat for:

1. Scheduled Castes
2. Scheduled Tribes
3. Backward Classes
4. Women

Which of the statements given above are correct?

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

Answer: b

Explanation:

- Some of the compulsory provisions of the 73<sup>rd</sup> Constitutional Amendment Act (1992) or the Part IX of the Constitution:
  - **Reservation of seats** (both members and Chairpersons) for Scheduled Castes and Scheduled Tribes in Panchayats at all the three levels. **So, points 1 and 2 are correct.**
  - Reservation of **one-third seats** (both members and Chairpersons) for women in Panchayats at all the three levels. **So, point 4 is correct.**
- Providing reservation of seats (both members and Chairpersons) for **backward classes** in Panchayats at any level **is a voluntary provision. So, point 3 is not correct**

**Therefore, option (b) is the correct answer.**

99. Which of the following Urban Local Bodies are provided under the Constitution (74th Amendment) Act, 1992?

1. Nagar Panchayat
2. Municipal Corporations
3. Town Panchayat
4. Municipal Council

Select the correct answer using the code given below:

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

Answer: a

Explanation:

- The Constitution (74th Amendment) Act, 1992 came into force on 1st June 1993,
- It provides for the constitution of **3 types of municipalities** depending upon the size and area namely:

- **Nagar Panchayat** for an area in transition from rural to urban areas
- **Municipal Council** for smaller urban areas
- **Municipal Corporation** for larger urban areas
- **Demographics and other conditions** which are determining factors for constituting a particular type of municipality differ a great deal from one State to another.
- It has, therefore, **been left to the State Legislatures** to decide which specific type of municipality will be constituted for a particular urban area.

Therefore, option (a) is the correct answer.

100. Consider the following statements with reference to State Public Service Commission (SPSC):

1. Its members are appointed and can be removed by the Governor of the State.
2. Its Chairperson is eligible for re-appointment upon the completion of the first term.

Which of the statements given above is/are correct?

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

Answer: d

Explanation:

- A State Public Service Commission (SPSC) consists of a chairperson and other members **appointed by the Governor** of the State.

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

**So, statement 1 is not correct.**

- The Chairperson or a member of a SPSC is (after having completed his first term) **not eligible for reappointment to that office (that is, not eligible for second term)**. **So, statement 2 is not correct.**

Therefore, option (d) is the correct answer.





