

Indian Polity

MAKING OF THE CONSTITUENT ASSEMBLY

- The Indian National Congress had officially, for the first time, demanded a Constituent Assembly in 1935, the idea was the brainchild of **M. N. Roy**.
- The British government accepted the demand in the '**August Offer**' of 1940 and finally '**the Cripps Proposal**' on the framing of Constitution came out in 1942.
- Under the '**Cabinet Mission Plan**' the Constituent Assembly came into existence in November, 1946.

Its main features were:

1. Total strength=389.
Out of these 296 were allotted to British-India and 93 to Princely states.
2. Every province and Princely state was allotted seats in proportion to their population.
3. The seats for British were divided among Muslims, Sikhs and General.
4. The representatives from each community were elected by voting in the provincial legislative assembly.
5. The heads of Princely states nominated their members.
The elections were held in July-August, 1946.
- The **first meeting** was held on December 9, 1946 with only 211 members (Muslim league boycotted).
- Princely states decided to stay away so their seats remained vacant.

However, after the acceptance of **Mountbatten plan** on June 3, 1947 most of the Princely states joined. The other significant changes were declaring the assembly to be a fully sovereign body and also a legislative body.

Functions

The Constituent Assembly drafted the Constitution and also:

- Adopted the **National Flag** on **July 22, 1947**. It was designed by **Pingali Venkiah**.
- Ratified India's membership of the Commonwealth in May 1949.
- Adopted the **National song** on **January 24, 1950**.
- Adopted the **National anthem** on **January 24, 1950**.
- Elected **Dr. Rajendra Prasad** as the **first President of India** on January 24, 1950.

DRAFTING COMMITTEE

- The **Constituent Assembly** contained many committees for various purposes such as House committee, Rules of Procedure committee, etc. but the most important of these was the Drafting Committee.
- It was set up on August 29, 1947 and was tasked with preparing a draft of the new Constitution.

The seven members of the Committee were:

1. Dr. B R Ambedkar (Chairman)
 2. N Gopalaswamy Ayyangar
 3. Dr. K M Munshi
 4. T. T. Krishnamachari
 5. Syed Mohammad Sadullah
 6. N. Madhav Rau
 7. Alladi Krishnaswamy Ayyar
- The **first draft of the Constitution** was published in **February, 1948**. The people had eight months to discuss the draft. After discussions, suggestions and proposed amendments were considered and a second draft was prepared by the Assembly. The **second draft** was published in **October, 1948**. The Drafting Committee met for a total of **141 days** and took less than six months to prepare its draft.

ENACTMENT OF CONSTITUTION

- Enactment and enforcement of the Constitution took place on **November 26, 1949 and January 26, 1950**, respectively. However, some parts had come into force on 26 November, 1949 itself with the passing of the motion 'the Constitution as settled by the Assembly be passed'.
- In all 284 of the Assembly signed the official copies of the Indian Constitution which came into effect on Jan 26, 1950.
- The Constitution adopted on **Nov. 26, 1949**, contained a **Preamble, 395 Articles and 8 Schedules**.
- The Constituent Assembly took **2 years 11 months and 18 days** to complete the Constitution.

The Preamble

- The Preamble to Indian Constitution is based on "**Objective Resolution**" of Pt. Jawaharlal Nehru. Jawaharlal Nehru introduced an objective resolution on December 13, 1946 and it was adopted by Constituent Assembly on 22 January, 1947.
- The Drafting Committee of the Assembly in formulating the Preamble in the light of "Objective Resolution" felt that the Preamble should be restricted to defining the essential features of the new state and its basic socio-political objectives and that the other matters dealt with Resolution could be provided in the substantive parts of the Constitution.
- The Committee adopted the expression '**Sovereign Democratic Republic**' in place of '**Sovereign Independent Republic**' as used in the "**Objective Resolution**".
- The Committee added the word **Fraternity** which was not present in the Objective Resolution. The Committee felt that the need for fraternal concord and goodwill in India was never greater than now.

- The term '**Preamble**' means the introduction to a statute. It is the introductory part of the Constitution.
- Initially, the Preamble was drafted by **Sh. B. N. Rau** in his memorandum of May 30, 1947 and was later reproduced in the Draft of October 7, 1947. In the context of the deliberations by the Constituent Assembly, the Preamble was reformulated.
- The Preamble does not grant any power but it gives a direction and purpose to the Constitution.
- It outlines the objectives of the whole Constitution. The Preamble contains the fundamentals of the Constitution. The Preamble to an Act sets out the main objectives which the legislation is intended to achieve.

The Preamble Reads

"WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN, SOCIALIST, SECULAR, DEMOCRATIC, REPUBLIC and to secure to all its citizen:

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 26th day of November 1949, do hereby ADOPT, ENACT and GIVE TO OURSELVES THIS CONSTITUTION.

- **The word socialist and secular have been added to the Preamble by 42nd amendment Act 1976.** Also unity of nation was amended to read unity and integrity of the nation.
- The objectives of the Preamble are to secure Justice, Liberty, Equality and Fraternity.
- The ultimate goal is that of "securing the dignity of the individual and unity and integrity of the nation".

Salient Features

- **Originally** our Constitution contained **395 Articles divided in 22 Parts and 8 Schedules.**
- Right from the beginning our Constitution is the most comprehensive Constitution in the world.
- The Constitution, in **its current form**, consists of a **Preamble, 24 Parts containing 448 articles, 12 schedules.**
- It makes India Sovereign, Socialist, Secular, Democratic Republic.
- It is designed to work as **Federal Government in normal times and as a Unitary Government in an emergency.**
- It establishes a **Parliamentary System** of Government in India.
- It introduces **adult franchise** and the system of Government in India.
- **India is a union of 29 States and 7 Union Territories.**
- It abolishes **untouchability** in India.

- It guarantees **Fundamental Rights** to all citizens of India.
- It lays down Directive Principles of State Policy for the guidance of Legislature and the Executive of the country.
- It establishes independence of judiciary from the executive.
- It declares Hindi as the National language of India which would replace English as early as possible.
- A **Union Public Service Commission** has been set up to make recruitment to various services.
- Provision has been made for amending the Constitution.

Provisions of Constitution & Their Source

1.	The Preamble	U.S.A. Constitution
2.	President as Executive head	U.S.A. Constitution
3.	President as Supreme Commander of the Armed Forces	U.S.A. Constitution
4.	Vice-President as the ex-officio Chairman of the Council of States	U.S.A. Constitution
5.	Fundamental Rights	U.S.A. Constitution
6.	Independence of Judiciary	U.S.A. Constitution
7.	Judicial Review	U.S.A. Constitution
8.	Removal of Supreme Court & High Court Judges	U.S.A. Constitution
9.	Concept of Due Process of Law	U.S.A. Constitution
10.	Concept of Equal Protection of Law	U.S.A. Constitution
11.	Concept of Public Interest Litigation (PIL)	U.S.A. Constitution
12.	Fundamental Duties	Japan & USSR
13.	Concept of Republic	French Constitution
14.	Rule of Law	U.K. Constitution
15.	Concept of Equality before Law	U.K. Constitution
16.	Concept of Procedure Established by Law	U.K. Constitution
17.	Office of Comptroller & Auditor General	U.K. Constitution
18.	Concept of Writs	U.K. Constitution
19.	Law making procedure	U.K. Constitution
20.	System of Single Citizenship	U.K. Constitution
21.	Parliamentary form of Government	U.K. Constitution
22.	Directive Principles of State Policy	Irish Constitution
23.	Nomination of Members of Rajya Sabha by the President	Irish Constitution
24.	Federation with strong Centre	Canadian Constitution
25.	Distribution of powers between Union & the States and placing residuary powers with the Centre	Canadian Constitution
26.	The Concurrent list	Australian Constitution
27.	Provisions regarding trade, commerce & intercourse	Australian Constitution
28.	Constitutional Amendment	South African Constitution
29.	Emergency & its effect on Fundamental Rights	Weimar Constitution of Germany

Must Know Articles of Indian Constitution

Article	Importance
Article 12 – 35	Specify the Fundamental Rights available
Article 36-50	Specify the Directive Principles of State Policy
Article 51A	Specifies the Fundamental Duties of every citizen
Article 80	Specifies the number of seats for the Rajya Sabha
Article 81	Specifies the number of seats for the Lok Sabha
Article 343	Hindi as official language
Article 356	Imposition of President's Rule in states
Article 370	Special status to Kashmir
Article 395	Repeals India Independence Act and Government of India Act, 1935

IMPORTANT ARTICLES OF INDIAN CONSTITUTION

PART 1 – ART. 1 TO ART. 4

- Article 1- Name and territory of the Union.
- Article 2 – Admission and Establishment of the new state.
- Article 3 – Formation of new states and alteration of areas, boundaries, and name of existing states.

PART 2 – ART. 5 TO ART. 11

- Article 5 – **Citizenship** at the commencement of the Constitution.
- Article 6- Rights of citizenship of certain person who have migrated to India from Pakistan.
- Article 10- continuance of rights of citizenship.
- Article 11- Parliament to regulate the right of citizenship by law.

PART 3 – ART.12 TO ART. 35

- Article 12- Definition of the state
- Article 13 Laws inconsistent with or in derogation of the Fundamental Rights.
- Originally, Constitution provided for 7 basic Fundamental Rights, now there is only six rights, one Right to Property U/A 31 was deleted from the list of Fundamental Rights by 44th amendment act 1978. It made a legal right U/A 300-A in Part XII of the Constitution.

Some important Fundamental Rights are as:

Right to Equality: Art. 14 to Art. 18

- Article 14- Equality before the law.
- Article 15- Prohibition of discrimination on the grounds of religion, race, caste, sex or place of birth.
- Article 16- Equality of opportunity in matters of public employment.
- Article 17- Abolition of the untouchability.
- Article 18- Abolition of titles

Right to Freedom: Art. 19 to art. 22

- Art.19 guarantees to all the citizens the six rights :
 1. Right to freedom of speech and expression.
 2. Right to assemble peacefully and without arms.

3. Right to form associations or unions.
 4. Right to move freely throughout the territory of India.
 5. Right to reside and settle in any part of the territory of India.
 6. Right to practise any profession or to carry on any occupation, trade, and business.
- Article 20- Protection in respect of conviction for offences.
 - Article 21- Protection of life and personal liberty.
 - Article 22- Protection against arrest and detention in certain cases.

Right against Exploitation: Art. 23 & Art. 24

- Article 23- Prohibition of traffic in human beings and forced labour.
- Article 24- Prohibition of employment of children in factories and mines under age of 14.

Right to Freedom of Religion: Art. 25 to Art. 28

- Article 25- Freedom of conscience and free profession, practice and propagation of religion.
- Article 26- Freedom to manage religious affairs.
- Article 27- Freedom as to pay taxes for promotion of any particular religion.
- Article 28- Freedom from attending religious instruction.

Cultural and Educational Rights: Art. 29 & Art. 30

- Article 29- Protection of interest of minorities.
- Article 30- Right of minorities to establish and administer educational institutions.

Right to Constitutional Remedies Art 32

- Article 32- Remedies for enforcement of Fundamental Rights.

FUNDAMENTAL DUTIES: PART IV-A- ART 51A

- It contained, originally 10 duties, now it contains 11 duties by **86th amendments act 2002.**

PART 5 – UNION (52-151)

- Article 52- The President of India.
- Article 53- Executive Power of the Union.
- Article 54- Election of President.
- Article 61- Procedure for Impeachment of the President.
- Article 63- The Vice-President of India.
- Article 64- The Vice-President to be ex-officio chairman of the Council of States.
- Article 66- Election of Vice-President.
- Article 72- Pardoning powers of President.
- Article 74- Council of Minister to aid and advice President.
- Article 76- Attorney-General for India.
- Article 79- Constitution of Parliament.
- Article 80- Composition of Rajya Sabha.
- Article 81- Composition of Lok Sabha.
- Article 83- Duration of Houses of Parliament.
- Article 93- The speakers and Deputy Speakers of the house of the people.
- Article 105- Powers, Privileges, etc. of the House of Parliament.
- Article 109- Special procedure in respects of money bills.
- Article 110- Definition of "Money Bills".
- Article 112- Annual Financial Budget.
- Article 114- Appropriation Bills.
- Article 123- Powers of the President to promulgate Ordinances during recess of parliament.

- Article 124- Establishment of Supreme Court.
- Article 125- Salaries of Judges.
- Article 129- Supreme Court to be court of Record.
- Article 130- Seat of the Supreme Court.
- Article 136- Special leaves for appeal to the Supreme Court.
- Article 137- Review of judgement or orders by the Supreme Court.
- Article 141- Decision of the Supreme Court binding on all the courts.
- Article 148- Comptroller and Auditor- General of India.
- Article 149- Duties and Powers of CAG.

PART 6 – STATES (152-237)

- Article 153- Governors of State.
- Article 154- Executive Powers of Governor.
- Article 161- Pardoning powers of the Governor.
- Article 165- Advocate-General of the State.
- Article 213- Power of Governor to promulgate ordinances.
- Article 214- High Courts for states.
- Article 215- High Courts to be court of record.
- Article 226- Power of High Courts to issue certain writs.
- Article 233- Appointment of District judges.
- Article 235- Control over Sub-ordinate Courts.

PART 7 – 238 – REPEALED

PART 8 – 239-242 – UNION TERRITORIES

PART 9 – 243-243 O – PANCHAYATS

- Article 243A- Gram Sabha.
- Article 243B- Constitution of Panchayats.

Part 9A – 243 P-243 ZG – Municipalities

PART 10 : SCHEDULED AND TRIBAL AREAS -244

PART 11 : CENTER- STATE RELATIONS 245 – 263

PART 12 : FINANCE, PROPERTY, CONTRACTS AND SUITS (264 – 300A)

- Article 266- Consolidated Fund and Public Accounts Fund.
- Article 267- Contingency Fund of India
- Article 280- Finance Commission.
- Article 300-A- Right to property.

PART 13 : TRADE, COMMERCE AND INTERCOURSE WITHIN THE TERRITORIES OF INDIA (301-307)

- Article 301-Freedom to trade, commerce, and intercourse.
- Article 302- Power of Parliament to impose restrictions on trade, commerce, and intercourse.

PART 14 : SERVICES UNDER CENTRE AND STATE (308-323)

- Article 312- All- India-Service.
- Article 315- Public Service Commissions for the Union and for the States.
- Article 320- Functions of Public Service Commission.

PART 14A : TRIBUNALS (323 A – 323 B)

- Article 323A- Administrative Tribunals.

PART 15 : ELECTIONS (324 – 329)

- Article 324- Superintendence, direction and control of elections to be vested in an Election Commission.
- Article 325- No person to be ineligible for inclusion in or to claim to be included in a special, electoral roll on grounds of religion, race, caste, or sex.
- Article 326- Elections to the house of the people and to the legislative assemblies of states to be on the basis of adult suffrage.

PART 16 : SPECIAL PROVISIONS TO SC, ST, OBC, MINORITIES ETC. (330 -342)

- Article 338- National Commission for the SC, & ST.
- Article 340- Appointment of a commission to investigate the conditions of backward classes.

PART 17 : OFFICIAL LANGUAGE (343- 351)

- Article 343- Official languages of the Union.
- Article 345- Official language or languages of a state.
- Article 348- Languages to be used in the Supreme Court and in the High Courts.
- Article 351-Directive for development of the Hindi languages.

PART 18 : EMERGENCY (352-360)

- Article 352- Proclamation of emergency (National Emergency).
- Article 356- State Emergency (President's Rule).
- Article 360- Financial Emergency.

PART 19 : MISCELLANEOUS (361-367)

- Article 361- Protection of President and Governors.

PART 20 : AMENDMENT OF CONSTITUTION (368)

- Article 368- Powers of Parliament to amend the Constitution.

PART 21 : SPECIAL, TRANSITIONAL AND TEMPORARY PROVISIONS (369 – 392)

- Article 370 – Special provision of J&K.
- Article 371A – Special provision with respect to the State of Nagaland.
- Article 371-J: Special Status for Hyderabad-Karnataka region.

PART 22 : SHORT TEXT, COMMENCEMENT, AUTHORITATIVE TEXT IN HINDI AND REPEALS (392 – 395)

- Article 393 – Short title – This Constitution may be called the Constitution of India.

RIGHT TO EDUCATION (ARTICLE 21-A)

- The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education to all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine.

THE UNION & ITS TERRITORY

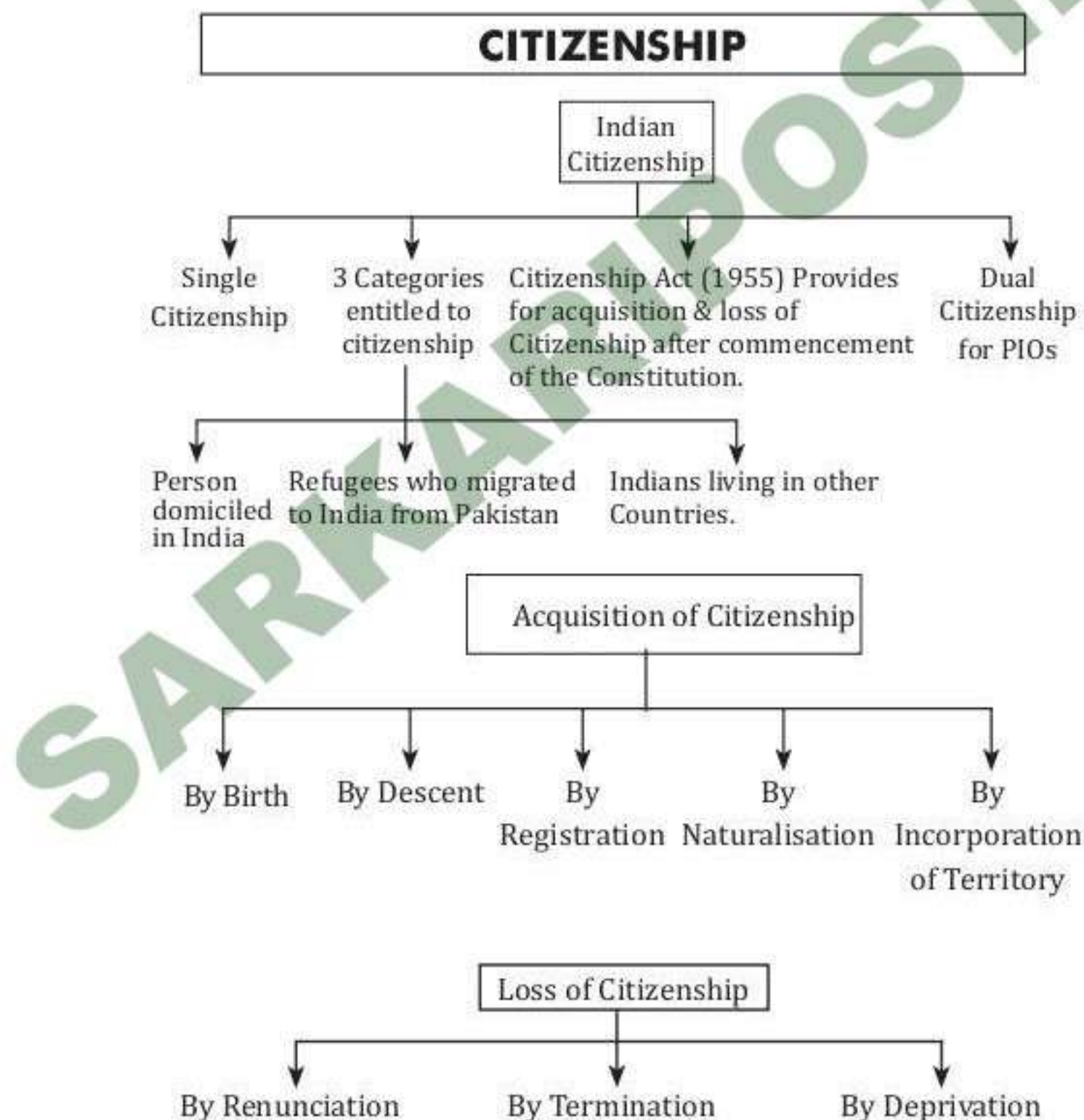
- Article 1 stipulates that India, that is Bharat, shall be Union of states.
- The country is described as 'Union' because it is indestructible.
- The 'territory of India' includes the entire area over which the Sovereignty of India extends.
- Under Articles 2 & 3, Parliament has the power to establish new States, form a new State from the territory of any State or by uniting two or more States, increase or decrease the area of any State, or after the boundaries or the name of any State.
- First Linguistic State – Andhra Pradesh.

States Reorganisation Act 1956

States Reorganisation Act 1956 was adopted by the Govt. of India that resulted in the formation of new states & UTs.

LIST OF NEW STATES & UTs CREATED AFTER 1956

STATES/UTs	YEAR
1. Maharashtra & Gujarat	1960
2. Dadra & Nagar Haveli	1961
3. Goa, Daman & diu	1962
4. Goa (Statehood)	1987
5. Puducherry	1962
6. Nagaland	1963
7. Haryana, Chandigarh	1966
8. Himachal Pradesh (Statehood)	1971
9. Manipur, Tripura & Meghalaya (Statehood)	1972
10. Sikkim (full – fledged State)	1975
11. Arunachal Pradesh & Mizoram	1987
12. Chhattisgarh, Uttarakhand & Jharkhand	2000
13. Telangana	2014



FUNDAMENTAL RIGHTS

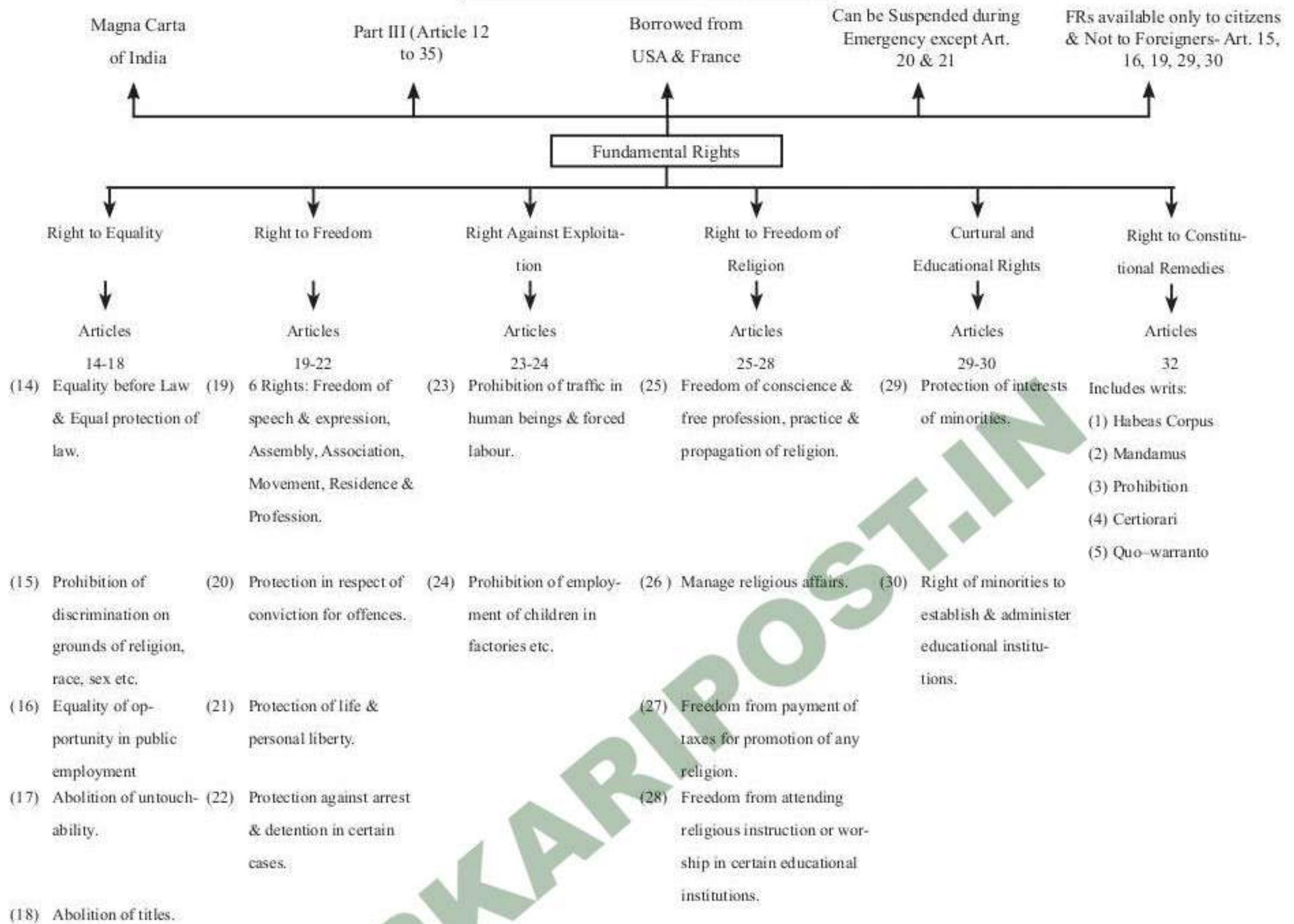
Part-III of the Constitution

Article (12-35)

- Considered as the hallmark of the democracy, fundamental rights are meant for the development of the individual as well as the society.
- Justiciable in nature (i.e. they are legally enforceable by the court of law).

- It promotes political democracy.
- Not absolute in nature & have some restrictions.
- Parliament can amend them but not those provisions that form the "basic" structure of the Constitution.
- Suspended during National Emergency (Except Article 20 & 21).
 - (Article 20 - Protection in respect of conviction for offences).
 - (Article 21 - Protection of life and personal liberty).

FUNDAMENTAL RIGHTS



Right to Education (Article 21-A)

- This is recently added by the **86th Amendment**, and a new **article 21-A** has been added.
- "The State shall provide free and compulsory education to all children of the age of six to fourteen in such a manner as the State may by law determine".
- **Dr BR Ambedkar said, Article 32 is the heart and soul of the Constitution.**
- In case of any one of the Fundamental Rights being deprived or denied to the resident of the country, the individual or the party has the right to present their case in a court. In this case, the court has the flexibility to assign writs to the public in the form of *habeas corpus*, *mandamus*, *prohibition*, *quo-warranto* and *certiorari*.
- In the case of a national emergency, the Government has the flexibility to append or repeal the right of the citizen. According to Article 32, Indian citizens can stand up and fight for their fundamental rights if they are breached.

TYPES OF WRITS

Writs	Meaning	Purpose
Habeas Corpus	The Latin word means to have a body	It is a remedy to a common man when he is imprisoned without legal sanction.

Mandamus	The Latin word means 'we order' or 'We command'	It is a remedy in which an order is passed on from a superior institution to a supplementary, subordinate court or authority that prohibits the court or government official from performing a certain act under the nature of statutory obligation.
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Prohibition	Forbid	Prohibition is writ issued by the High Court or the Supreme Court to the local courts to prevent them from proceeding with a case which does not fall under its jurisdiction. When a subordinate court (Ex. Tribunals) exceeds its jurisdiction, Prohibition issued by Supreme Court or High Courts before the trial of the Courts.
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Certiorari	Means 'to be informed' of	This writ orders issued to a subordinate court transfer a suit to a superior court. It is issued before a trial, when a lower court acts without jurisdiction.
Qua-Warranto	Means what is your Authority	Issued by the court to enquire into the legality of claim which a person asserts to a public office.

DIRECTIVE PRINCIPLES OF STATE POLICY

PART IV of the Constitution Article (36 – 51)

- These Principles are in the nature of instruments of instruction to the govt.
- Directive Principles are essentially guidelines to the State.
- A Directive Principle required to be implemented by legislation and so long as there is no Law carrying out the Policy laid down in a Directive, neither the State nor an individual can violate any existing Law or legal right under a Directive.
- Directives are not enforceable in the Courts and do not create any justiciable rights in favour of the individuals.
- In case of a conflict between Directive Principles and Fundamental Rights of the Constitution, the latter shall prevail.
- **Article 36-37** of the Constitution lays down that it shall be the duty of State to apply these directives in making laws.
- **Article 355 and 365** of the Constitution can be applied for enforcing implementation of directive principles.
- **Article 38(1)** provides that the State shall strive to promote the welfare of the people by securing and protecting a social order in which justice—social, economic and political shall inform all the institutions of national life. Further, the State shall strive to minimise inequalities.
- **Article 39** - specifically requires the state to direct its policy towards securing economic justice.
- **Article 40** - ensures organising village panchayats as units of self-government.
- **Article 41** - Right to Work, education and public assistance in cases of unemployment, old-age, sickness, and disablement.
- **Article 42** - Just and humane conditions of Work.
- **Article 43** - the concept of living wage includes in addition to the bare necessities of life (food, shelter and clothing), provisions for education of children and insurance, etc.
- **Article 44** - Deals with Uniform Civil Code.
- **Article 45** - The State shall endeavour to provide early childhood care and education for all children until they complete the age group of six years.
- **Article 46** - Promotion of education and economic interests of weaker sections.

- **Article 47** - Duty to raise the Standard of living and improvement of health. It includes, in particular, the prohibition of liquor.
- **Article 48** - Organisation of Agriculture and Animal Husbandry.
- **Article 49** - Protection of Monuments, etc.
- **Article 50** - Separation of Judiciary from Executive.
- **Article 51** - Promotion of international peace and security.

FUNDAMENTAL DUTIES

Part IV-A—Article 51-A, added by 42nd Amendment, 1976

It says that it shall be the duty of every citizen of India (there are **eleven such duties**, after the 86th Constitution Amendment Act, 2002):

- (a) To abide by the Constitution and respect its ideals and institutions, the National Flag and National Anthem,
- (b) To cherish and follow the noble ideals which inspired our national struggle for freedom,
- (c) To uphold and protect the sovereignty, unity and integrity of India,
- (d) To defend the country and render national service when called upon to do so,
- (e) To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women,
- (f) To value and preserve the rich heritage of our composite culture,
- (g) To protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures,
- (h) To develop the scientific temper, humanism and the spirit of inquiry and reform,
- (i) To safeguard public property and to abjure violence,
- (j) To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievements,
- (k) Who is parent or guardian, to provide opportunities for education to his child or ward between the age 6 and 14 years (inserted by the **86th Constitutional Amendment Act 2002.**)

THE UNION EXECUTIVE (ARTICLE 51-151)

THE PRESIDENT OF INDIA

- **Article 52** says that “There shall be a President of India.”
- **Article 53** says that the executive power of the Union shall be vested in the President.
- The President is the head of Indian State but he is only a nominal executive head.

Qualifications:

As per **Article 58** of the Constitution the President of India must be a **citizen of India**, completed the **age of 35 years**, and qualified for election as a **member of the Lok Sabha** and must not hold any office of profit (other than that of the President and the Vice President of India, the Governor of the state or a Central or State Minister).

Election :

The President is elected by an electoral college, in accordance with the system of proportional representation by means of the single transferable vote by secret ballot. **The Electoral College** consists of:

- elected members of both Houses of Parliament, and
- elected members of Legislative Assembly of States.

There shall be uniformity of representation of the different states at the election and parity shall be maintained between the states as a whole and the Union (Art 55) **Article 57:**

The President is eligible for re-Election to that office.

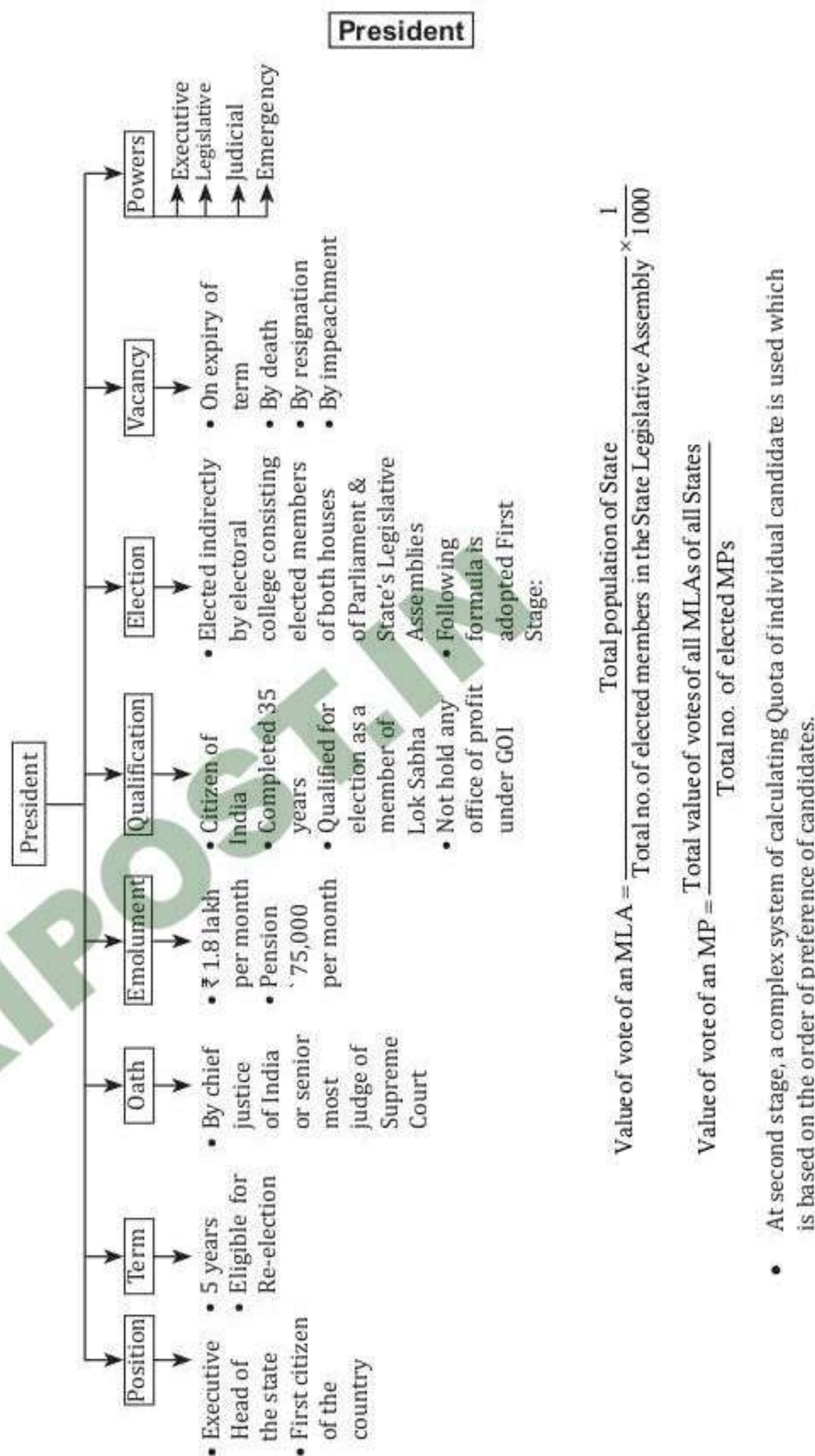
- As per the **70th Amendment Act, 1992** the expression 'State' includes the **National Capital Territory (NCT) of Delhi** and the Union Territory of **Puducherry**. Members of the Legislative Councils have no right to vote in the Presidential election.
- Election Petitions under Part III of the Presidential and Vice Presidential Elections Act, 1952 are also filed directly in the Supreme Court and the SC decides in case of Presidential election disputes.

Resignation/Impeachment of The President

The President can resign his office before the expiry of his tenure by writing under his hand addressed to the Vice President. This resignation is required to be communicated by the Vice-President to the Speaker of the Lok Sabha (Art.56). The President may be removed from his office before the expiry of his term, by the process of impeachment (Art.56) under grounds of Constitutional violation.

Tenure (Article 56):

The President shall hold office for a **term of 5 years** from the date on which he enters upon his office. The President can resign from his office any time by addressing the **resignation letter to the Vice-President of India**. When a vacancy occurs in the office of the President the Vice-President acts as the President.



POWERS AND FUNCTIONS OF PRESIDENT

Executive Powers - Article 53

All executive powers of the Union are vested in him. These powers are exercised by him either directly or through subordinate officers in accordance with the Constitution. The Supreme Command of the Defence Force is vested on the President.

- Executive powers are exercised in accordance with the Constitution according to the provisions of article 14 (equality before law).
- President appoints the Prime Minister and other ministers; and they hold office during his pleasure.
- He appoints the **Attorney General of India, Comptroller and Auditor General of India, the Chief Election Commissioner**

and other Election Commissioners, the Chairman and Members of the UPSC, the Governors of the states, the Chairman and the members of the Finance Commissions, etc.

- The President can appoint a commission to investigate into the conditions of SCs, STs and OBCs.
- The President of India can grant a pardon to or reduce the sentence of a convicted person for one time, particularly in cases involving punishment of death.

The Legislative Powers

- The President can summon or end a session of the Parliament and dissolve the Lok Sabha.
- He can address the Parliament at the commencement of the first session after the general election and the first session of each year.
- He can also summon a joint sitting of both the houses of Parliament which is presided over by the Speaker of the Lok Sabha.
- The President can appoint a member of the Lok Sabha to preside over its proceedings when the post of Speaker as well as Deputy Speaker are vacant.
- He also can appoint any member of the Rajya Sabha to preside over its proceeding when both the Chairman's and Deputy Chairman's office fall vacant.

He can **nominate 12 members to the Rajya Sabha** with extraordinary accomplishments and two members to the Lok Sabha from the Anglo-Indian Community.

- His prior permission is needed for introducing bills in the Parliament.
- When a bill is sent to the President after it has been passed by the Parliament, he can give his assent to the bill or withhold his assent to the bill or return the bill (if it is not a Money Bill or a Constitutional Amendment Bill) for reconsideration of the Parliament.
- When a bill is passed by a State legislature is reserved by the Governor for consideration of the President, the President can give his assent to the bill, or withhold his assent to the bill or direct the Governor to return the bill (if it is not a Money bill) for reconsideration of the State Legislature.
- President can promulgate ordinances when both the Houses of the Parliament are not in session. These ordinances must be approved by the Parliament within the six weeks of its reassembly. The ordinance can be effective for a maximum period of six months and six weeks – Article 123.

Emergency Powers

- President may proclaim a state of emergency in the whole or part of India if he realises/feels that a grave situation has arisen in which the security of India or part of its territory might get threatened by war or external aggression or rebellion. - Article 352

The President can declare three types of emergencies:

National Emergency:

- National emergency is caused by **war, external aggression** or **armed rebellion** in the whole of India or a part of its territory.
- President can declare national emergency only on a written request by the Cabinet Ministers headed by the Prime Minister

and the proclamation must be approved by the Parliament within one month.

- It can be imposed for six months. It can be extended by six months by repeated parliamentary approval, up to a maximum of three years.
- Under national emergency, Fundamental Rights of Indian citizens can be suspended.
- The Right to Life and Personal Liberty cannot be suspended. Such an emergency has been invoked at three instances:
 - 1962 (Indo-China war)
 - 1971 (Indo-Pakistan war)
 - 1975 to 1977 (declared by Indira Gandhi on account of "internal disturbance").

State Emergency or President's Rule

A State Emergency can be imposed via the following:

1. If that State failed to run Constitutionally, i.e. constitutional machinery has failed - Article 356.
2. If that State is not working according to the given direction of the Union Government – Article 365.
3. Such an emergency must be approved by the Parliament within a period of two months.
 - It can be imposed from six months to a maximum period of three years with repeated parliamentary approval every six months.
 - If needed, the emergency can be extended for more than three years, by a constitutional amendment, for example in the case of Punjab and Jammu and Kashmir.
 - During such an emergency, the Governor administers the State in the name of the President. The Legislative Assembly can be dissolved or may remain in suspended animation. The Parliament makes laws on the 66 subjects of the State List. All money bills have to be referred to the Parliament for approval.

Financial Emergency: Article - 360

- President can proclaim a Financial Emergency if financial stability or credit of India or any part thereof is threatened.
- This proclamation must be approved by the Parliament within two months.
- This type of Emergency has not been declared so far.

Financial Powers

- A **money bill** can be introduced in the Parliament only with the President's recommendation.
- The President lays the Annual Financial Statement, i.e. the Union budget before the Parliament.
- President can make advances out of the Contingency Fund of India to meet unforeseen expenses.
- The President constitutes a Finance Commission after every five years to recommend the distribution of the taxes between the Centre and the States.

Diplomatic Powers

- International treaties and agreements are signed on behalf of the President. However, they are subject to approval of the Parliament.

- The President represents India in international forums and affairs and may send and receive diplomats like ambassadors, high commissioners, etc.

Military Powers

- The President is the supreme commander of the defence forces of India.
- The President can declare war and conclude peace, subject to Parliaments' approval.
- The President appoints the chiefs of Army, Navy and Air Force.

Judicial Powers

- The President appoints the Chief Justice of the Union Judiciary and other judges on the advice of the Chief Justice.
- The President dismisses the judges if and only if the two Houses of the Parliament pass resolutions to that effect by two-thirds majority of the members present.
- **Under Article 72** the President has the right to grant pardon.
- The President enjoys the judicial immunity
- No criminal proceedings can be initiated against the President during his term in office.
- The President is not answerable for the exercise of his/her duties.

Veto Powers

The President of India is vested with three votes—absolute veto, suspensive veto and pocket veto.

Absolute Veto

- It refers to the power of the President to withhold his assent to a bill passed by the Parliament. The bill then ends and does not become an act.

1. **In 1954, President Dr Rajendra Prasad** withheld his assent to the PEPSU Appropriation Bill. The bill was passed by the Parliament when the President's Rule was in operation in the state of PEPSU.
2. **Again in 1991, President R Venkataraman** withheld his assent to the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill. The bill was passed by the Parliament (on the last day before dissolution of Lok Sabha) without obtaining the previous recommendation of the President.

Suspensive Veto

Sending the bill back to the Parliament for reconsideration and which can be over ridden by the Legislature with an ordinary majority.

Pocket Veto

- In this case, the President neither ratifies nor rejects nor returns the bill, but simply keeps the bill pending for an indefinite period.

- **In 1986, President Zail Singh** exercised the pocket veto with respect to the Indian Post Office (Amendment) Bill.

The 24th Constitutional Amendment Act of 1971 made it obligatory for the President to give his assent to a Constitutional Amendment bill.

- **Under Article 123** the President can promulgate ordinances when both the Houses of the Parliament are not in session. These ordinances must be approved by the Parliament within the six weeks of its reassembly.

THE VICE-PRESIDENT

Part V Article (63-73)

- Article 63 of the Indian Constitution says that there shall be a Vice-President of India.
- The Vice-President shall be the ex-officio Chairman of Rajya Sabha (Article 64).
- The Vice-President can be removed from office by a resolution of the Council of States (Rajya Sabha), passed by a majority of its members at that time and agreed to by the House of the People (Lok Sabha). (Article 67)
- Vice President is entitled to a salary of Rs. 1,25,000 (see it under 7th pay commission) per month
- **Dr. S Radhakrishnan** (13-May-52 to 12-May-62) was the first Vice-President of India and **Dr. Mohammad Hamid Ansari** from 11-Aug-2007 is the incumbent Vice President of India.

COUNCIL OF MINISTERS

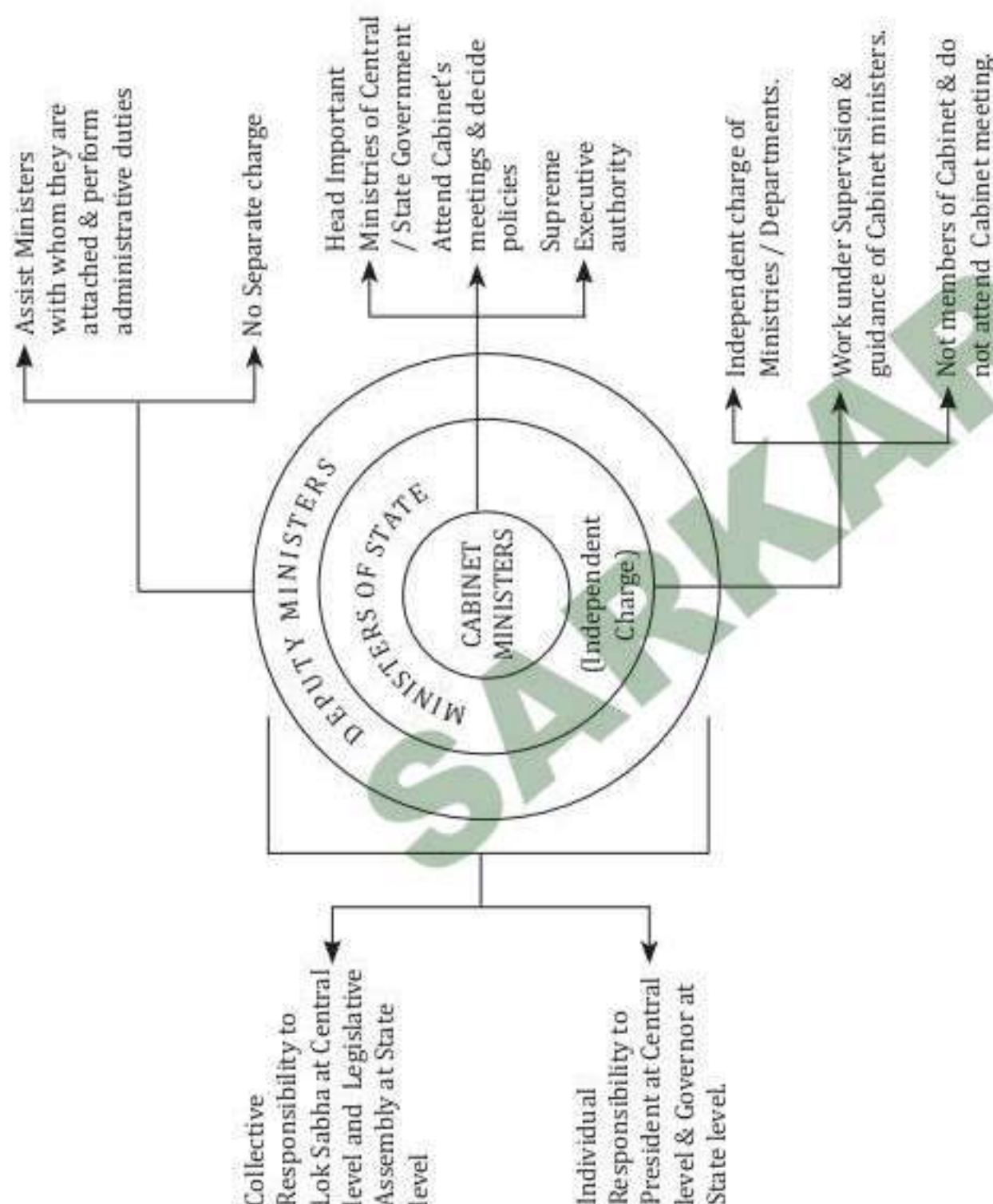
- **Art 74 (1):** It provides that, "There shall be a Council of Ministers with the Prime Minister as its head to aid and advise the President who shall in exercise of his/her functions act in accordance with such advice.
- **Article 75** stipulates that the Prime Minister shall be appointed by the President. Other ministers shall be appointed by the President on the advice of the Prime Minister (Article 75 (i)).
- The Ministers hold office during the pleasure of the President, but they cannot be removed so long as they have the support of the majority in the Lok Sabha, in fact, according to the Constitution, Ministers are **collectively responsible** to the Lok Sabha.
- If the Lok Sabha passes a '**no-confidence motion**', the entire Council of Ministers including PM has to resign. A **no-confidence motion** is a legislative motion brought by the members of the Lok Sabha, expressing lack of trust in the Council of Ministers. That is why, it is said that the **Ministers swim and sink together**.
- Regarding the functions of the Council of Ministers, these are the same as those of the Prime Minister. The proceedings of the Cabinet or Council of Ministers are kept secret. The Council of Ministers is a large body of Ministers. We have seen during recent years, the top category, known as the Ministers of Cabinet rank are about 20 to 25 and they hold the charge of important ministries.
- Then there is a group of ministers, called **Ministers of State**, some of them hold independent charges of ministries while others are attached to Cabinet Ministers. **Deputy Ministers**

are attached to **Cabinet Ministers** or Ministers of State. The Cabinet meeting is attended only by the Ministers of Cabinet rank, but if need be the Ministers of State also may be invited to attend such meetings.

- Ministers may be taken from members of either House and minister who is member of one House has the right to speak and take part in the proceedings of the other House but cannot vote in the House of which he is not member (Art.88).
- A person who is not a member of either House can also become a minister for more than 6 months unless he secures a seat in either House of Parliament (by election or nomination) in the mean time (Art 75 (5)).
- The Council of Ministers shall be collectively responsible to Parliament. (Art. 75 (3))**
- Art 75 (2) envisages principle of individual responsibility which says that a minister shall hold office during the pleasure of the President.**

COUNCIL OF MINISTERS (AT CENTRE & STATE LEVEL) :

COMPOSITION



THE PRIME MINISTER

Prime Minister is the real executive authority.

Article 74 & 75 says about Prime Minister's appointment, duration of his office and his responsibility.

- Art 74 (1):** It provides that, "There shall be a Council of Ministers with the Prime Minister as its head to aid and advise the President who shall in exercise of his functions act in accordance with such advice.

- Art 75 (1):** The Prime Minister shall be appointed by the President and other Ministers shall be appointed by the President on the advice of the Prime Minister.
- The Prime Minister holds pre-eminent position, second only to the President.
- He is principal advisor to the President and holds enormous powers.
- He presides over the meeting of Council of Ministers.
- He allocates & reshuffles various portfolios among the Ministers.
- He guides, directs, controls & coordinates the activities of the Ministers.
- Along with other ministers he is also responsible to Lok Sabha and individually responsible to the President.
- He is the link between President and the Cabinet.
- Art. 78** envisages duties of Prime Minister in respect of furnishing information to the President.
- Prime Minister is the key link between the Cabinet and the Parliament and keystone of Cabinet architecture.

- Present Prime Minister of India 2014: **Narendra Damodardas Modi**
- First female Prime Minister of India: **Indira Gandhi**
- Jawaharlal Nehru** was the first Prime Minister and the longest serving.
- Gulzarilal Nanda** is the first and the only acting Prime Minister of India.
- Lal Bahadur Shastri** was the first PM who died abroad while in office in Tashkent. Gulzarilal Nanda has acted twice as the acting Prime Minister.
- Chaudhary Charan Singh** the only PM never faced Parliament while being in office.
- Morarji Desai** was the oldest PM and **Rajeev Gandhi** was the youngest PM.
- Atal Bihari Vajpayee** (May 1996-June 1996) government had the shortest tenure 13 days.

UNION LEGISLATURE

- Part V** of the Constitution deals with Parliament. According to Article 79, there shall be a Parliament for the Union, which shall consists of:
- President of India.
- Two houses consists of Council of States (Rajya Sabha or Upper House of the people and Lok Sabha or Lower House).
- It is important to appreciate that making the President a part of the Parliament is in conformity with the principles and traditions of the parliamentary form of government.
- The business of Parliament is transacted either in Hindi or in English. However, the members are permitted to address the House in their mother tongue.

RAJYA SABHA (COUNCIL OF STATES)

- The **Upper House of Parliament** known as the Rajya Sabha held its **first sitting on April 3, 1952**.
- Article 80 of the Constitution lays down the **maximum strength** of Rajya Sabha as **250**, out of which 12 members are nominated by the President, 238 are representatives of the States and of the two Union Territories.
- The present strength of Rajya Sabha, however, is 245, out of which 233 are representatives of the States and Union Territories of Delhi and Puducherry and 12 are nominated by the President.
- The members nominated by the President are persons having special knowledge or practical experience in respect of such matters as literature, science, art and social service.
- The Fourth Schedule to the Constitution provides for allocation of seats to the States and Union Territories in Rajya Sabha.
- The allocation of seats is made on the basis of the population of each State.
- The Rajya Sabha is not subject to dissolution. **The members of the Rajya Sabha are elected for 6 years. One-third of the members retire every two years and new members are elected.**
- The retiring member can be re-elected. To be eligible to be a member of the Rajya Sabha, a person must (a) be a citizen of India, and (b) be at least 30 years of age.
- Other qualifications are the same as those for the members of the Lok Sabha.
- There should not be a gap of more than six months between the two sessions. The President summons and has the right to prorogue the sessions of the Parliament.
- **Lok Sabha can be dissolved by the President but not the Rajya Sabha, as it is a permanent house of the Parliament.**

LOK SABHA (PEOPLE'S HOUSE)

- Lok Sabha is known as the **Lower or House of People**.
- The Lok Sabha is the popular House of the Parliament because its members are directly elected.
- Its **first sitting** took place on **May 13, 1952**
- Normally, **three Sessions** of the Lok Sabha are held in a year, namely, the **Budget Session**, the **Monsoon Session** and the **Winter Session**.
- The **Budget Session** is the most important and the longest of the three Sessions, usually commencing sometime in the third week of February and ending by the middle of May.
- The **Monsoon Session** normally commences sometime in the middle of July and lasts till the third week of August.
- The **Winter Session** generally begins in the middle of November and comes to an end sometime in the last week of December.

- All the members of the Lok Sabha are popularly elected, except not more than **two** members of the **Anglo-Indian** community, who are nominated by the President.
- **In the Constitution, the strength of the Lok Sabha was provisioned to be not more than 552 : 530 from the States, 20 from the Union Territories and 2 nominated from the Anglo-Indian community (Act. 81).**
- It is composed of representatives of the people from 543 constituencies, chosen by direct election on the basis of adult suffrage, and meets in the Lok Sabha Chambers of the Sansad Bhavan in New Delhi.
- Under the current laws, the strength of Lok Sabha is 545, including the two seats reserved for members of the Anglo-Indian community.
- A total of 131 seats (18.42%) are reserved for representatives of **Scheduled Castes (84) and Scheduled Tribes (47)**.
- The Bharatiya Janata Party (of the NDA) achieved an absolute majority with 282 seats out of 543 in the 16th Lok Sabha held in 2014.
- But the Constitution empowers the Lok Sabha to re-adjust the strength.
- The party with largest member after ruling party and having at least 1/10th of the strength of Lok Sabha is recognised as **Opposition Party**.
- Presently Uttar Pradesh tops the list followed by Maharashtra and West Bengal respectively. UP-80, Maharashtra- 48, West Bengal-42, Andhra Pradesh-42, Tamil Nadu- 39.
- **Election:** Lok Sabha members are directly elected by the people of the states on the basis of adult suffrage. However, in case of Sikkim' its sole representative in the House of the People is elected by the member of its Legislative Assembly (Article 371 F(e)).
- **Qualifications** Article 84 states about the eligibility for membership of Parliament. Accordingly:
 - He should be a citizen of India.
 - He should **not be less than of 25 years** of age.
 - He should be a registered voter in any of the Parliamentary Constituencies in India.
 - He should not hold any office of profit.

BILLS

The bill can broadly be categorised as:

- Ordinary bills
- Money bills

Ordinary Bills

- All the Bills other than Financial Bills
- The Constitutional Amendment Bills is Ordinary Bills.
- Such Bills can be **introduced in either House of the Parliament** (in Lok Sabha or the Rajya Sabha) **without the recommendation of the President**, except those Bills under Article 3 (i.e. Bills related to reorganisation of the territory of a State).

Money Bills

- Money Bill is defined in Art. 110 of the Constitution.
- As per the Article, any Bill dealing with all or any of the matters enumerated from (a) to (g) of the same Article shall be a Money Bill.
- These are: imposition, abolition, remission, alteration or regulation of any tax.
- Regulation of the borrowings of money or giving of guarantee by the Government of India.
- After being passed by the Lok Sabha, the Money Bill passes on to the Rajya Sabha which has four options: Pass the Bill in the original form, Reject the Bill, Take no action for 14 days, Send the Bill with suggestive Amendments to the Lok Sabha.
- There is no provision for a joint-sitting of the Parliament to pass a Money Bills after the Money Bill is passed by the Lok Sabha and the Rajya Sabha, it is presented to the President who unlike in the case of other Bills, has no right to withhold it (Art. 111).

Financial Bills

- As regards the procedure for its passage, a Financial Bill is as good as an Ordinary Bill except that a Financial Bill **cannot be introduced without the President's recommendation, and it can only be introduced in the Lok Sabha.**
- Thus a Financial Bill is passed according to the ordinary procedure provided for passing of an Ordinary Bill.
- Any Bill dealing with revenue or expenditure, but not certifies as Money Bill by the Speakers is Financial Bill.

These Financial Bills are of two classes:

1. A Bill containing any of the matters specified in Art. 110, but not exclusively dealing with those matters.
 - For example, a Bill containing taxation clause, but not solely dealing with taxation.
 - This is called the Financial Bill of First Class.
2. An Ordinary Bill contains provisions involving expenditure from the Consolidated Fund of India. This is called the Financial Bill of Second Class.

Constitutional Amendment Bills

- **Art. 368** deals with the power of the Parliament to amend the Constitution, and the procedure thereof.
- A Bill for this can be introduced in either House (the Lok Sabha or the Rajya Sabha) of the Parliament.

SPEAKAR OF THE LOK SABHA

- After formation of a new Lok Sabha the President appoints a **Speaker pro-tem** who is the senior most member of the House.
- A Deputy Speaker is also elected to officiate in the absence of the Speaker.
- **The Speaker is the Chief Presiding Officer of the Lok Sabha.**

- The two officers are elected from amongst the Members of the Lok Sabha after a new Lok Sabha is constituted.
- The Speaker presides over the meetings of the House and his rulings on the proceedings of the House are final.
- He has the responsibility to uphold the dignity and the privileges of the House.
- In the absence of the Speaker, the Deputy Speaker performs the Speaker's duties.
- The Speaker continues to hold office even after the Lok Sabha is dissolved till the newly elected Lok Sabha is constituted.
- The Speaker and the Deputy Speaker may be **removed from their offices by a resolution passed by the House with an effective majority of the House after a prior notice of 14 days to them.** Speaker and the Deputy Speaker may be **removed from their offices by a resolution passed by the House with an effective majority of the House after a prior notice of 14 days to them.**

Meira Kumar is the first woman Speaker of the Lok Sabha (2009-2014)

GMC Balyogi is the first speaker to die in the office (1998-2002)

Dr Balram Jakhar was the longest serving Speaker (1980-1989)

M A Ayangar was the first Deputy Speaker (1952-1956)

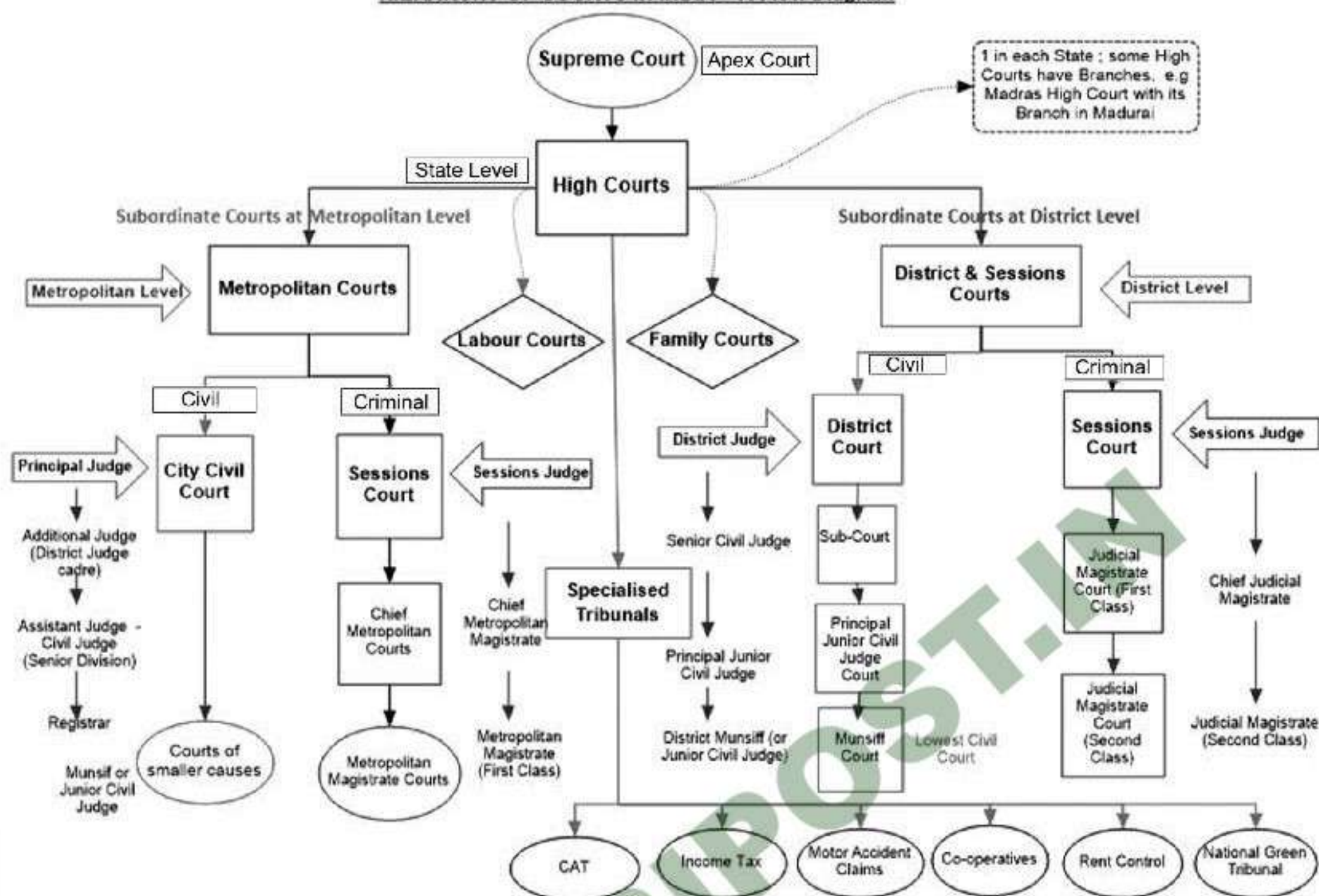
GV Mavlankar was the first Speaker of the Lok Sabha (1952-1956)

Sumitra Mahajan is the present Speaker of 16th Lok Sabha since June, 2014.

JOINT SESSION OF THE HOUSE

- **Art 108** provides that when a bill is passed by one house is sent to the other. The other house may:
 - Reject the bill altogether.
 - Disagrees on it and returns it with some amendments which are not ultimately considered by the originating house.
 - Takes no action and more than 6 months time has passed.
 - The President in such a case may summon a **joint sitting** of both the houses.
- At a joint sitting of two houses, the Speaker of the Lok Sabha and in his absence, the Deputy Speaker, or if he is also absent, Deputy Chairman of the Council of States and if he is also absent, such person as may be determined by the members present in the sitting presides. Lok Sabha by its numerical majority prevails over the joint sitting.
- This provision does not apply to money bill.
- There cannot be a joint sitting for Constitution Amendment bills. Nor do such bills require previous sanction of the President.
- President cannot summon a joint sitting if the bill has lapsed by reason of a dissolution of Lok Sabha.

HIERARCHY OF COURTS IN INDIA - A Flow Diagram



THE SUPREME COURT

- The Supreme Court of India is the highest judicial forum and final court of appeal under the Constitution of India with the power of constitutional review.

COMPOSITION

- It comprises the **Chief Justice of India and 30 other judges**.
- It has original, appellate and advisory jurisdictions.
- A **Division Bench** comprises two to three justices and a **Constitutional Bench** comprises five or more judges.

Tenure and Qualification and Salary

- Judges of Supreme Court are appointed by the President of India, as per the advice of the CJI.
- The qualifications are:
 - A citizen of India who has been a judge of one high court or more (continuously), for at least five years, or
 - an advocate there, for at least ten years, or
 - a distinguished jurist, in the opinion of the President.
- Supreme Court judges retire at the age of 65 which is 3 years more than the retirement age of a judge of the High Court. Hence a judge at the Supreme Court who has been elevated from a High Court serves at the Supreme Court for at least more than 3 years.
- Article 125 of the Indian Constitution empowers the Indian Parliament to determine the salary, other allowances, of the Supreme Court judges.

- However, the Parliament cannot alter any of these privileges and rights to the judge's disadvantage after his appointment.
- T S Thakur** is the present Chief Justice of India.

Impeachment

- A judge of the Supreme Court can be removed under the Constitution only on grounds of proven misconduct or incapacity and by an order of the President of India, after a notice signed by at least 100 members of the Lok Sabha (House of the People) or 50 members of the Rajya Sabha (Council of the States) is passed by a two-third majority in each House of the Parliament.

Jurisdiction

- Original Jurisdiction:** Article 131 of the Constitution empowers Original Jurisdiction of the Supreme Court of India.
- The Supreme Court has exclusive original jurisdiction on all cases between the Government of India and the States of India or between Government of India and states on one side and one or more states on other side or cases between different states.
- In addition, Article 32 of the Constitution of India grants original jurisdiction to the Supreme Court on all cases involving the enforcement of fundamental rights of citizens.
- Appellate Jurisdiction:** Article 132 deals with Appellate Jurisdiction. The **Supreme Court is the highest court of appeal in the country**. Constitutional cases, civil cases and criminal cases, fall within this jurisdiction.

- The first woman judge of the Supreme Court was **Justice Fatima Beebi** in 1987.
- The second woman justice was **Gyan Sudha Mishra** in 2010
- The first Chief Justice of India was **HJ Kania** (1950-50)
- The shortest tenure so far is of **KN Singh** (Nov. 25-1991-Dec. 12, 1991).

Advisory Jurisdiction

- The Supreme Court has special advisory jurisdiction in matters which may specifically be referred to it by the President of India under Article 143 of the Constitution.
- The Supreme Court is a court of record (Article 129).
- According to Article 139 (A) (inserted by the 44th Amendment, the Supreme Court may transfer from one or more High Court if these questions involve a significant question of law.

LANDMARK JUDGEMENTS OF THE SUPREME COURT

AK Gopalan Case, 1950

The case corresponds to the charges of violation of Fundamental Rights to freedom under the **Preventive Detention Act**. The court was approached over the validity of the act.

- The Supreme Court held that the constitutional validity of a law cannot be verified by the judiciary and the judiciary has only the capacity to verify whether the procedure according to the law has been followed.

Champakam Dorairajan Case, 1951

- The case challenged the reservations given to backward classes in educational institutions in Tamil Nadu.
- First Amendment Act was inserted as Article 15(4) in the Constitution.

Shankari Prasad Case, 1952

The First Constitutional Amendment Act, providing for reservations, was challenged that it violated Fundamental Rights. The court held that Parliament has the power to amend the Constitution.

Berubari Case, 1960

While ceding a part of Indian Territory to an alien state, the court in an advisory opinion held that such process cannot take place unless a Constitutional Amendment to that effect is made.

Golaknath Case, 1967

The Supreme Court held that Constitutional Amendment cannot be extended to infringement of Fundamental Rights.

Keshvananda Bharati Case, 1973

The Supreme Court propounded the Basic Structure Doctrine and held that certain basic features of the Constitution cannot be amended while others can be done, so without having a sweeping change in the Constitution.

Minerva Mills Case, 1980

The Supreme Court held that Fundamental Rights and Directive Principles of State Policy are complementary to each other and

any law enacted to implement the Directive Principle could not curb the Fundamental Rights.

Shah Bano Case, 1985

The Supreme Court held that Muslim women also have right to get maintenance from their husbands when they are divorced.

Sto Stephen's College Case, 1992

The Supreme Court held that atleast 50% of seats in minority institutions should be reserved for non- minority students.

Indira Sawhney Case, 1993

In this case, the Supreme Court declared that reservation cannot exceed 50% and introduced the '*creamy layer*'.

SR Bommai Case, 1994

The Supreme Court held that Federalism is a part of Basic Structure and State Governments cannot be arbitrarily dismissed by a Governor. The case laid down the guidelines in proving a majority under Article 356.

Chandra Kumar Case, 1997

The Supreme Court upheld that judicial review is a part of basic structure of the Constitution.

TMA Pai Case, 2002

The Supreme Court held that the right to administer minority educational institution is not absolute and the state can regulate the institutional affairs in the interest of educational standards.

2G Spectrum Scam, 2008

The Supreme Court declared allotment of spectrum as 'unconstitutional and arbitrary' and quashed all the 122 licenses issued in 2008 during tenure of A Raja, the main official accused in the 2G scam case.

Black Money, 2012

The government refused to disclose details of about 18 Indians holding accounts in LGT Bank, Liechtenstein evoking a sharp response from a bench comprising Justice B Sudershan Reddy and SS Nijjar. The court ordered the SIT to probe the matter.

Right to Reject, 2013

The Supreme Court directed the Election Commission to introduce a 'None of the Above' (NOTA) button on electronic voting machines and ballot papers which can be used by the voters to reject all the candidates contesting elections in a constituency.

Re-Opening Dance Bars, 2013

Eight years after the Maharashtra Government banned dance bars in Mumbai, the Supreme Court on 16th July gave its go-ahead to their re-opening in the city and elsewhere in the state.

Supreme Court Recognises Transgenders as 'Third Gender, 2014

In a Landmark judgement the Supreme Court recognised the transgender persons as third gender.

STATE JUDICIARY HIGH COURT

- *Article 214* provides that there shall be a High Court for each state. However under Article 231 (1) Parliament can establish by law, a common High Court for two or more States or for

two or more States and a UT. There are 24 High Courts in India. Out of them three are common High Courts.

- Calcutta High Court, Madras High Court, Bombay High Court and Allahabad High Court are the oldest four High Courts in India. Among the four, the Calcutta High Court is the oldest, established on 2nd July 1862.
- Parliament may by law constitute a High Court for UT or declare any court in any such UT to be a High Court (Article 241).
- *Guwahati High Court* is the largest High Court in India; its territorial jurisdiction extends to seven states of the North East.
- Kolkata High Court has territorial jurisdiction covers Andaman and Nicobar.
- Delhi has a separate high court but the other UTs come under the jurisdiction of various High Courts.

Appointment of Judges of High Court

- **Article 217 provides that every judge of a high court shall be appointed by the President.**
- President appoints Chief Justice of High Court after consultation with Chief Justice of India and the Governor of the state concerned. In case of appointment of others judges of the High Court he may consult the Chief Justice of High Court concerned.

Comptroller and Auditor General (CAG) (Article 148-151)

- **CAG is appointed by the President of India** under Article 148 of the Constitution and shall only be removed from the office in the like manner as a Judge of the Supreme Court.
- CAG is responsible for auditing the accounts of the expenditures of the Government of India or that of the states. CAG makes sure that the money is spent prudently, legally through lawful means and also check for financial wrongdoings.
- The tenure, salary and age of retirement of CAG will be decided by a law passed by the Parliament. Accordingly, CAG DPC Act 1971 was passed by the Parliament. According to the Act, **tenure of CAG is 6 years** and retirement age is 65.
- **The first CAG of India was V Narahari Rao**

Attorney General of India

- According to Article 76 the Attorney General of India is the Government's chief legal advisor, and its primary lawyer in the Supreme Court of India.
- The First Attorney General was **M.C. Setalvad**.
- The Attorney General for India is appointed by the President of India under Article 76(1) and holds office during the pleasure of the President.
- He must be a person qualified to be appointed as a Judge of the Supreme Court.

- The Attorney General is responsible for giving advice to the Government of India upon such legal matters and to perform such other duties of legal character as may be referred or assigned to him by the President.
- **Mukul Rohatgi** is the incumbent Attorney General of India.

PART VI : STATES

The States (Article 152-237)

The Governor (Article 153-162)

- **The Governor of a State is appointed by the President of India** (Article 155).
- The same Governor can act as Governor of more than one State (Article 153-162).
- According to Article 156 the Governor of the State holds office during the pleasure of the President.
- **Qualifications:**
 - (a) must be a citizen of India,
 - (b) must be at least 35 years old, and
 - (c) should not hold any office of profit during his/her tenure.
- The Governor like the President can grant pardons, reprieves, remission of punishment to persons convicted under the state Law.
- **Under Article 163 the Governor enjoys discretionary powers.** The courts cannot question his discretion.
- According to Article 171 the Governor can nominate some members from amongst those distinguished in literature, science, arts, cooperative movement and social services to state legislature.
- The Governor is empowered to issue ordinances.

LEGISLATIVE ASSEMBLY (VIDHAN SABHA)

- It is the lower and popular house of the State. Members are chosen by direct election on the basis of adult suffrage from territorial Constituencies (Article 170).
- Their number of members varies between 60 and 500. However certain States like Sikkim, Goa, Mizoram and Arunachal Pradesh have less than 60 members.
- The Governor may nominate one Anglo-Indian to it.
- The reservation of seats has been provided for SCs and STs on the basis of their population.
- According to Article 172, duration of Assembly is normally **5 years**. But it may be dissolved earlier by the Governor.
- Its term may also be extended by one year at a time by Parliament during national emergency, though this can in no case be extended beyond 6 months after the proclamation has ceased to operate.

LEGISLATIVE COUNCIL (VIDHAN PARISHAD)

- It is the upper house (Art. 169).
- Parliament may by law create or abolish Legislative Council.
- It can be created, if the Legislative Assembly of the State passes a resolution to the effect by special majority.

- It is not an Amendment to the Constitution and therefore it can be passed like an ordinary piece of legislation.
 - **Article 171** contains various categories of members. According to this:
 - 1/3rd of its members are elected by Legislative Assembly.
 - 1/3rd by local bodies.
 - 1/6th nominated by the Governor.
 - 1/12th are elected by teachers.
 - 1/5th by university graduates.
 - The maximum strength of Legislative Council can be 1/3rd of the total membership of Legislative Assembly, but in no case less than 40.
 - Parliament has the final power to decide about its composition.
 - It is not subject to dissolution. But 1/3rd of its members retire on the expiry of every 2nd year.
- High Courts (Article 214-232)**
- The High Courts stand at the head of the judiciary in a State.
 - There shall be a High Court for each State Article-214.
 - The Judiciary in the states consist of a High Court and subordinate courts.
 - The Parliament can, however, establish by law, a common High Court for one or more states and one or more territory (Article 215).
 - **There are 24 High Courts in India**
 - The **Calcutta High Court** is the **oldest** of all which was established in **1862**. The Bombay and Madras High Courts were established in the same year.
 - Chhattisgarh, Uttarakhand (Nainital) and Jharkhand (Ranchi) High Courts were established in the year 2000.

THE HIGH COURTS: SEATS AND JURISDICTIONS

Name	Year of Establishment	Territorial Jurisdiction	Seat
1. Allahabad	1866	Uttar Pradesh	Allahabad (Bench at Lucknow)
2. Andhra Pradesh	1954	Andhra Pradesh	Hyderabad
3. Mumbai	1862*	Maharashtra, Dadar & Nager Haveli, Goa, Daman & Diu	Mumbai(benches at Nagpur, Panaji, Aurangabad)
4. Kolkata	1862*	West Bengal, Andaman & Nicobar Islands	Kolkata (bench at Port Blair)
5. Delhi(UT)	1966	Delhi	Delhi
6. Guwahati	1948	Assam, Nagaland, Mizoram and Arunachal Pradesh	Guwahati (Benches at Kohima, Imphal, Agartala & Shillong)
7. Gujarat	1960	Gujarat	Ahmedabad
8. Himachal Pradesh	1966	Himachal Pradesh	Shimla
9. Jammu & Kashmir	1928	Jammu & Kashmir	Srinagar & Jammu
10. Karnataka	1884	Karnataka	Bengaluru
11. Kerala	1958	Kerala & Lakshadweep	Ernakulam
12. Madhya Pradesh	1956	Madhya Pradesh	Jabalpur (Bench at Indore, Gwalior)
13. Madras	1862*	Tamil Nadu & Puducherry	Madras
14. Odisha	1948	Odisha	Cuttack
15. Patna	1916	Bihar	Patna
16. Punjab & Haryana	1975	Punjab, Haryana, Chandigarh	Chandigarh
17. Rajasthan	1949	Rajasthan	Jodhpur (Bench-Jaipur)
18. Sikkim	1975	Sikkim	Gangtok
19. Chhattisgarh	2000	Chhattisgarh	Bilaspur
20. Uttarakhand	2000	Uttarakhand	Nainital
21. Jharkhand	2000	Jharkhand	Ranchi
22. Manipur	2013	Manipur	Imphal
23. Meghalaya	2013	Meghalaya	Shillong
24. Tripura	2013	Tripura	Agartala

* Marked are the oldest High Courts

THE PANCHAYATI RAJ

(Article 243-O)

- **Rajasthan is the first state in India**, where Panchayati Raj was implemented in the **73rd Amendment Act, 1992**.
- 1991- P.V. Narasimha Rao Govt. Rajya Sabha accepted the bill.
- 1993- After acceptance of 17 states, on 20th, April, 1993 President of India signed on it.
- It gave Constitutional status to Panchayati Raj system.
- After Amendment Panchayati Raj added to the **11th Schedule of the Constitution**.
- **29 items** related to Panchayats are there in Article 243(G).

The Three Tire System of Local Governance

- **Gram Panchayat** at Village Level
- **Panchayat Samiti** at Block Level
- **Zila Parishad** at District Level
- The Panchayat system has been established in all the states except Nagaland, Meghalaya and Mizoram.
- It also exists in all Union Territories except Delhi.
- Panchayat system is provided for all States having a population more than 2 million.
- Every Panchayat can continue for five years from the date of its first meetings.

Committees to Study Panchayat System

Name	Established	Recommendation
Balwant-rai Mehta	1957	Establish local bodies, devolve power and authority, basic unit of decentralised government to be Block/Samiti. Conceptualised PRIs as 3-tier system .
K Santham	1963	Panchayats to have powers to levy tax on land revenue, etc. Panchayati Raj Finance Corporation to be set up.
Ashok Mehta	1978	District to be a viable administrative unit for planning. PRIs as two-tier system with Mandal Panchayat and Zila Parishad.
GVK Rao	1985	PRIs to be activated and supported, Block Development Office (BDO) to be central to rural development.
LM Singhvi	1986	Local self-governments to be Constitutionally recognized, non-involvement of political parties.

THE MUNICIPALITIES

(Article 243P-243 ZG)

- **PART IX A added by 74th Amendment Act 1992**, gives a constitutional foundation to the local self government units in urban area.

- Most provisions for municipalities are similar to those contained in PART IX, e.g., structure, reservation of seats, functions, source of income, etc.
- **Nagar Panchayat**, is for an area being transformed from a rural area to an urban.
- **Municipal Council is for a smaller urban area.**
- **Municipal Corporation is for a larger urban area.** The Municipal Corporation is the topmost urban local government.
- The members of a Municipality are generally elected by direct election.
- The legislature of a state can provide for representation in municipalities of:
 - Persons having special knowledge or experience in municipal administration.

Municipal Governance in India was first introduced in Madras in 1688. The Bombay and Calcutta Corporations were established in 1726.

UNION AND STATE RELATIONS

(Article 245-263)

- Legislative Relations
- Administrative Relations
- Financial Relations

Distribution of Taxes	
Taxes Belonging to Union Exclusively	Taxes Belonging to States Exclusively
N. Customs	1. Land revenue.
O. Corporation	2. Stamp duty except in documents included in the Union List.
P. Taxes on capital values of assets of Individuals and Company.	3. Succession duty, estate duty and income tax on agricultural land.
Q. Surcharge on income Tax.	4. Taxes on passengers and goods carried on inland waterways.
R. Fees in respect of matters in Union List.	5. Taxes on lands and buildings, mineral rights.
	6. Taxes on animals and boats, road vehicles, on advertisements, electricity, luxuries and amusements, etc.
	7. Taxes on the entry of goods.
	8. Sales tax.
	9. Tolls.
	10. On matters in the State List.
	11. On profession, trade, etc. (not exceeding ₹ 2,500 per annum (List II).

Article 262 Adjudication of disputes relating to waters of inter-state rivers or river valleys.

Article 263 Inter-State Council

INTER STATES COUNCIL

Inter-State Council is one of the important extra judicial bodies formed in 1990 on the recommendation of **Sarkaria Commission**. The Article 263 of Constitution empowers the

President to appoint or establish an Inter–States Council for (1) enquiring into & advising upon inter–states disputes. (2) investigate & discuss on subjects in which States alone or States & Union have common interest.

The Council is headed by the Prime Minister & its members include 6 Cabinet Ministers & Chief Ministers of States.

ZONAL COUNCIL

Zonal Councils were constituted on the recommendation of States Reorganization Commission 1956. In 1956, five zonal councils were established – North, South, East, West & Central. In 1971, the 6th Zonal Council was established, i.e. North–east Zonal Council. Its objectives are:–

- To promote collective approach & sorting out common problems of the member States.
- For providing cooperation for the implementation of development plans & progress.

Composition: The Union Home Minister is the ex–officio chairman of all the Zonal Councils. Each Zonal Council includes the Chief Ministers of the member States & the Administrators of the Union Territories. The Chief Secretaries of the member states are also included.

Finance, Property, Contracts and Suits (Article 264-300A)

Article 266 Consolidated Fund of India

Article 267 Contingency Fund of India

INTER-STATE TRADE AND COMMERCE

(Article 301-307)

Article 301: Freedom of trade, commerce and intercourse.

Article 302: Power of Parliament to impose restrictions on trade, commerce and intercourse.

Article 303: Restrictions on the legislative powers of the Union and of the States with regard to trade and commerce.

Article 304: Restrictions on trade, commerce and intercourse among states.

Article 305: Saving of existing laws providing for state monopolies.

Article 306: Power of certain States in Part B of the First Schedule to impose restrictions on trade and commerce (Repealed).

Article 307: Appointment of Authority for carrying out the purposes of Articles 301 to 304.

SERVICES UNDER THE UNION AND THE STATES

Article 308-323

- Article 312: **All India Services.**
- Article 315: **Public Services Commissions** for the Union and for the States.
- On the recommendation of the **Lee Commission** in the year 1926 the first Public Service Commission was set up.
- 1935 Government of India Act** provided for the establishment of a Federal Public Service Commission and Provincial Public Services Commission.

- The Chairman and other members of the UPSC are appointed by the President of India.**
- The UPSC consists of a chairman and 10 members.
- At least half of the members are civil servants with at least 10 years experience in central or state services.
- The tenure of each member is six years** or upto the age of 65, whichever is earlier whereas 62 years of state PSC.
- Members of the UPSC can be removed by the President on the charges of misbehaviour, if these charges are upheld by the Supreme Court.
- It conducts examinations for appointment to the services of the Union.

ELECTION COMMISSION

(Article 324-329)

Article 324 says that the superintendence, direction and control of elections shall be vested in the Election Commission.

Article 325 provides for a single electoral roll for every constituency. No person shall be eligible or ineligible for inclusion in electoral rolls on the basis of race, religion, caste or sex.

Article 326 stipulates that elections shall be held on the basis of adult suffrage.

POLITICAL PARTIES

- As per the provisions of the Peoples Representation Act, 1951 political parties are registered with the Election Commission of India.
- The **Anti-defection law**, passed in 1985, prevents the MPs or the MLAs elected as candidates from one party forming or joining a new party, unless they comprise more than one-third of the original party, in the Legislature.

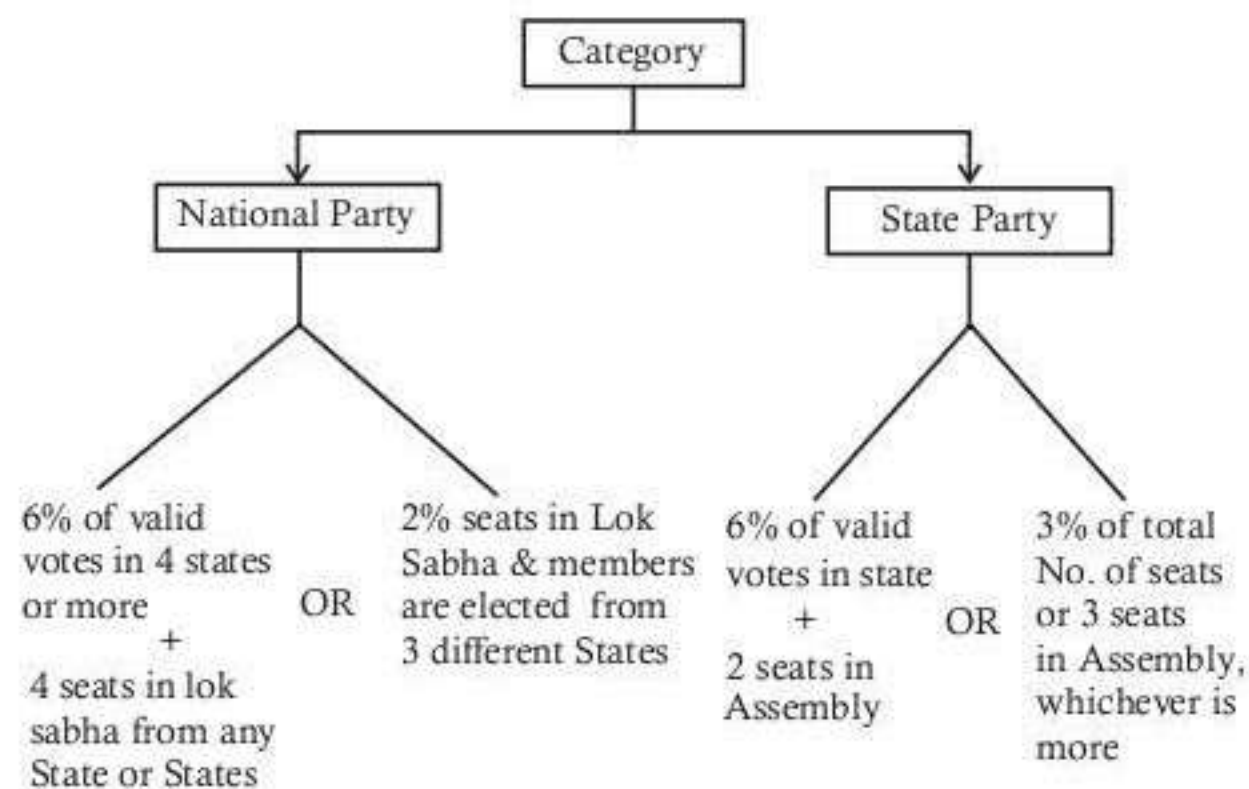
Recognition and Reservation of Symbols

- A party registered with the Election Commission may be granted recognition as a National or a State party on the basis of its performance in polls.

Political Parties & Pressure Group

Political Parties

- Meaning :** Group of persons who agree on some ideology & seek to capture the power & form the government on the basis of collective leadership.
 - Type of Party System in India : Multi Party System :**
 - Functions
 - Representation
 - Elite Formation & Recruitment
 - Goal Formulation
 - Interest Articulation & Aggregation
 - Socialization & Mobilization
 - Organization of Government.
- Category of Political Party in India:-



National Parties

S. No.	Name	Symbol	Year of Foundation	Current leader(s)	Current Lok Sabha Seats
1.	Bharatiya Janata Party	Lotus	1980	Amit Shah	282 / 543
2.	Indian National Congress	Hand	1885	Sonia Gandhi	44 / 543
3.	Communist Party of India (Marxist)	Hammer, Sickle and Star	1964	Sitaram Yechury	9 / 543
4.	Communist Party of India	Ears of Corn and Sickle	1925	Suravaram Sudha-kar Reddy	1 / 543
5.	Bahujan Samaj Party	Elephant (In all States/U.T.s except in the State of Assam, where its candidates will have to choose a symbol.	1984	Mayawati	0 / 543
6.	Nationalist Congress Party	Clock	1999	Sharad Pawar	

IMPORTANT PARLIAMENTARY TERMS

- **Calling Attention:** Moved to call the attention of a Minister to matters of public importance. The 'Calling Attention' procedure does not exist in the Rajya Sabha, which has, instead the 'Motion of Papers'.
- **Floor Crossing:** The practice of floor crossing refers to the defection of a Member of Parliament from the party he/she was elected to another political party. The practice of defection indicates the lack of ideological hold of the party over its members and it leads to instability in the Government or disregard to the people's mandate.
- **Hung Parliament:** When in a General election no political party or coalition of the political parties is in a position to form a majority Government, such a Parliament is called a Hung Parliament.
- **Interim Government:** This Government is formed during the transitional phase of the history of the country. It is a full-fledged Government and can take any policy decisions. In India, the Interim Government came to power with the Independence of India Act on 15th August and lasted till March, 1952.
- **Minority Government:** A form of government which does not enjoy the confidence of the Lok Sabha on its own and survives on support of other political parties from outside the Government. For example, the Chandrashekhar Government in 1990 – 1991, the Deve Gowda and the I. K. Gujral Governments during 1996 – 1997 survived on the Congress support from outside.
- **Ordinance:** An ordinance is a law promulgated by the head of the State in a situation of urgency when the Legislature cannot frame the law because either it is not in session or it is dissolved. An ordinance has the same effect as a law made by the Legislature. However, it is a temporary measure and has to be approved by the Legislature within a prescribed period, otherwise it ceases to be in operation.
- **Question Hour:** The first one hour period (usually 11: 00 a. m. to 12: 00 a. m.) each day during the meetings of the Parliament is allotted for asking the questions by the members to be replied by the Ministers, is called the Question Hour. A ten days prior notice is required for asking questions in the Parliament by its members.
- **Quorum:** It refers to the required presence of the minimum member of members of a body to hold its meetings and conduct its business. For example, the presence of members (quorum of) is required to hold the meetings of the Parliament. In the absence of the quorum, the meeting is adjourned and no business is conducted.

- **Whip:** This is an official appointed by a political party to regulate and monitor the behaviour of its members in the Legislature. The violation of whip invites the disciplinary action against the erring party members.
- **Zero Hour:** It is a period which follows after the Question Hour when the members raise any issue of public importance on very short or even without any notice. The procedure is not recognised under the Rules and Procedures of the Parliament, but has become conventional since 1970's.

Adjournment motion	<ul style="list-style-type: none"> • To draw attention of Parliament to a matter of urgent public importance. • Motion needs the support of 50 members for admission. • Rajya Sabha cannot move this motion.
No Confidence Motion	<ul style="list-style-type: none"> • Moved to prove the confidence of Lok Sabha in the Council of Ministers. • If No Confidence Motion is passed, Council of Ministers i.e. the govt. has to resign. • No Confidence Motion needs the support of 50 members to be admitted. • Can be moved only in Lok Sabha.

NITI AAYOG

- NITI Aayog or **National Institution for Transforming India Aayog** is a policy think-tank of Government of India that replaces Planning Commission and aims to involve the States in economic policy-making in India.
- It will be providing strategic and technical advice to the Central and the State Governments. **The Prime Minister heads the Aayog as its chairperson.**
- Prime Minister has constituted three sub-groups of Chief Ministers within National Institution for Transforming India (NITI) Aayog.
- **First sub-group:** It will study the 66 centrally-sponsored schemes and recommend which schemes should continue, which should be transferred to States, and which to discontinue.
- **Second sub-group:** It will focus on skill development and creation of skilled manpower within states.
- **Third sub-group:** It will decide on the institutional mechanisms to be evolved for Swachh Bharat Abhiyaan, so that cleanliness becomes a part of life in perpetuity.

PRESENT MEMBERS OF NITI AAYOG

Chairperson	Vice Chairperson	Full-Time Members	Ex-officio Members	Special Invitee	Chief Executive Officer
Shri Narendra Modi, Hon'ble Prime Minister	Shri Arvind Panagariya	Shri Bibek Debroy. Shri V.K. Saraswat. Prof. Ramesh Chand.	Shri Rajnath Singh, Minister of Home Affairs. Shri Arun Jaitley, Minister of Finance; Minister of Corporate Affairs; and Minister of Information and Broadcasting. Shri Suresh Prabhu, Minister of Railways. Shri Radha Mohan Singh, Minister of Agriculture.	Shri Nitin Gadkari, Minister of Road Transport and Highways; and Minister of Shipping. Shri Thawar Chand Gehlot, Minister of Social Justice and Empowerment. Shri Prakash Javadekar, Minister of Human Resource Development.	Shri Amitabh Kant

NATIONAL DEVELOPMENT COUNCIL (NDC)

- The National Development Council **was formed in 1952**, to associate the States in the formulation of the plans.
- All members of the Union Cabinet, Chief Minister of States, the Administrators of the Union Territories and members of NITI Ayog are members of the NDC.

Functions of the NDC are:

- Review working of National Plan.
- Recommend measures to meet targets of national plan.
- It is an **extra Constitutional** and extra legal body.
- The **PM is the ex-officio chairman** of NDC.

FINANCE COMMISSION

- As per **Article 280** of the Constitution of India the Finance Commission is established.
- It is a **quasi-judicial** body.
- It consists of a chairman and four other members.
- The President shall after the expiry of every **five years** by order constitute a finance commission.
- It shall be the duty of the Commission to make recommendation to the President with respect to:
 - The distribution between the Union and the States of taxes which are to be divided between them.
 - The principles which should govern the grants-in-aid of the revenues of the States out of the Consolidated Fund of India.

- Dr. Y.V. Reddy, is the chairman of 14th Finance Commission of India.

OFFICIAL LANGUAGE

Article 343-351

- The Official Language of the Union shall be Hindi in Devanagari Script but the form of numerals to be used for the official purposes of Union shall be the international form of Indian numerals [Article 343 (1)].
- The Official Language of the Union shall be the official language for communication between one State and other and between a State and the Union [Article 346].
- Article 345 provides that the Legislature of a State may by law adopt any one or more of the languages in use in the State.
- Article 344 provides for the appointment of a Commission on official language.

LOKPAL

In India, the institution of Ombudsman (**Swedish word meaning Commissioner**) has given the name of Lokpal & use it as an anti-corruption institution. The Dictionary defines the Ombudsman as 'an official to investigate complaints by individual against maladministration by public authorities. Lokpal is visualised as the country's watch dog. **The idea of creating Lokpal was first conceptualized in 1968 in 4th Lok Sabha.** Thereafter in 1971, 1977, 1985, 1989, 1996, 1998 & 2001 efforts were made to enact legislation to create the institution of Lokpal. **The Bill received Parliaments assent on 1st Jan 2013.**

The Bill as passed by Parliament creates a Lokpal at the Centre which shall consist of a chairperson & upto 8 members. Half of these members should have higher judicial experience & other half should have experience in public administration, finance, insurance & banking laws, anti corruption & vigilance. It also provides that half the members of Lokpal shall be from amongst SCs, STs, OBCs, minority & women.

The chairperson & members of Lokpal shall be appointed by a Selection Committee consisting of PM, Speaker of Lok Sabha, Leader of Opposition in Lok Sabha, Chief Justice of India & an eminent jurist to be nominated by the President based on the recommendations of the other members of the Selection Committee.

The jurisdiction of Lokpal extends to the PM, Ministers, Current & former MPs & members of legislative assemblies, government employees & employees of companies funded or controlled by the central or state government.

It specifies a time limit of 60 days for completion of inquiry & 6 months for completion of investigation by CBI.

LOKAYUKTA

The anti-corruption institution of Lokayukta is set up at the state level. He is appointed by the Governor of the State. In most of the States, the term of office fixed for Lokayukta is **of 5 years duration or 65 years of age**, whichever is earlier.

ADVOCATE GENERAL

Each State shall have an Advocate General. He is the State's counter part of the Attorney General of India. He is appointed by the Governor of the State who holds office during the pleasure of the Governor. A person qualified to be a High Court Judge can be appointed Advocate-General. He has the right to address & take part in the proceedings of the House of the State Legislature. But **he has no right to vote.** His functions are similar to those of the Attorney-General.

ARTICLE 370

Under Article 370 of the Indian Constitution, Jammu & Kashmir is granted autonomy. It is a 'temporary provision' that accords special status to the State. All the provisions of the Constitution are not applicable to J&K, unlike other States. Except finance, defence, communications, and foreign affairs, Central Government needs the State Government's consensus for applying all other laws. Because of this article, residents of Kashmir follow separate set of laws in terms of citizenship, property ownership, and other rights. Moreover, as per Article 370, the power of Parliament to make laws for the said State is "limited to those matters in the Union List and the Concurrent List." It doesn't have the authority to increase or reduce the borders of the State. For those uninitiated, the article was drafted by N. Gopalaswami Ayyangar in 1949 against the wish of Dr BR Ambedkar, who found it discriminatory and against the interest of India. Despite Jawaharlal Nehru's promise that Article 370 will be gradually abrogated, it has not happened even after more than six decades have passed away.

It is not known to many that the Article 370 has been eroded time and again due to a series of Presidential Orders.

These orders over a period of time have made almost all Union laws applicable to J&K. Today, the State is within the "scope and jurisdiction" of almost every institution of India.

How J&K Different from Other States?

- Directive Principles of State Policy (DPSP) are not applied to J&K but applied to other States. Under DPSP = States are required to do some things for the welfare of community.
- President can't declare financial emergency (salaries and allowances reduction, etc.) in relation to J&K.
- High Court of J&K can issue writs only for enforcement of Fundamental Rights.
- Right to property is still guaranteed in J&K.
- Permanent residents of J&K have some special fundamental rights.
- Although Supreme Court, EC and CAG are applicable to J&K along with all other States.

AMENDMENTS OF THE CONSTITUTION (ARTICLE 368)

There are three types of bills that seek to amend the Constitution:

1. Bills that are passed by Parliament by **Simple Majority**.
2. Bills that have to be passed by Parliament by **Special Majority**.
3. Bills that have to be passed by **Special Majority** and also to be **ratified by not less than one-half of the State Legislatures**.

Important Amendments

- **The first Amendment Act** to the Indian Constitution was made in the year 1951. According to it, Articles 15, 19, 85, 87, 174, 176, 341, 342, 376 were amended and Articles 31A and 31B inserted and Ninth Schedule was added.
- **The Constitution (24th Amendment) Act, 1971:** It affirmed the power of the Parliament to amend any part of the Constitution. After this amendment, the President is bound to assent to Constitution Amendment Bill. Education was transferred to the Concurrent List by this amendment.
- **The Constitution (31st Amendment) Act, 1973:** increased the elective strength of the Lok Sabha from 525 to 545. Under the Act, the upper limit of representatives of the States goes up from 500 to 525 and that of the Union Territories decreases from 25 to 20.
- **The Constitution (36th Amendment) Act, 1975:** By this Act, Sikkim became the 22nd State of the Indian Union.
- **The Constitution (37th Amendment) Act, 1975:** was passed by Parliament on April 26, 1975, to provide for a Legislative Assembly and a Council of Ministers to Arunachal Pradesh, the country's north-easternmost Union Territory.
- **The Constitution (39th Amendment) Act, 1975:** The Bill was passed by the Lok Sabha and got Presidential assent on August 9, 1975. The Act places beyond challenge in courts the election to Parliament of a person holding the office of Prime Minister or Speaker and the election of President and Vice-President.
- **The Constitution (42nd Amendment) Act, 1976:** It was enacted during the period of National Emergency. It was passed by Parliament on November 11, 1976 and received Presidential assent on December 18, 1976.
- The Amendment established beyond doubt the supremacy of Parliament over the other wings of Government; gave the Directive Principles precedence over the Fundamental Rights; enumerated for the first time a set of ten Fundamental Duties.
- **The Constitution (43rd Amendment) Act, 1978:** It restores civil liberties by deleting Article 31D which gave powers to Parliament to curtail even legitimate trade union activity under the guise of legislation for the prevention of anti-national activities. The Supreme Court will now have power to invalidate State laws, a power taken away by the 42nd Amendment Act.
- **The Constitution (44th Amendment) Act, 1978:** Fundamental Rights guaranteed by Articles 20 and 21 cannot be suspended during a national emergency.
- The Right to Property was deleted from the list of Fundamental Right. It is now only a legal right under the Constitution.
- **The Constitution (45th Amendment) Act, 1980:** The Act extends reservation of seats for the Scheduled Castes and the Scheduled Tribes in Parliament and the State Assemblies and the representation of Anglo-Indians by nomination for a further period of 10 years.
- **The Constitution (55th Amendment) Act, 1987:** It grants Statehood to Arunachal Pradesh which consequently became the 24th State of the Indian Union.
- **The Constitution (56th Amendment) Act, 1987:** It confers Statehood on Goa and forms a new Union Territory of Daman and Diu. Goa thus became the 25th State of the Indian Republic.
- **The Constitution (61st Amendment) Act, 1989:** It lowered the voting age from 21 to 18.
- **The Constitution (62nd Amendment) Act, 1989:** It provided for the extension by another 10 years of reservation of seats in the Parliament and State Assemblies for the Scheduled Castes and Tribes and reservation for Anglo Indian community by nomination.
- **The Constitution (63rd Amendment) Act, 1989:** It repealed Amendment 59 which empowered the Government to impose emergency in Punjab.
- **The Constitution (66th Amendment) Act, 1990:** To bring land reforms within the purview of 9th Schedule of the Constitution.
- **The Constitution (69th Amendment) Act, 1991:** Delhi made National Capital Region. The Act also made provision for Legislative Assembly and a Council of Ministers for Delhi.
- **The Constitution (72nd Amendment) Act, 1992:** To make temporary provision for the determination of the number of seats reserved for the Scheduled Tribes in the State Assembly of Tripura, until the re-adjustment of seats is made on the basis of the first census after the year 2000 under article 170 of the Constitution.
- **The Constitution (73rd Amendment) Act, 1992:** To ensure direct election to all seats in Panchayats; to reserve seats for SCs and STs in proportion to their population; and for reservation of not less than one third of the seats in Panchayats for women.
- **The Constitution (74th Amendment) Act, 1992:** was made to ensure direct election to all seats in Nagarpalikas and Municipalities.
- **The Constitution (78th Amendment) Act, 1995:** It includes land reform laws in the Ninth Schedule so that they cannot be challenged before the courts.
- **The Constitution (79th Amendment) Act, 1999:** It extends the reservation of seats for SC, ST and Anglo-Indians in the Lok Sabha and Legislative Assemblies for next 10 years.
- **The Constitution (82nd Amendment) Act, 2000:** It provides that nothing in the Article 355 shall prevent the State from making any provisions in favour of the members of SC/ST for relaxation in qualifying marks with respect to examination/job/promotion.
- **The Constitution (83rd Amendment) Act, 2000:** The Act Amended Article 243 M to provide that no reservation in Panchayats be made in favour of SC/ST in Arunachal Pradesh where the whole population is tribal.

84 th C.A. Act 2001	Amend articles 55, 81, 82, 170, 330 and 332.	21 February 2002	Extend the usage of 1971 national census population figures for statewide distribution of Parliamentary seats.
85 th C.A. Act 2002	Amend article 16.	4 January 2002	A technical amendment to protect Consequential seniority in case of promotions of SC/ST Employees.
86 th C.A. Act 2002	Amend articles 45 and 51A. Insert article 21A.	12 December 2002	Provides Right to Education until the age of fourteen and Early childhood care until the age of six.
87 th C.A. Act 2003	Amend articles 81, 82, 170 and 330.	22 June 2003	Extend the usage of 2001 National Census population figures for statewide distribution of parliamentary seats.
88 th C.A. Act 2003	Amend article 270. Insert article 268A. Amend 7th Schedule.	15 January 2004	To extend statutory cover for levy and utilization of Service Tax.
89 th C.A. Act 2003	Amend article 338. Insert article 338A.	28 September 2003	The National Commission for Scheduled Castes and Scheduled Tribes was bifurcated into the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes.
90 th C.A. Act 2003	Amend article 332.	28 September 2003	Reservation in Assam Assembly relating to Bodoland Territory Area.
91 st C.A. Act 2003	Amend articles 75 and 164. Insert article 361B. Amend 10th Schedule.	1 January 2004	Restrict the size of Council of Ministers to 15% of legislative members and to strengthen Anti Defection Laws.
92 nd C.A. Act 2003	Amend 8th Schedule.	7 January 2004	Include Bodo, Dogri, Santhali, Maithali as official languages.
93 rd C.A. Act 2005	Amend Article 15.	20 January 2006	To enable provision of reservation (27%) for Other Backward Classes (O.B.C.) in government as well as private educational institutions.
94 th C.A. Act 2006	Amend Article 164.	12 June 2006	To provide for a Minister of Tribal Welfare in newly created Jharkhand and Chhattisgarh States including Madhya Pradesh, Orissa.
95 th C.A. Act 2009	Amend Article 334.	25 January 2010	To extend the reservation of seats for SCs and STs in the Lok Sabha and States Assemblies from Sixty years to Seventy years.
96 th C.A. Act 2011	Amend Schedule 8.	23 September 2011	Substituted "Odia" for "Oriya"
97 th C.A. Act 2011	Amend Art 19 and added Part IXB.	12 January 2012	Added the words "or Co-operative Societies" after the word "or Unions" in Article 19(I) (c) and insertion of article 43B, i.e. Promotion of Co-operative Societies and added Part-IXB, i.e. the Co-operative Societies. The Amendment objective is to encourage economic activities of cooperatives which in turn help progress of rural India. It is expected to not only ensure autonomous and democratic functioning of cooperatives, but also the accountability of the management to the members and other stakeholders.
98 th C.A. Act 2012	To insert Article 371J in the Constitution	2 January 2013	To empower the Governor of Karnataka to take steps to develop the Hyderabad-Karnataka Region.
99 th C.A. Act 2014	Amend Article 127, 128 Insert new Articles 124 A, 124 B & 124 C.	13 April 2015	Amendment provides for the formation of a National Judicial Appointments Commission.
100 th C.A. Act 2015	Amendment of First Schedule to Constitution.	1 August 2015	To operationalise the land Boundary Agreement between India and Bangladesh.

Schedules in Constitution

First Schedule	• List of States & Union Territories
Second Schedule	• Salary of President, Governors, Chief Justice, Judges of High Court and Supreme Court, Comptroller and Auditor General
Third Schedule	• Forms of Oaths and Affirmations
Fourth Schedule	• Allocate seats for each State of India in Rajya Sabha
Fifth Schedule	• Administration and control of Scheduled Areas and Tribes
Sixth Schedule	• Provisions for administration of Tribal Area in Asom, Meghalaya, Tripura, Mizoram & Arunachal Pradesh
Seventh Schedule	• Gives allocation of powers and functions between Union & States. It contains 3 lists 1. Union List (For central Govt.) 100 Subjects. 2. States List (Powers of State Govt.) 66 subjects 3. Concurrent List (Both Union & States) 52 subjects.
Eighth Schedule	• List of 22 languages of India recognized by Constitution 1. Assamese 2. Bengali 3. Gujarati 4. Hindi 5. Kannada 6. Kashmiri 7. Manipuri 8. Malayalam 9. Konkani 10. Marathi 11. Nepali 12. Oriya 13. Punjabi 14. Sanskrit 15. Sindhi 16. Tamil 17. Telugu 18. Urdu 19. Santhali 20. Bodo 21. Maithili 22. Dogri • Sindhi was added in 1967 by 21 Amendment • Konkani, Manipuri and Nepali were added in 1992 by 71st Amendment, Santhali, Maithili, Bodo and Dogri were added in 2003 by 92nd Amendment.
Ninth Schedule	• Added by 1st Amendment in 1951. Contains acts & orders related to land tenure, land tax, railways, industries. {Right of property not a fundamental right now}
Tenth Schedule	• Added by 52nd Amendment in 1985. Contains provisions of disqualification of grounds of defection
Eleventh Schedule	• By 73rd Amendment in 1992. Contains provisions of Panchayati Raj.
Twelfth Schedule	• By 74th Amendment in 1992. Contains provisions of Municipal Corporation.

E-GOVERNANCE

E-governance means technology drive operation. The 11th report of the Second Administrative Reforms Commission, entitled to promoting e-Governance.

Five models of e-Governance

- G2C (Government to citizen)
- G2B (Government to business)
- G2E (Government to Employees)
- G2G (Government to Governments)
- C2G (Citizens to Government)

National e-Governance Plan

National e-Governance Plan (NeGP) is a plan of the Government of India to make all government services available to the citizens of India via electronic media.

FOREIGN POLICY OF INDIA**I. Principles and objectives**

1. Preservation of India's sovereign independence.
2. Non-alignment.

3. Opposition to Imperialism, colonialism & Racial discrimination.
4. Opposition to discriminatory international regimes & hedonistic policies.
5. Panchsheel.
 - Mutual respect for each other's territorial integrity & sovereignty.
 - Non-aggression
 - Non-interference in each other's internal affairs.
 - Equality & mutual benefit.
 - Peaceful co-existence.
6. Support for United Nations & international peace.
7. Promotion of unity & solidarity of Third world for securing an equitable share in world politics.

II. Look East Policy

India's 'Look East' Policy was first initiated in 1992 by the then Prime Minister P. V. Narasimha Rao. Since then, the policy has been one of the cornerstones of India's foreign policy. It lays emphasis on improving cooperation with India's neighbouring south-east & east Asian countries (eg. China, Bangladesh,

Myanmar, Thailand, etc.) & also engagement with various regional organisations such as ASEAN, East Asia Summit, BIMSTEC & Mekong Ganga Cooperation (MGC). The policy is pursued in a multi faceted manner in diverse areas such as improved connectivity, promotion of trade, investment & cultural exchanges.

III. Gujral Doctrine

The Gujral Doctrine is a milestone in India's foreign policy. It was propounded & initiated in 1996 by I.K. Gujral, the then Foreign Minister in the Deve. Gowda Government. The Doctrine is a 5-point roadmap to guide the conduct of India's foreign relations with its neighbours.

These 5 principles are as follows

1. With the neighbours India should not ask for reciprocity, but give to them what it can in good faith.
2. No south asian country should allow its territory to be used against the interest of another country of the region.
3. No, country should interfere in the internal affairs of another country.
4. All South Asian Countries should respect each other's territorial integrity & sovereignty.
5. All South Asian countries should settle all their disputes through peaceful bilateral negotiations.

UNITED NATIONS

The United Nations is an international organization founded in 1945 after the Second World War by 51 countries committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights.

Quick Facts

- Membership: 193 Member States
- Established: 24 October 1945
- Current UN peacekeeping operations : 16
- Official languages: Arabic, Chinese, English, French, Russian, Spanish.
- The first day approved by the UN General Assembly was United Nations Day, 24 October (by resolution 168 (II) of 31 October 1947).
- Based on five principal organs (formerly six—the Trusteeship Council suspended operations in 1994, upon the independence of Palau, the last remaining UN trustee territory); the General Assembly, the Security Council, the Economic and Social Council (ECOSOC), the Secretariat, and the International Court of Justice.
- General Assembly: 193 Member States
- Security Council: 5 permanent members and 10 non-permanent

The Permanent Members of the Security Council

- The Peoples' Republic of China;
- The Republic of France;
- The United Kingdom of Great Britain and Northern Ireland;
- The Russian Federation; and
- The United States of America.

The UN Flag and the Emblem

The UN General Assembly adopted the UN flag on 20 Oct. 1947. The white UN emblem is super-imposed on a light blue background. The emblem consists of the globe map projected from the North pole and embraced in twin olive branches (symbol of peace). The UN emblem was approved on 7 Oct. 1946.

Aims and Objectives

The Main objectives of the UN are :

- (1) To maintain peace and security in the world.
- (2) To work together to remove poverty, disease and illiteracy and encourage respect for each other's rights of basic freedom.
- (3) To develop friendly relations among nations.
- (4) To be a centre to help nations achieve these common goals.

SAARC

The South Asian Association for Regional Cooperation (SAARC) is an organization of South Asian nations, founded in 1985. Its seven founding members are Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan, and Sri Lanka. Afghanistan joined the organization in 2007. Meetings of heads of state are usually scheduled annually; meetings of foreign secretaries, twice annually. Headquarters are in Kathmandu, Nepal.

- The concept of SAARC was first adopted by Bangladesh during 1977, under the administration of President Ziaur Rahman.
- Afghanistan was added to the regional grouping on 13 November 2005.
- On 2 August 2006 the foreign ministers of the SAARC countries agreed in principle to grant observer status to the US, South Korea and the European Union.
- The SAARC Secretariat was established in Kathmandu on 16 January 1986 and was inaugurated by Late King Birendra Bir Bikram Shah of Nepal.
- The SAARC Secretariat and Member States observe 8 December as the SAARC Charter Day .

SAARC Summits

No.	Location	Date
1st	Dhaka	7-8 December 1985
2nd	Bangalore	16-17 November 1986
3rd	Kathmandu	2-4 November 1987
4th	Islamabad	29-31 December 1988
5th	Malé	21-23 November 1990
6th	Colombo	21-Dec-91
7th	Dhaka	10-11 April 1993
8th	New Delhi	2-4 May 1995
9th	Malé	12-14 May 1997
10th	Colombo	29-31 July 1998
11th	Kathmandu	4-6 January 2002
12th	Islamabad	2-6 January 2004
13th	Dhaka	12-13 November 2005

14th	New Delhi	3-4 April 2007
15th	Colombo	1-3 August 2008
16th	Thimphu	28-29 April 2010
17th	Maldives	November 2011
18th	Nepal	2014
19th	Pakistan	2016

ASEAN

The Association of Southeast Asian Nations is a geo-political and economic organization of 10 countries located in Southeast Asia, which was formed on 8 August 1967 by Indonesia, Malaysia, the Philippines, Singapore and Thailand. Since then, membership has expanded to include Brunei, Burma (Myanmar), Cambodia, Laos, and Vietnam. Its aims include the acceleration of economic growth, social progress, cultural development among its members, the protection of the peace and stability of the region, and to provide opportunities for member countries to discuss differences peacefully.

If ASEAN were a single country, it would rank as the 9th largest economy in the world and the 3rd largest in Asia in terms of nominal GDP.

Event: 27th ASEAN summit (18-22 November, 2015)

Place: Kuala Lumpur

Agenda: Discuss the significant achievements in the implementation of the Road map for an ASEAN community (2009-2015)

BRICS

BRICS is the acronym for an association of five major emerging national economies: Brazil, Russia, India, China, and South Africa. The grouping was originally known as "BRIC" before the inclusion of South Africa in 2010. The BRICS members are all developing or newly industrialised countries, but they are distinguished by their large, fast-growing economies and significant influence on regional and global affairs; all five are G-20 members.

As of 2014, the five BRICS countries represent almost 3 billion people which is 40% of the world population, with a combined nominal GDP of US\$16.039 trillion (20% world GDP) and an estimated US\$4 trillion in combined foreign reserves. As of 2014, the BRICS nations represented 18 per cent of the world economy.

Brazil held the chair of the BRICS group in 2014, having hosted the group's sixth summit in 2014.

Russia chaired the 7th BRICS summit on 8-9th July 2015.

Events: 7th annual diplomatic summit (8-9 July, 2015)

Place: Ufa, Russia

Agenda: Inaugural meetings of New Development Bank were held and BRICS contingent Reserve Arrangement were discussed.

EXERCISE

LEVEL 1

1. Oath to a High Court judge is administered by:
 - (a) Chief Justice of India
 - (b) Chief Justice of that High Court
 - (c) Governor of the State
 - (d) President of India
2. District Judges are appointed by:
 - (a) The Chief Justice of High Court
 - (b) The State Public Service Commission
 - (c) The Chief Minister of state
 - (d) The Governor of state
3. The District and sessions Judge works directly under the control of:
 - (a) District Collector
 - (b) Governor of the state
 - (c) Law Minister of the state
 - (d) High Court of the state
4. The Chief Justice of the High Court is appointed by
 - (a) the Governor of the state
 - (b) the President of India
 - (c) the Chief Minister of the state
 - (d) the Chief Justice of India
5. Which of the following is covered under the original jurisdiction of the Supreme Court:
 - (a) Dispute relating to civil matters
 - (b) Dispute relating to criminal cases involving murder
 - (c) Disputes between two states of the Indian Union
 - (d) Disputes between two citizens from two different states
6. Who has the right to seek advisory opinion of the Supreme Court of India, on any question of Law?
 - (a) Prime Minister
 - (b) President
 - (c) Any judge of the high court
 - (d) All of the above
7. The Indian constitution provides for the appointment of Ad hoc judges in:
 - (a) Supreme Court
 - (b) High Court
 - (c) District and session Court
 - (d) All of these
8. In the verdict of which case, Supreme Court has nullified Parliament, effort to establish preference of all the Directive Principles of State Policy over Fundamental Rights?
 - (a) Keshvanand Bharti Vs State of Kerala Case
 - (b) Francis Coralie Mullin Vs Union Territory of Delhi
 - (c) Minerva Mills Vs. Union of India case
 - (d) Indira Sawhani
9. In which of the following cases Supreme Court of India enunciated the doctrine of basic structure?
 - (a) Keshwanand Bharti case
 - (b) Golaknath case
 - (c) Minnerva Mills case
 - (d) Gopalan case
10. Which is an eligibility criterion for appointment as a Judge of the High Court?
 - (a) Must have been an advocate of a High Court for not less than 10 years
 - (b) Must be, in the opinion of the President, a distinguished jurist.
 - (c) Must have attained the age of 55 years
 - (d) Must have been a High Court Judge for at least 5 years
11. Judicial Review function of the Supreme Court means the power to
 - (a) Review the functioning of judiciary in the country
 - (b) Undertake periodic review of the Constitution.
 - (c) Examine the constitutional validity of the laws
 - (d) Review its own judgement
12. The High Courts in India were first started at
 - (a) Bombay, Delhi, Madras
 - (b) Madras and Bombay
 - (c) Bombay, Madras, Calcutta
 - (d) Delhi and Calcutta
13. Which of the following writs may be issued to release a person who has been detainee in law fully.
 - (a) Certiorari
 - (b) Habeas Corpus
 - (c) Mandamus
 - (d) Prohibition
14. Who is appointed as an adhoc judge of the Supreme Court ?
 - (a) A sitting judge of a High Court duly qualified for appointment as a Supreme Court Judge
 - (b) A person fully qualified for appointment as a Judge of the Supreme Court
 - (c) A retired judge of Supreme Court
 - (d) An acting judge of the Supreme Court
15. Which one of the following jurisdictions of the Indian judiciary covers Public Interest Litigation?
 - (a) Original Jurisdiction
 - (b) Appellate Jurisdiction
 - (c) Epistolary Jurisdiction
 - (d) Advisory Jurisdiction
16. For which one of the following Judgements of the Supreme Court of India, the Kesavananda Bharati vs State of India case is considered a landmark?
 - (a) The religion cannot be mobilised for political ends
 - (b) Abolishing untouchability from the country
 - (c) The basic structures of the Constitution, as defined in the preamble, cannot be changed
 - (d) Right to life and liberty cannot be suspended under any circumstance

17. According to the Administrative Tribunal Act, 1985, the Central Administrative Tribunal adjudicates disputes and complaints with respect to the service of persons who are
- appointed to public services and posts in connection with the affairs of the Union except members of the Defence services
 - official and servants of the Supreme Court or any High Courts
 - members of the Secretarial staff of the Parliament or any state legislatures
 - members of the Defence services
18. With reference to Lok Adalats, which one among the following statements is correct?
- Lok Adalats have the jurisdiction to settle the matters at pre-litigative state and not those matters pending before any court
 - Lok Adalats can deal with matters which are civil and not criminal in nature
 - Lok Adalats has not been given any statutory status so far
 - No appeal lies in a civil court against the order of the Lok Adalat
19. The power to increase the number of judges in the Supreme Court of India is vested in
- the President of India
 - the Parliament
 - the Chief Justice of India
 - the Law Commission
20. President's Rule can be declared
- on the written advice of the Union Cabinet
 - only on the recommendation of the Governor of the concerned State
 - if the President is satisfied that the government of a state cannot be carried on in accordance with the provisions of the Constitution
 - if a State ministry is defeated on the floor of the Legislative Assembly
21. Impact of financial emergency excludes
- Union getting the power to issue directions to State to observe canons of financial propriety
 - President's power to direct a reduction in the salaries of Supreme Court and High Court judges
 - President's right to direct States to reserve even money bills for his consideration
 - President's power to suspend fundamental rights in Article 19
22. Members of a State Public Service Commission can be removed by the
- Governor on a report by the Supreme Court
 - Governor on a resolution passed by the Parliament
 - President on a report by the Supreme Court
 - President on a resolution passed by the Parliament
23. A Joint Public Service Commission may be set up for two or more states
- if the Parliament provides for it after Rajya Sabha resolves to that effect
 - only if the States are very small
 - if the State Legislatures approve of the decision
 - if the Parliament provides for it after a resolution to that effect is passed by the State
24. System of representation used in India for elections of the Lok Sabha and State Assemblies is
- proportional representation
 - territorial representation
 - functional representation
 - none of the above
25. Election Commission holds election for the:
- Parliament
 - Parliament and State Legislative Assemblies
 - Parliament, State Legislative Assemblies and State Legislative Councils
 - Parliament, State Legislatures and elections of President and the Vice President
26. From time to time, the Government of India approves various Foreign Direct Investment (FDI) proposals. Which among the following bodies recommends this approval prior to the ministry of Finance/Cabinet Committee on Economic Affairs?
- National Development Council
 - Foreign Investment Promotion Board
 - Central Economic Intelligence Bureau
 - Ministry of Commerce, Govt. of India
27. The Primary function of the Finance Commission in India is to:
- Distribution of revenue between the centre and the states
 - Prepare the Annual Budget
 - Advise the President on financial matters
 - Allocate funds to various ministries of the Union and State Governments
28. The jurisdiction of the Finance Commission does not extend to:
- recommendation of the allocation of funds among the various heads of expenditure in the Union and State budgets
 - recommendation of the distribution between the Union and the States of the net proceeds of taxes
 - recommendation of the allocation to the States of the respective shares of such tax proceeds
 - recommendation of the principles which govern the Grants-in-Aid of the revenue of the States out of the Consolidated Fund of India.
29. Department of Official Language (Raj Bhasha Vibhag) comes under which one of the following Ministries?
- Ministry of Culture
 - Ministry of Home Affairs
 - Ministry of Human Resource Development
 - Ministry of Information and Broadcasting
30. Which one of the following Commissions is not provided in the Constitution of India?
- Planning Commission
 - UPSC
 - Finance Commission
 - Election Commission

31. The Chief Election Commissioner of India holds office for a period of
 (a) six years
 (b) during the pleasure of the President
 (c) for 6 years or till the age of 65 years, whichever is earlier
 (d) for 5 years or till the age of 60 years, whichever is earlier
32. Which one of the following is correct in respect of the commencement of the election process in India?
 (a) The recommendation for election is made by the government and the notification for election is issued by the Election Commission
 (b) The recommendation for election is made by the Election Commission and the notification for election is issued by the Home Ministry at the Centre and Home Departments in the States
 (c) The recommendation for election is made by the Election Commission and the notification for election is issued by the President and Governors of the States concerned
 (d) Both the exercises of making a recommendation for election and that of issuing a notification in respect of it are done by the Election Commission
33. Proportional representation is not necessary in a country where:
 (a) there are no reserved constituencies
 (b) a two-party system has developed
 (c) the first past-post system prevails
 (d) there is a fusion of presidential and parliamentary forms of government
34. Which of the following is not of the methods for amending the different categories of provisions in the Constitution?
 (a) Certain provisions may be amended by a simple majority in Parliament
 (b) Certain other provisions may be amended only by a two-thirds majority
 (c) Certain provisions may be amended only by a three-fourths majority
 (d) Certain amendments require to be ratified by one-half of the States after being passed in Parliament
35. Which one of the following amendments has been described as Mini Constitution?
 (a) Forty-third (b) Forty-second
 (c) Fifty-second (d) Thirty-ninth
36. The Seventh Schedule of the Constitution of India contains
 (a) provisions regarding the administration of tribal areas
 (b) the Union List, the State List and the Concurrent List
 (c) a list of recognized languages
 (d) provisions about the disqualification of Members of Legislatures on grounds of defection
37. Pochampally in Nalgonda district of Telengana became famous in April, 1951 because
 (a) the Bhoodan movement was launched there by Vinoba Bhave
 (b) the landless peasants rose up in arms against the landlords
 (c) it witnessed violent anti-Hindi agitation
 (d) Silk weavers' cooperative was formed for the first time in India
38. Article 368 of the Constitution of India deals with
 (a) the powers of the Parliament of India to amend the Constitution
 (b) financial emergency
 (c) reservation of seats for Scheduled Castes and Scheduled Tribes in the Lok Sabha
 (d) Official Language of the Union of India
39. Which among the following is not a basic feature of the Constitution of India?
 (a) Fundamental rights
 (b) Independence of judiciary
 (c) Federalism
 (d) The unquestioned right of the Parliament to amend any part of the Constitution
40. Which one among the following is not a fundamental duty?
 (a) To abide by the Constitution of India and respect the national flag and national anthem
 (b) To safeguard public property
 (c) To protect the Sovereignty, Unity and Integrity of India
 (d) To render compulsory military service
41. Under which of the following Acts is the National Population Register being created?
 (a) The Citizenship Act of India, 1955 as amended in 2004
 (b) The Census Act, 1948
 (c) The UID Act, 2010
 (d) None of the above
42. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 may be seen as giving effect to which of the following Fundamental Rights?
 1. Equality before the Law
 2. Right against Discrimination
 3. Abolition of Untouchability
 4. Right to Freedom of Religion
 Select the correct answer using the code given below.
 (a) 1, 2 and 3 only (b) 2 and 3 only
 (c) 2, 3 and 4 only (d) 1, 2, 3 and 4
43. Which of the following statements is correct?
 (a) The Presiding Officer of the Rajya Sabha is elected every year
 (b) The Presiding Officer of the Rajya Sabha is elected for a term of 5 years
 (c) The Presiding Officer of the Rajya Sabha is elected for a term of 6 years
 (d) The Vice President of India is the Ex Officio Presiding Officer of the Rajya Sabha
44. Who among the following was not a member of the Drafting Committee of the Constitution of India?
 (a) B. R. Ambedkar (b) K. M. Munshi
 (c) Krishnaswamy Iyer (d) M. K. Gandhi
45. Who among the following was not a member of the 'Big Four' in the Congress of Vienna (1815)?
 (a) Germany (b) Russia
 (c) Austria (d) France

46. Which of the following is/are not related to fundamental duties?
1. To cherish and follow the noble ideals which inspired our national struggle for freedom
 2. To value and preserve the rich heritage of our composite culture
 3. To promote the educational and economic interests of the weaker sections of the people, especially the Scheduled Castes and Scheduled Tribes.
 4. To protect all monuments of historic interest and national importance.
- Select the correct answer using the code given below.
- (a) 1 and 2 (b) 2 and 3
(c) 3 and 4 (d) 4 only
47. Joint sittings of the two Houses of Indian Parliament are held to
- (a) elect the President of India
 - (b) elect the Vice President of India
 - (c) adopt a Constitution Amendment Bill
 - (d) consider and pass a Bill on which the two Houses disagree
48. The President of India can issue proclamation of Emergency
- (a) on the advice of the Prime Minister
 - (b) on the advice of the Council of Ministers
 - (c) in his own discretion
 - (d) when the decision of the Union Cabinet for the issue of such proclamation has been communicated to him in writing
49. When an ordinary Bill is referred to a joint sitting of both the Houses of Indian Parliament, it has to be passed by a
- (a) simple majority of the total number of members of both the Houses present and voting
 - (b) two-third majority of the total number of members of both the Houses
 - (c) simple majority of the total number of members of both the Houses
 - (d) two-third majority of the total number of members of both the Houses present and voting
50. Which one among the following features of the Constitution of India is indicative of the fact that the real executive power is vested in the Council of Ministers headed by the Prime Minister?
- (a) Federalism
 - (b) Representative legislature
 - (c) Universal adult franchise
 - (d) Parliamentary democracy
51. The Supreme Court of India has expanded the meaning of the Right to Life to include the following derivative rights. Which one among the following is *not* included in the Court's definition?
- (a) Right to food and adequate livelihood
 - (b) Right to education
 - (c) Right to live in a healthy environment
 - (d) Right to health and information
52. The Parliament can legislate on the subjects in the State List if the
- (a) President issues an order authorizing it to do so
 - (b) Supreme Court gives authority to the Parliament in this regard
 - (c) Rajya Sabha passes a resolution by two-thirds of its members present and voting, declaring it expedient to legislate on a State matter in the national interest
 - (d) Prime Minister issues a special order
53. The writ of certiorari is issued by a superior court to
- (a) an inferior court to stop further proceedings in a particular case
 - (b) an inferior court to transfer the record of proceedings in a case for review
 - (c) an officer to show his/her right to hold a particular office
 - (d) a public authority to produce a person detained by it before the court within 24 hours
54. Normally the Parliament can legislate on the subjects enumerated in
- (a) the Union List
 - (b) the Concurrent List
 - (c) the State List
 - (d) the Union as well as Concurrent List
55. Who among the following has a right to speak and otherwise take part in proceedings of either House of Parliament and to be a member of any parliamentary committee but is not entitled to vote?
- (a) Chairman, Finance Commission
 - (b) The Attorney General
 - (c) The Comptroller and Auditor General
 - (d) The Chief Election Commissioner
56. Which one among the following statements is correct? The press in democracy must
- (a) be free and impartial
 - (b) be committed to the policies of the government
 - (c) highlight the achievement of the government without criticizing its policies
 - (d) criticize the policies of the government
57. Constituent Assembly which framed India's Constitution was set up by:
- (a) Indian Independence Act
 - (b) Government of India Act, 1935
 - (c) Cabinet Mission Plan - 1946
 - (d) Queen's Proclamation
58. Preamble borrows the ideals of "liberty, equality and fraternity from:
- (a) Russian Revolution (b) Irish Revolution
 - (c) France Constitution (d) American Constitution
59. Which one of the following pairs is not correctly matched?
- (a) States Reorganization : Andhra Pradesh Act
 - (b) Treaty of Yandabu : Assam
 - (c) State of Bilaspur : Himachal Pradesh
 - (d) Year 1966 : Gujarat becomes a state

60. In which case the supreme court evolved the concept of 'Basic Structure of Constitution'?
- Golak Nath case
 - Shankari Prasad case
 - Kishana Nanda Bharti case
 - Minerva Mills case
61. Which one of the following rights has been described by Dr. Ambedkar as 'The heart and soul of the constitution'?
- Right of Equality
 - Right to freedom
 - Right to property
 - Right to Constitutional Remedies
62. The provision of the sixth schedule shall not apply in which one of the following states?
- Meghalaya
 - Tripura
 - Mizoram
 - Goa
63. Which of the states of Indian federation has a separate constitution?
- Goa
 - Tamil Nadu
 - Jammu & Kashmir
 - Himachal Pradesh
64. Which case determined that the Preamble is a part of the constitution?
- Berubari Union case
 - Kesavananda Bharati case
 - Golaknath case
 - Minerva Mills case
65. The parliament can make any law for the whole or any part of India for implementing international treaties?
- with the consent of all the states
 - with the consent of majority of states
 - with the consent of state concerned
 - without the consent of any state.
66. The idea of including the Emergency provisions in the Constitution of India has been borrowed from the
- Constitution of Canada
 - Weimar Constitution of Germany
 - Constitution of Ireland
 - Constitution of the USA
67. Which one of the following rights conferred by the Constitution of India is also available to non-citizens?
- Freedom of speech, assembly and form association
 - Freedom to move, reside and settle in any part of the territory of India
 - Freedom to acquire property or to carry on any occupation, trade or business
 - Right to constitutional remedies
68. Which among the following features of a federal system is **not** found in the Indian Political System?
- Dual citizenship
 - Distribution of powers between the Federal and the State Governments
 - Supremacy of the Constitution
 - Authority of the Courts to interpret the Constitution
69. Constitution permits preventive detention but stipulates that:
- no one should be detained beyond three months unless an Advisory Board authorises further detention.
 - grounds for detention should be conveyed to the person before arresting him
 - the person must be produced before a magistrate within 24 hours of the arrest
 - All of the above
70. A writ of prohibition is an order issued by the supreme court or high court which
- affects the production and consumption of liquor
 - prohibits the police from arresting a person
 - forbids the administrative authority from taking a particular action
 - prohibits a quasi-judicial authority from proceeding with a case
71. The 44th Amendment of the Indian Constitution withdrew the Fundamental Right:
- to freedom of religion
 - to constitutional remedies
 - to property
 - against exploitation
72. What are the Directive principles State policy?
- The main objectives of the framers of the Constitution
 - The principles that are expected to guide the state in the governance of the country
 - The ideals of a Welfare State that should be acceptable to all right-thinking persons.
 - Social rights are opposed to personal rights, enumerated in Part III.
73. Which one of the following is not a correct statement in relation to the provisions of the Indian Constitution?
- No person shall be convicted of any offence except for violation of law in force at the time of commission
 - No person shall be denied bail
 - No person shall be punished for the same offence more than once
 - No person accused of an offence shall be compelled to be a witness against himself
74. Right to Information in India is a
- Fundamental Right
 - Legal Right
 - Both Fundamental and Legal Right
 - Neither Fundamental nor Legal Right
75. Which one among the following statements regarding the constitutionally guaranteed Right to Education in India is correct?
- This right covers both child and adult illiteracy and therefore, universally guarantees education to all citizens of India.
 - This right is a child right covering the age group of 6 to 14 years and becomes operational from the year 2015.
 - This right has been taken from the British Constitution which was the first Welfare State in the world.
 - This right has been given to all Indian children between the ages of 6 to 14 years under the 86th Constitutional Amendment Act.

76. Which one among the following is not a fundamental duty of the citizen of India?
- To develop scientific temper, humanism and the spirit of inquiry and reform
 - To safeguard public property and to abjure violence
 - To uphold and protect the sovereignty, unity and integrity of India
 - To practice family planning and to control population
77. In the Constitution of India, promotion of international peace and security is included in the
- Preamble to the Constitution
 - Directive Principles of State Policy
 - Fundamental Duties
 - Ninth Schedule
78. The ideal of Welfare State' in the Indian Constitution is enshrined in its
- Preamble
 - Directive Principles of State Policy
 - Fundamental Rights
 - Seventh Schedule
79. The President takes an oath before taking office in the presence of Chief Justice of India. If the Chief Justice is not available, he takes the oath in the presence of the
- Vice-President
 - Senior-most Judge of the Supreme Court
 - Attorney-General
 - Election Commissioner
80. A resolution for impeaching the President can be moved after 14 days' notice signed by
- not less than 50 members of the House
 - not less than one-third of the total number of members of the House
 - not less than one-fourth of the total number of members of the House
 - at least 100 members of Lok Sabha and 50 members of Rajya Sabha
81. If the President returns a bill to the legislature for reconsideration:
- a re-passage of the bill by two-thirds majority forces him to give his assent
 - a re-passage of the bill by a majority will make him give an assent
 - joint sitting of the parliament is needed to pass the bill.
 - legislature must accept the amendments proposed by the President
82. Money Bill
- cannot be introduced in the Rajya Sabha
 - has to be certified by the President
 - can be amended by the Council of States
 - both (a) and (b)
83. Which duty is not performed by the Comptroller and Auditor General of India?
- Expenditure from the Consolidated Fund of India
 - Expenditure from the Contingency Funds and Public Accounts
 - Trading, manufacturing, profit and loss accounts
 - Receipt and issue of public money, and to ensure that public revenue is lodged in the exchequer
84. Which one of the following devices calls the attention of minister towards a matter of public importance?
- Half-an-hour discussion
 - Calling attention notice
 - Short duration discussion
 - Adjournment motion
85. With reference to the passage of Money Bill in Indian Parliament, which one of the following statements is correct?
- The decision of the Union Finance Minister is final on the question whether a bill is Money Bill or not
 - A Money Bill can be introduced only in the Lok Sabha
 - After a money bill is passed by Lok Sabha and transmitted to Rajya Sabha, it should be returned within one month
 - When Rajya Sabha returns the Money Bill with its recommendations, the Lok Sabha has to accept such recommendations
86. In the absence of both the President of India and the Vice-President, who shall act as the President of India?
- Prime Minister
 - Speaker of the Lok Sabha
 - Chief Justice of the Supreme Court
 - Deputy Chairman of Rajya Sabha
87. Which one of the following statements is not correct ?
- All the expenditure other than that which is charged on the Consolidated Fund of India is to be submitted to the Lok Sabha in the form of demands for grants
 - No demand for a grant is made except on the recommendation of the President of India
 - The Lok Sabha can refuse assent to any demand for grant
 - The Lok Sabha can suggest an increase in the expenditure
88. Article 75 of the Constitution of India provides that the Council of Ministers of the Union shall be collectively responsible to
- the House of the People
 - both the Houses of Parliament
 - the President only
 - the President and both the Houses of the Parliament
89. Which one of the following duties is not performed by Comptroller and Auditor general of India?
- To audit and report on all expenditure from the Consolidated Fund of India
 - To audit and report on all expenditure from the Contingency Funds and Public Accounts
 - To audit and report on all trading, manufacturing, profit and loss accounts
 - To control the receipt and issue of public money, and to ensure that the public revenue is lodged in the exchequer

90. When the offices of both Speaker and Deputy Speaker falls vacant –
 (a) The members of Lok Sabha immediately elect a Speaker.
 (b) The senior most willing member of Lok Sabha becomes the speaker.
 (c) The President appoints any member of Lok Sabha as speaker.
 (d) The Deputy Chairman of Rajya Sabha presides over till the next speaker is elected.
91. The first reading of the Bill in a House of Parliament refers to :
 (a) The motion for leave to introduce a Bill in the House
 (b) The general discussion on the Bill as whole where only the principle underlying the Bill is discussed and not the details of the bill.
 (c) The general discussion on the Bill where the bill is discussed in details.
 (d) The state when the Bill is referred either to select committee of the House or to the joint committee of the two houses.
92. Department of official languages is subordinate office of which ministry?
 (a) Ministry of social justice and Empowerment
 (b) Ministry of Home Affairs
 (c) Ministry of Rural Development
 (d) Ministry of Culture
93. Department of Border management is a department of which one of the following Union Ministers?
 (a) Ministry of Defense
 (b) Ministry of Home Affairs
 (c) Ministry of Shipping, Road Transport and Highways
 (d) Ministry of Environment and Forest.
94. While Proclamation of Emergency is in operation, the term of the Lok Sabha can be extended for a period not exceeding?
 (a) Six weeks (b) Three months
 (c) Six months (d) One year
95. Who among the following chooses the Speaker of the House of People?
 (a) The Prime Minister of India
 (b) The Union Minister of Parliamentary Affairs
 (c) The Leader of the Opposition in the Lok Sabha
 (d) The House of People
96. In the Union Government, under whose charge is the Cabinet Secretariat?
 (a) The Minister of Parliamentary Affairs
 (b) The President of India
 (c) The Prime Minister of India
 (d) The Union Home Minister
97. If any question arises whether a Bill is a Money Bill or not, whose decision shall be final?
 (a) The Supreme Court of India
 (b) The President of India
 (c) The Speaker of the Lok Sabha
 (d) Joint Parliamentary Committee
98. Vice-President of India is elected by an electoral college consisting of
 (a) members of both Houses of Parliament
 (b) members of Rajya Sabha only
 (c) elected members of both Houses of Parliament
 (d) elected members of Lok Sabha only
99. Joint Parliamentary Sessions in India are chaired by the
 (a) President of India
 (b) Vice-President of India who is the Chairman of the Rajya Sabha
 (c) Speaker of the Lok Sabha
 (d) Prime Minister of India
100. In India the Supreme Command of the Armed Forces is, vested in the President. This means that in the exercise of this power
 (a) he/she cannot be regulated by law
 (b) he/she shall be regulated by law
 (c) during war, the President seeks advice only from the Chiefs of the Armed Forces
 (d) during war the President can suspended the Fundamental Rights of citizens
101. Identify the correct sequence of passing a Budget in the Parliament
 (a) Vote on Account, Finance Bill, Appropriation Bill Discussion on Budget
 (b) Finance Bill, Appropriation Bill, Discussion on Budget, Vote on Accounts
 (c) Discussion on Budget, Vote on Account, Finance Bill, Appropriation Bill
 (d) Discussion on Budget, Appropriation Bill, Finance Bill, Vote on Account
102. The function of a Protem Speaker is to
 (a) conduct the proceeding of the House in the absence of the Speaker
 (b) officiate as Speaker when the Speaker is unlikely to be elected
 (c) swear members and hold charge till a regular Speaker is elected
 (d) scrutinize the authenticity of the election certificates of members
103. The President of India is elected by a proportional representation system through single transferable vote. This implies that
 (a) each elected MP or MLA has an equal number of votes
 (b) MPs and MLAs of a State have the same number of votes
 (c) all MPs and MLAs have one vote each
 (d) MPs and MLAs of different States have different numbers of votes
104. In the Rajya Sabha, the states have been given seats
 (a) in accordance with their population
 (b) equally
 (c) on the basis of population and economic position
 (d) on the basis of present economic status

105. With reference to Indian Parliament, which one of the following is not correct?
- The Appropriation Bill must be passed by both the Houses of Parliament before it can be enacted into law
 - No money shall be withdrawn from the Consolidated Fund of India except under the appropriation made by the Appropriation Act
 - Finance Bill is required for proposing new taxes but no additional Bill/Act is required for making changes in the rates of taxes which are already under operation.
 - No Money Bill can be introduced except on the recommendation of the President
106. Which of the following special powers have been conferred on the Rajya Sabha by the Constitution of India?
- To change the existing territory of a State and to change the name of a State
 - To pass a resolution empowering the Parliament to make laws in the State List and to create one or more All India Services
 - To amend the election procedure of the President and to determine the pension of the President after his/her retirement
 - To determine the functions of the Election Commission and to determine the number of Election Commissioners
107. The authorization for the withdrawal of funds from the Consolidated Fund of India must come from
- The President of India
 - The Parliament of India
 - The Prime Minister of India
 - The Union Finance Minister
108. In the Parliament of India, the purpose of an adjournment motion is
- to allow a discussion on a definite matter of urgent public importance
 - to let opposition members collect information from the ministers
 - to allow a reduction of specific amount in demand for grant
 - to postpone the proceedings to check the inappropriate or violent behaviour on the part of some members
109. Certain Bills can not be introduced or proceeded with unless the recommendation of the President is received. However, no recommendation is required in some other cases. In which one of the following cases such recommendation is not required?
- For introduction of Bills and for moving amendments relating to financial matters
 - For introduction of a Bill relating to formation of new states or of alternation of areas of existing states
 - For moving of an amendment making provision for the reduction or abolition of any tax
 - For introduction of a Bill or moving of an amendment affecting taxation in which states are interested
110. When a bill is referred to a joint sitting of both the Houses of the Parliament, it has to be passed by
- a simple majority of members present and voting
 - three-fourths majority of members present and voting
 - two-thirds majority of the Houses
 - absolute majority of the Houses
111. Chairman of Legislative Council is:
- appointed by the Governor
 - the Governor
 - elected by the members of the Legislative Council from among themselves
 - appointed by the Speaker of the Assembly
112. For enactment of a law, the State Legislative Council:
- has to pass the bill
 - may delay it for a maximum of four months
 - may disagree to, its provisions, if a joint sitting is called
 - has nothing to do with the bill
113. The oath of office is administered to the members of the State Council of Ministers by the
- Governor
 - Chief Minister
 - Chief Justice of the State High Court
 - Speaker of Legislative Assembly
114. The State Government's responsibility for educational planning is shared by the
- Ministry of Programme implementation
 - Ministry of Human Resource Development
 - Ministry of Planning
 - Ministry of Home Affairs
115. The Legislative Council in a State in India can be created or abolished by the
- Parliament on the recommendation of a Governor of the state.
 - Parliament alone
 - Parliament after the state assembly passes the resolution of that effect.
 - Governor of the state on the recommendation of the Council of Ministers.
116. Who among the following recommends to the Parliament for the abolition of the Legislative Council in a State?
- The President of India
 - The Governor of the concerned State
 - The Legislative Council of the concerned State
 - The Legislative Assembly of the concerned State
117. The Governor may recommend the imposition of the President's rule in the state
- on the recommendation of the State Legislature
 - on the recommendation of the President
 - on the recommendation of the Chief Minister
 - if he is convinced that the Government of the State cannot be carried on in accordance with the provisions of the Constitution of India

118. Union Territories are administered by the:
 (a) Parliament
 (b) Union Council of Ministers
 (c) President through administrators
 (d) Prime Minister
119. A government is federal or unitary on the basis of relation between the:
 (a) three organs of the government
 (b) Centre and the States
 (c) Legislature and the Executive
 (d) Constitution and the States
120. Which statements regarding the levying, collection and distribution of Income Tax is correct?
 (a) Union levies, collects and distributes the collection between itself and the states
 (b) Union levies, collects and keeps all the proceeds of income tax
 (c) Union levies and collects the tax but the proceeds are allocated among the states
 (d) Only the surcharge levied on income tax is shared between the Union and the states
121. Which one of the following is not among the sources of Union Revenues?
 (a) Taxes on income other than agricultural income
 (b) Land Revenue
 (c) Custom duties including export duties
 (d) Duties of excise on tobacco and other goods manufactured or produced in India except alcoholic liquors, opium, Indian hemp and other narcotic drugs.
122. Which one is not the component of the 'Pradhan Mantri Gramodaya Yojna'?
 (a) Elementary Education
 (b) Primary health
 (c) Rural Road
 (d) Nutrition
123. Which among the following is the exclusive jurisdiction of the State Government?
 (a) Corporation tax (b) Customs duty
 (c) Sales tax (d) Income tax
124. The Parliament can legislate on the subjects in the State List if the
 (a) President issues an order authorizing it to do so
 (b) Supreme Court gives authority to the Parliament in this regard
 (c) Rajya Sabha passes a resolution by two-thirds of its members present and voting, declaring it expedient to legislate on a State matter in the national interest
 (d) Prime Minister issues a special order
125. The category of Overseas citizens of India was entered in the citizenship Act of India through an amendment in the year: [CDS]
 (a) 1986 (b) 1992
 (c) 1996 (d) 2003
126. In which one of the following cases, the Constitutional validity of the Muslim Women (Protection of Rights of Divorce) Act 1986, was upheld by the Supreme court of India? [CDS]
 (a) Muhammad Ahmed Khan v. Shah Bano Begum
 (b) Danial Latifi v. Union of India
 (c) Mary Roy v. State of Kerala
 (d) Shankari Prasad v. Union of India
127. A Member of Lok Sabha does not become disqualified to continue as a Member of the House if the Member [CDS]
 (a) voluntarily gives up his / her membership of the political party from which he / she was elected
 (b) is expelled by the political party from which he / she had been elected to the House
 (c) Joins a political party after being elected as an independent candidate
 (d) abstains from voting contrary to the direction by his / her political party
128. Which one of the following language is not recognized in the Eighth Schedule to the Constitution of India [CDS]
 (a) English (b) Sanskrit
 (c) Urdu (d) Nepali
129. The Second Administrative Reforms Commission (2005) was concerned with [CDS]
 (a) reforms in institutional arrangements for good governance
 (b) reforms in the Indian Penal Code and the Criminal Justice System
 (c) creating an ombudsman mechanism for reduction of corruption in public life
 (d) devising new measures for urban governance and management
130. In which one of the following judgments of the Constitutional Bench of the Supreme Court of India, the 'rarest of rare' principle in the award of death penalty was first laid down? [CDS]
 (a) Bachan Singh v. State of Punjab (1980)
 (b) Gopalanachari v. State of Kerala (1980)
 (c) Dr. Upendra Boxi v. State of UP (1983)
 (d) Tukaram v. State of Maharashtra (1979)

LEVEL 2

1. Indian Constitution establishes a secular state meaning that:

1. State treats all religions equally
 2. Freedom of faith and worship
 3. Educational bodies can impart religious instructions
 4. State does not discriminate on the basis of religion
- Which of the following statements is/are correct?

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

2. Which statement is correct?

1. Territory of the constituents of the Indian federation may be altered by the Parliament by a simple majority.
2. Consent of the State Legislature is necessary before the Parliament alters boundaries.
3. President's recommendation is necessary for introducing any Bill on redrawing the boundary of a State.
4. President must have State's opinion before altering the name of the State.

Which of the following statements is/are correct?

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

3. The features of Indian parliamentary system are:

1. Independent judiciary.
2. Collective responsibility of the executive to the legislature.
3. A written Constitution.
4. Presence of *de jure* and *de facto* executives.
5. Individual responsibility of the executive to the legislature.

Which of the following statements is/are correct?

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

4. Which of the following are the federal features of the Indian Constitution?

1. Rigid Constitution
2. Bicameral legislature
3. Office of the CAG
4. Collective responsibility
5. Office of the Governor

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

5. Consider following statements

1. Chattisgarh was formed by the Uttar Pradesh Reorganization Act.
 2. Himachal Pradesh was first UT to become a State
 3. Manipur was the first to become a UT choice
- (a) Only 1 and 2 correct.
(b) Only 2 and 3 correct.
(c) Only 1 and 3 correct
(d) all correct.

6. Match List-I with List-II and select the correct answer:

List-I (Item in the Indian Constitution)	List-II (Country from which it was derived)
A. Directive Principles of State Policy	1. Australia
B. Fundamental Rights	2. Canada
C. Concurrent List in Union-State Relations	3. Ireland
D. India as a Union of States with greater powers to the Union	4. United Kingdom

5. United States of America

Codes:

- (a) A-5, B-4, C-1, D-2 (b) A-3, B-5, C-2, D-1
(c) A-5, B-4, C-2, D-1 (d) A-3, B-5, C-1, D-2

7. Directions (Q.s) Match list-I with List-II and select the correct answer using the codes given below the list.

List-I (Writ)	List-II (Provisions)
(A) Habeas Corpus	(1) directs public servant to perform some public duty refused to have been performed by him
(B) Mandamus	(2) directs an individual (private or executive) to produce a detainee before the court
(C) Prohibition	(3) issued by high court forbidding an inferior court from continuing proceedings in a particular case
(D) Certiorari	(4) enquires into the legality of the claim which a party asserts to a public office (5) Issued to a lower court quashing its decision in a particular case

- (a) A-5; B-1; C-3; D-2; E-4
(b) A-2; B-1; C-3; D-5; E-4
(c) A-4; B-2; C-3; D-1; E-5
(d) A-3; B-4; C-5; D-2; E-1

List-I (Writ)	List-II (Literal meanings)
(A) Mandamus	(1) 'By what warrant or authority'
(B) Habeas Corpus	(2) 'We command'
(C) Quo warranto	(3) 'To be certified'
(D) Certiorari	(4) 'You may have the body' or 'To have the body of'

(a) A-2; B-3; C-4; D-1
(b) A-2; B-4; C-3; D-1
(c) A-1; B-4; C-2; D-3
(d) A-2; B-4; C-1; D-3

9. Consider the following statements about the office of Attorney-General of India?

1. He is a member of the Cabinet.
2. He can address either House of Parliament and vote.
3. He must have qualification of a judge of the Supreme Court.

4. Salary of Attorney General is fixed by Parliament.

Which of the following statements is/are correct?

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

10. Which statements about Financial Bill is CORRECT?
1. It is same as a money bill
 2. It can be introduced only in the Lok Sabha
 3. It can be amended by the Rajya Sabha.
 4. It can only be introduced with the agreement of the President
- Which of the above is/are correct?
- (a) 1 only (b) 2 and 4
(c) 2, 3 and 4 (d) 3 and 4
11. The correct statements about calling attention notice are :
1. It is a device of calling the attention of a minister to a matter of urgent public importance.
 2. Its main purpose is to seek an authoritative statement from the minister.
 3. It does not involve any censure against government.
 4. It is an Indian innovation in the parliamentary procedure since 1952.
 5. It is not mentioned in the Rules of Business and Procedure.
- Which of the following statements is/are correct?
- (a) 1, 2, 3 and 4 (b) 4 and 5
(c) 1, 2, 3 and 5 (d) 1, 2 and 3
12. Which of the following statements are true of Adjournment Motion?
1. It is an extraordinary procedure which sets aside the normal business of the House.
 2. Its main object is to draw the attention of the House to a recent matter of urgent public importance.
 3. The Rajya Sabha can make use of this procedure.
 4. It must be supported by not less than 50 members for introduction.
 5. It involves an element of censure against government.
- Which of the following statements is/are correct?
- (a) 1, 2, 4 and 5 (b) 2, 3 and 5
(c) 2, 3 and 4 (d) 1, 2 and 4
13. Which of the following documents are presented to the legislature along with the budget?
1. An explanatory memorandum on the budget
 2. A summary of demands for grants
 3. An Appropriation Bill
 4. A Finance Bill
 5. The economic survey
- Which of the above is/are correct?
- (a) 1, 3 and 5 (b) 1, 2 and 3
(c) 2, 3 and 5 (d) 1, 2, 3 and 4
14. Which of the following statements are incorrect?
1. Appropriation Bill cannot be amended while the Finance Bill can be amended.
 2. Finance Bill cannot be amended while Appropriation Bill can be amended.
 3. Same procedure governs both the Appropriation Bill and the Finance Bill.
 4. Appropriation Bill and the Finance Bill are governed by different procedures.
 5. Appropriation Bill cannot be rejected by the Rajya Sabha while Finance Bill can be rejected by it.
- Which of the following statements is/are correct?
- (a) 2 and 4 (b) 2, 4 and 5
(c) 1 and 3 (d) 1, 3 and 5
15. Which of the following are not correct about CAG of India?
1. He is appointed by the President for a period of five years.
 2. His salary and conditions of service are determined by President.
 3. He shall vacate office on attaining the age of 60 years.
 4. He can be removed by the President on his own.
 5. He is responsible for maintaining the accounts of Central and state governments.
- Which of the following statements is/are correct?
- (a) 1, 4 and 5 (b) 2, 3 and 4
(c) 1, 2, 3, 4 and 5 (d) 3, 4 and 5
16. Which of the following are the functions of the Public Accounts Committee of Parliament?
1. To examine, in the light of CAG's report, the accounts showing the appropriation of sums granted by the Parliament.
 2. To examine, in the light of CAG's report, the statement of accounts of state corporations, trading and manufacturing projects except of those as are allotted to the committee on public undertakings.
 3. To examine the statement of accounts of autonomous and semi-autonomous bodies, the audit of which is conducted by the CAG.
 4. To examine if any money has been spent on any service during a financial year in excess of the amount granted by house of people for that purpose.
- Which of the following statements is/are correct?
- (a) 1, 2 and 4 (b) 1, 2, 3 and 4
(c) 1, 2 and 3 (d) 1, 3 and 4
17. The Indian President's veto power is a combination of:
1. Pocket veto
 2. Absolute veto
 3. Suspensive veto
 4. Qualified veto
- Which of the above is/are correct?
- (a) 2 and 3 (b) 1, 3 and 4
(c) 2, 3 and 4 (d) 1, 2 and 3
18. The correct statements regarding the difference between the pardoning powers of President and Governor are:
1. The Governor can pardon sentences inflicted by court martial while the President cannot.
 2. The President can pardon death sentence while Governor cannot.
 3. The Governor can pardon death sentence while the President cannot.
 4. The President can pardon sentences inflicted by court martial while the Governor cannot.
- Which of the following statements is/are correct?
- (a) 1 and 2 (b) 2 and 4
(c) 1 and 3 (d) 3 and 4
19. Consider the following statements about the Attorney General of India:
1. He is appointed by the President of India
 2. He must have the same qualifications as required for a judge of the Supreme Court.
 3. He must be a member of either House of Parliament.

4. He can be removed by impeachment by Parliament. Which of these statements is correct?
 (a) 1 and 2 (b) 1 and 3
 (c) 2, 3 and 4 (d) 3 and 4
20. Consider the following statements:
 1. The President of India cannot appoint a person as Prime Minister if he/she is not a member of either Lok Sabha or Rajya Sabha.
 2. The candidate for the office of Prime Minister must have the support of the majority members of both Lok Sabha and Rajya Sabha.
 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
21. Which of the following features of the Indian Government system are the essential features of the parliamentary Government system?
 1. Presence of nominal and real executives
 2. Membership of the ministers in the legislature
 3. Separation of powers between the Union and State government
 4. Independent judiciary system
 Select the correct answer using the codes given below:
 (a) 1 and 2 only (b) 1, 2 and 3 only
 (c) 2 and 3 only (d) 1, 2, 3 and 4
22. Consider the following statements regarding 'No confidence motion'
 1. Only a motion expressing want of confidence in the council of ministers as a whole is admitted and one expressing lack of confidence in an individual minister is out of order
 2. A no confidence motion needs to set out grounds on which it is based.
 3. Any no confidence motion once moved can't be withdrawn
 4. Rajya Sabha is not empowered to entertain a motion of no confidence
 Which of the following given above are not correct?
 (a) 1 and 2 only (b) 1, 2, and 3 only
 (c) 2 and 3 only (d) 1, 2, 3 and 4
23. Consider the following facts about Comptroller and auditor general of India, and choose the correct answer:
 1. CAG is a constitutional Body.
 2. CAG has absolute power to audit accounts of all the functionaries of Central and States' governments as well as of private corporate bodies.
 (a) Only 1 is correct
 (b) Only 2 is correct
 (c) 1 and 2 both are correct
 (d) Neither 1 nor 2 is correct
24. Which of the following statements are correct about Indian Government?
 1. Rajya Sabha represents the local interests of the States.
 2. A member of Rajya Sabha must be a resident of the State from which he is elected.
 3. Number of seats allotted to a State has to be proportionate to its population.
4. The term of a member of Rajya Sabha is same as that of Senator in the US.
- Codes:**
 (a) 2, 3 and 4 (b) 1, 2 and 3
 (c) 1, 3 and 4 (d) 1 and 2
25. Which of the following statements are correct:
 1. President can nominate 2 members from the Anglo – Indian community if not adequately represented in LS.
 2. Governor can nominate 2 members from the Anglo – Indian community if not adequately represented in LA.
 (a) 1 only (b) 2 only
 (c) Both. (d) None
26. Which of the following official(s) is/are appointed by the President by Warrant under his hand and seal.
 1. CAG.
 2. Chairperson of National Commission of SCs.
 3. Attorney General of India.
 4. CVC
 (a) 1, 2 & 4 only (b) 2 & 3 only
 (c) 1 & 3 only (d) 1, 2 & 3
27. Which of the following statement(s) is/are true with regard to the Attorney General of India:
 1. He/she is the highest law officer of the country.
 2. He/she can be removed by the President on same grounds and in the same manner as a judge of the SC.
 (a) 1 only (b) 2 only
 (c) Both (d) None
28. The 'Council of Ministers' does not consist of:
 1. Deputy Ministers.
 2. Parliamentary Secretaries.
 3. Deputy Chairman – Planning Commission.
 (a) 1, 2 & 3 (b) 2 only
 (c) 3 only (d) None of these
29. The Representatives of states & UT in the Rajya Sabha are elected by:
 1. The members of the State Legislative Assembly only.
 2. The elected members of the State Legislative Assembly only.
 3. The system of proportional representation by single transferrable vote.
 4. The system of proportional representation by List.
 (a) 1 & 3 (b) 1 & 4
 (c) 2 & 3 (d) 2 & 4
30. Which of the following is/are correct:
 1. A Money bill can be introduced only in Lok Sabha.
 2. A Money bill is also a Financial Bill.
 3. All Financial bills can be introduced only on the recommendation of the President.
 (a) 1 only (b) 1 & 2 only
 (c) 1, 2 & 3 (d) None of these
31. Consider the following statements : Attorney General of India can
 1. take part in the proceedings of the Lok Sabha
 2. be a member of a committee of the Lok Sabha
 3. speak in the Lok Sabha
 4. vote in the Lok Sabha

Which of the statements given above is/are correct?

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

32. Consider the following statements:

1. The Chairman and the Deputy Chairman of the Rajya Sabha are not the members of that House.
2. While the nominated members of the two Houses of the Parliament have no voting right in the presidential election, they have the right to vote in the election of the Vice President.

Which of the statements given above is/are correct?

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

33. Consider the following statements:

1. It is on the advice of the Speaker of Lok Sabha that the President of India summons and prorogues Parliament and dissolves Lok Sabha.
2. The resignation of the Prime Minister means the resignation of the entire Council of Ministers.
3. A vote of confidence against one Minister in Lok Sabha means the vote of confidence against the entire Council of Ministers.

Which of the following 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

34. In which among the following cases, the joint session of both the Houses of Parliament can be summoned?

1. To amend the Constitution.
2. When a Bill has been pending with one House for more than six months after it was passed by the other.
3. When both the Houses disagree on the amendments to be made in a Bill.
4. When a bill is passed by one House and is rejected by the other.

Select the correct answer using the codes given below.

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

35. Consider the following statements:

1. The Ministries/Departments of the Union Government are created by the Prime Minister.
2. The Cabinet Secretary is the Ex-officio Chairman of the Civil Services Board.

Which of the statement given above is/are correct?

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

36. Consider the following Vice-Presidents of India:

1. V.V Giri
2. M Hidayatullah
3. B.D. Jatti
4. G.S. Pathak

Which one of the following is the correct chronology of their tenures?

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

37. Consider the following statements about the powers of the President of India

1. The President can direct that any matter on which decision has been taken by a Minister should be placed before the Council of Ministers.

2. The President can call all information relating to proposals for legislation.
3. The President has the right to address and send messages to either House of the Parliament.
4. All decisions of the Council of Ministers relating to the administration of the Union must be communicated to the President.

Which of the statements given above are correct?

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

38. Consider the following statements relating to the procedure of the election of the Speaker and the Deputy Speaker of the Lok Sabha

1. The election of a Speaker shall be held on such date as the Prime Minister may fix and the Secretary General shall send to every member, notice of this date.
2. The election of a Deputy Speaker shall be held on such date as the Speaker may fix and the Secretary General shall send to every member notice of this date.
3. At anytime before noon on the day preceding the date so fixed, any member may give notice in writing of a motion that another member be chosen as the Deputy Speaker of the House.

Which of the statement(s) given above is/are correct?

- (a) 2 and 3 (b) Only 2
(c) 1 and 3 (d) All of these

39. Which of the following pairs of constitutional authority and procedure of appointment is/are correctly matched?

1. President : Elected by an electoral college consisting of elected MLAs and MPs
2. Vice-President: Elected by an electoral college consisting of MLAs and MPs
3. Speaker : The House of People chooses after its first sitting

Select the correct answer using the codes given below

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

40. Which of the following are/is stated in the Constitution of India?

1. The President shall not be a member of either House of Parliament
2. The Parliament shall consist of the President and two Houses

Choose the correct answer from the codes given below:

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

41. According to the Constitution of India, it is the duty of the President of India to cause to be laid before the Parliament which of the following?

1. The Recommendations of the Union Finance Commission
2. The Report of the Public Accounts Committee
3. The Report of the Comptroller and Auditor General
4. The Report of the National Commission for Scheduled Castes

Select the correct answer using the codes given below :

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

42. Consider the following statements:

1. While members of the Rajya Sabha are associated with Committees on Public Accounts and Public Undertakings, members of Committee on Estimates are drawn entirely from the Lok Sabha.
2. The Ministry of Parliamentary Affairs works under the overall direction of Cabinet Committee on Parliamentary Affairs.
3. The Minister of Parliamentary Affairs nominates Members of Parliament on Committees, Councils, Board and Commissions etc. set up by the Government of India in the various ministries.

Which of these statements are correct?

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

43. Consider the following statements in respect of financial emergency under Article 360 of the Constitution of India:

1. A proclamation of financial emergency issued shall cease to operate at the expiration of two months, unless before the expiration of that period it has been approved by the resolutions of both Houses of Parliament.
2. If any proclamation of financial emergency is in operation, it is competent for the President of India to issue directions for the reduction of salaries and allowances of all or any class of persons serving in connection with the affairs of the Union but excluding the Judges of Supreme Court and the High Courts.

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

44. Who among the following have held the office of the Vice-President of India?

1. Mohammad Hidayatullah
2. Fakhruddin Ali Ahmed
3. Neelam Sanjiva Reddy
4. Shankar Dayal Sharma

Select the correct answer using the code given below:

Codes:

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

45. A deadlock between the Lok Sabha and the Rajya Sabha calls for a joint sitting of the Parliament during the passage of

1. Ordinary Legislation
2. Money Bill
3. Constitution Amendment Bill

Select the correct answer using the codes given below :

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

46. Consider the following statements:

In the electoral college for Presidential Election in India,

1. the value of the vote of an elected Member of Legislative Assembly equals $\frac{\text{State Population}}{\text{Number of Elected MLAs of the State}} \times 100$

2. the value of the vote of an elected Member of Parliament equals to total value of the votes of all elected MLA's and total number of elected MP's
3. there were more than 5000 members in the latest elections.

Which of these statements is/are correct?

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

47. The principle of "collective responsibility" under parliamentary democracy implies that

1. a motion of no-confidence can be moved in the Council of Ministers as a whole as well as an individual minister.
2. no person shall be nominated to the cabinet except on the advice of the Prime Minister.
3. no person shall be retained as a member of the Cabinet if the Prime minister says that he shall be dismissed.

Select the correct answer using the codes given below

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

48. The Committee on Public Accounts under the Constitution of India is meant for

1. the examination of accounts showing the appropriation of sums granted by the House for the expenditure of the Government of India
2. scrutinising the report of the Comptroller and Auditor-General
3. suggesting the form in which estimates shall be presented to the Parliament

Select the correct answer using the codes given below

- (a) Only 1 (b) Only 2
(c) 1 and 2 (d) All of these

49. Which of the following principles is/are taken into consideration by the Speaker while recognising a parliamentary party or group?

1. An association of members who have an organisation both inside and outside the House
2. An association of members who shall have at least one-third of the total number of members of the House
3. An association of members who have a distinct programme of parliamentary work

Select the correct answer using the codes given below

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

50. Consider the following statements :

1. The President shall make rules for the more convenient transaction of the business of the Government of India, and for the allocation among Ministers of the said business.
2. All executive actions of the Government of India shall be expressed to be taken in the name of the Prime Minister.

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

51. With reference to the Union Government, consider the following statements :

1. The Department of Revenue is responsible for the preparation of Union Budget that is presented to the Parliament.
2. No amount can be withdrawn from the Consolidated Fund of India without the authorization from the Parliament of India.
3. All the disbursements made from Public Account also need the authorization from the Parliament of India.

Which of the statements given above is / are correct?

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

52. Match List-I with List-II and select the correct answer using the codes given below the list.

List-I

(Form of government)

- (A) Cabinet government
(B) Presidential government
(C) Federal government
(D) Unitary government

List-II

(Essential features)

- (1) Separation of powers
(2) Collective responsibility
(3) Concentration of powers
(4) Division of powers
(5) Administrative law

- (a) A - 3 ; B - 4 ; C - 2 ; D - 1
(b) A - 2 ; B - 1 ; C - 4 ; D - 3
(c) A - 3 ; B - 4 ; C - 1 ; D - 2
(d) A - 4 ; B - 3 ; C - 2 ; D - 5

53. Which of the following is a discretionary powers of the Governor?

1. Selecting a chief minister if no single party has a clear majority.
2. Dismissing the ministry at any time.
3. Reserving a bill for the President.

Which of the following statements is/are correct?

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

54. Which of the following statements are true about the Governor of a state?

1. The executive power of the state is vested in him.
2. He must have attained 35 years of age.
3. He holds office during the pleasure of the President.
4. The grounds for his removal are laid down in the Constitution.

Which of the following statements is/are correct?

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

55. The Governor of state :

1. Possesses executive, legislative and judicial powers analogous to the President.
2. Has to act with the aid and advice of the council of ministers always.
3. Has the power to appoint and remove the members of State Public Service Commission.
4. Has the power to allocate business of the government among the various ministers.

Of the above, the correct statement are :

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

56. Which of the following are the discretionary powers given to the Governor of a State?

1. Sending a report to the President of India for imposing the President's rule
2. Appointing the Ministers
3. Reserving certain bills passed by the State Legislature for consideration of the President of India
4. Making the rules to conduct the business of the State Government

Select the correct answer using the code given below.

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

57. While appointing a Lokayukta, the Governor in most of the states consults :

1. President of India
2. Speaker of the Legislative Assembly
3. Leader of the opposition in the Legislative Assembly
4. Chief justice of the State High Court
5. Leader of the Opposition in the Legislative Council.

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

58. Under which of the following circumstances, the Governor can reserve a state bill for the consideration of the President?

1. If it is ultra vires.
2. If it is opposed to the Directive Principles of State Policy.
3. If it endangers the position of the state High Court.
4. If it is dealing with the compulsory acquisition of property under Article 31 A.

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

59. Select the constitutional duties of the Chief Minister from following by using codes given below

1. The Chief Minister communicates to the Governor all decisions of the Council of Ministers related to the administration of the affairs of the State.
2. The Chief Minister communicates to the Governor the proposals for legislation.
3. The Chief Minister participates in the meetings of National Development Council.
4. The Chief Minister submits for the consideration of the Council of Ministers any matter on which decision has been taken by a minister but which has not been considered by the council as if the Governor requires.

Codes:

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

60. Consider the following statements with respect to the powers of the Governor of a State :

1. The governor can summon, prorogue and dissolve the State Assembly.
2. The Governor can adjourn the sittings of the State Assembly.
3. The Governor addresses the first session of the Legislative Assembly after elections.

4. The Governor causes to lay the annual budget in the State Assembly.
Which of the statements given above are correct ?
(a) 1 and 2 (b) 1, 3 and 4
(c) 2 and 3 (d) 2 and 4
61. Consider the following statements:
The Governor of a State has the power of appoint:
1. Judges of the High Court
2. Members of the State Public Service Commission
3. Members of the State Finance Commission
4. The Accountant General
Which of these statements are correct?
(a) 1 and 2 (b) 2 and 3
(c) 1, 3 and 4 (d) 1, 2, 3 and 4
62. Consider the following statements :
1. The Governor cannot function without the State Council of Ministers.
2. A person who is not a member of the State Legislature cannot be appointed as a minister.
3. The State Council of Ministers can function for sometime even after death or resignation of the Chief Minister.
4. In the absence of the Chief Minister, only the Home Minister can preside over emergency meetings of the State Council of Ministers.
Which of these is / are correct ?
(a) Only 1 (b) 3 and 4
(c) 1, 2 and 4 (d) 1, 2, 3 and 4
63. Consider the following statements :
1. The Legislative Council of a State in India can be larger in size than half of the Legislative Assembly of that particular State
2. The Governor of a State nominates the Chairman of Legislative Council of that particular State.
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
64. Match List-I with List-II and select the correct answer using the codes given below the lists:
- | List-I
(Local bodies) | List-II
(States as in 1999) |
|---|---------------------------------------|
| A. Zila Parishads at the sub-divisional level | 1. Andhra Pradesh |
| B. Mandal Praja Parishad | 2. Assam |
| C. Tribal Councils | 3. Mizoram |
| D. Absence of Village Panchayats | 4. Meghalaya |
- Codes:
(a) A-2, B-1, C-4, D-3
(b) A-1, B-2, C-4, D-3
(c) A-3, B-2, C-1, D-4
(d) A-2, B-1, C-3, D-4
65. In municipalities,
1. there is 50% reservation for women in the seats to be filled by direct elections
2. grant-in-aid may be given to municipalities from the Consolidated Fund
- Which of the following statements is/are correct?
(a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 nor 2
66. The recommendations of Balwant Rai Mehta Committee includes:
1. Open participation of political parties in Panchayati Raj affairs.
2. Genuine transfer of power and responsibility to the Panchayati Raj institutions.
3. Constitutional protection for Panchayati Raj.
4. District Collector should be the Chairman of the Zila Parishad.
5. Panchayat Samiti to be the executive body
Which of the following statements is/are correct?
(a) 1, 2 and 5 (b) 2, 4 and 5
(c) 2, 3 and 4 (d) 1, 3 and 4
67. Which of the following are the compulsory provisions of the 73rd Amendment Act on Panchayati Raj?
1. Indirect elections of the chairpersons of Panchayats at the intermediate and district levels.
2. Fresh elections within six months in case of dissolution.
3. Provision for reservation of seats for back-ward classes.
4. Giving representation to MPs and MLAs in Panchayats.
Which of the following statements is/are correct?
(a) 1, 3 and 4 (b) 2 and 4
(c) 1 and 2 (d) 2, 3 and 4
68. Consider the following statements :
In India, a Metropolitan Planning Committee :
1. is constituted under the provisions of the Constitution of India.
2. prepares the draft development plans for metropolitan area.
3. has the sole responsibility for implementing Government sponsored schemes in the metropolitan area.
Which of the statements given above is/are correct?
(a) 1 and 2 (b) 2 only
(c) 1 and 3 (d) 2 and 3
69. The Constitution (Seventy-Third Amendment) Act, 1992, which aims at promoting the Panchayati Raj Institutions in the country, provides for which of the following ?
1. Constitution of District Planning Committees.
2. State Election Commissions to conduct all panchayat elections.
3. Establishment of State Finance Commission.
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
70. In the areas covered under the Panchayat (Extension to the Scheduled Areas) Act, 1996, what is the role/power of Gram Sabha?

1. Gram Sabha has the power to prevent alienation of land in the Scheduled Areas.
2. Gram Sabha has the ownership of minor forest produce.
3. Recommendation of Gram Sabha is required for granting prospecting licence or mining lease for any mineral in the Scheduled Areas.

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

71. The fundamental object of Panchayati Raj system is to ensure which among the following ?

- (1) People's participation in development
- (2) Political accountability
- (3) Democratic decentralization
- (4) Financial mobilization

Select the correct answer using the code given below.

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

72. Supreme Court is a court of record. This implies that:

1. It can punish for its contempt
2. its decisions are admitted as evidence and cannot be questioned by any court
3. it has to keep a record of all the important cases in India
4. its decisions, once taken, are binding upon it

Which of the following statements is/are correct?

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

73. In a criminal case, an appeal lies to the Supreme Court if the High Court:

1. has convicted the accused and awarded him a death sentence
2. has on appeal reversed an order for acquittal of an accused and sentenced him to imprisonment of ten years or more
3. has withdrawn for trial before itself any case from a subordinate court and has convicted the accused and sentenced him to death

Which of the following statements is/are correct?

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

74. On which of the following grounds can a Judge of the Supreme Court or a High Court be impeached?

1. Violation of the Constitution
2. Proved misbehaviour
3. Incapacity

Select the correct answer using the codes given below:

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

75. Consider the following statements:

1. The highest criminal court of the district is the Court of District and Session Judge
2. The District Judge are appointed by the Governor in consultation with the High Courts
3. A person to be eligible for appointment as a District Judge should be an advocate or a pleader of seven

years' standing or more, or an officer in judicial service of the Union or the State

4. When the sessions judge awards a death sentence, it must be confirmed by the High Court before it is carried out

Which of the statements given above are correct?

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

76. Consider the following statements:

1. There are 25 High Courts in India.
2. Punjab, Haryana and the Union Territory of Chandigarh have a common High Court.
3. National Capital Territory of Delhi has a High Court of its own.

Which of the statements given above is/are correct?

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

77. With reference to Lok Adalats, consider the following statements:

1. An award made by a Lok Adalat is deemed to be a decree of a civil court and no appeal lies against there to any court.
2. Matrimonial/Family disputes are not covered under Lok Adalat.

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

78. Which of the following are national political parties ?

1. Congress (I)
2. All India Muslim League
3. Dravida Munnetra Kazhagam
4. All India Forward Bloc

Which of the above is/are correct?

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

79. A political party becomes a national party if:

1. it is recognised as a State party in at least three States
2. it wins 2% of seats in the Lok Sabha from at least three different States

Which of the above is/are correct?

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

80. To be recognised as a State party, a political party should:

1. win at least one seat for every 25 Lok Sabha seats, or any fraction thereof.
2. secure 6% of valid votes polled in that State at a general election to the House of the People

Which of the following statements is/are correct?

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

81. Which of the following statements related to the Central Administrative Tribunal are correct?

1. It is a statutory body.
2. Its members are drawn from administrative background only.
3. It is not bound by the procedure prescribed in the code of civil procedure.
4. Its jurisdiction covers the members of All India Services as well as Central Services and Central Government posts.
5. It was setup in 1985.

Which of the following statements is/are correct?

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

82. Match List-I with List-II and select the correct answer using the codes given below the list.

List I (Events)

List II (Years)

- | | |
|--|----------|
| (A) Formation of the Bharatiya Janata Party | (1) 1990 |
| (B) Acceptance of the Mandal Commission report | (2) 1980 |
| (C) Formation of the first communist government in an Indian state | (3) 1957 |
| (D) Passing of the 42 nd Amendment Act | (4) 1976 |
| | (5) 1947 |

- | | A | B | C | D |
|-----|---|---|---|---|
| (a) | 1 | 2 | 4 | 5 |
| (b) | 1 | 2 | 3 | 4 |
| (c) | 2 | 1 | 3 | 4 |
| (d) | 2 | 1 | 4 | 5 |

83. Which of the following is/are not fundamental right(s) under the Constitution of India ?

1. Right to education.
2. Right to work.
3. Right to form associations.
4. Right to practise any profession.

Select the correct answer using the code given below:

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

84. Which of the following are the basic features of the Constitution (73rd Amendment) Act ?

1. Provides for a three-tier structure of panchayats in the village, intermediary and district levels.
2. Reservation of seats for Scheduled Castes and Scheduled Tribes and women in all the tiers of panchayats.
3. Election to panchayats under the supervision of the State Election Commissions.
4. Introduction of the 11th Schedule to the Constitution.

Select the correct answer using the code given below :

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

85. The Bali Ministerial Declaration and the ministerial decisions that were adopted on 7th December, 2013 contained several issues. Which of the following are related to the Least-Developed Countries?

1. Preferential Rules of Origin for Least-Developed Countries
2. Operationalization of the Waiver Concerning Preferential Treatment to Services
3. Duty-Free and Quota-Free (DFQF) Market Access for Least-Developed Countries

Select the correct answer using the code given below.

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

86. Which of the following is/are true relating to the Lokpal Bill, 2013, which was assented to by the President on 1st January, 2014?

1. It provides for creation of anti-graft ombudsman to investigate corruption charges against public

functionaries including the Prime Minister, Ministers and Members of the Parliament.

2. The Bill makes it incumbent upon States to make within a year their own law for setting up Lokayuktas on the lines of the Lokpal Bill.
3. States are free not to set up Lokayuktas, if they do not so desire.

State the correct answer using the code given below.

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

87. Which of the following is/are true relating to Nelson Mandela?

1. He was the first President of South Africa.
2. Mandela spent 18 years in prison on Robben Island.
3. Mandela became the President in 1990 after his release from the prison.

Select the correct answer using the code given below

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

88. Which of the following statements are true for the Fundamental Right to Life and Personal Liberty as guaranteed under Article 21 of the Constitution of India?

1. The Right is available to citizens as well as aliens.
2. It covers protection against arbitrary executive and legislative action.
3. It includes the right to live with human dignity.
4. It can be taken away according to the procedure established by law.

Select the correct answer using the code given below.

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

89. Which of the following statements with regard to the Federal System is/are correct?

1. In a federation, two sets of governments co-exist and there is distribution of power.
2. There is a written constitution.

Select the correct answer using the code given below:

- (a) 1 only (b) 2 only
(c) Both 1 and 2 (d) Neither 1 or 2

90. Which one among the following pairs is *not* correctly matched?

- | | | |
|---------------------|---|-------------|
| (a) Union List | : | Banking |
| (b) State List | : | Agriculture |
| (c) Concurrent List | : | Marriage |
| (d) Residuary List | : | Education |

91. Which of the statements given below is/are correct?

[CDS]

1. The Speaker immediately vacates his/her office whenever the State Legislative Assembly is dissolved.

2. No Member of a State Legislative Assembly shall be liable to any proceeding in any court in respect of anything said or any vote given by him/her in the legislature.

Select the correct answer using the code given below :

Code :

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

92. Which of the following statements regarding the Preamble of the Constitution of India is/are correct ? [CDS]

1. The Preamble is an integral part of the Constitution.
2. The words 'secular' and 'socialist' have been a part of the Preamble since its inception.

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

93. Point out the difference between the local government in India before and after the Constitutional Amendments in 1992:

[CDS]

1. It has become mandatory to hold regular elections to the local government bodies.
2. 1/3rd positions are reserved for women.
3. Elected officials exercise supreme power in the government.

Select the correct answer using the code given below.

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

DIRECTIONS (Qs. 94-97) : The following items consist of two statements, Statement I and Statement II. You are to examine these two statements carefully and select the answers to these items using the code given below:

Code:

- (a) Both the statements are individually true and Statement II is the correct explanation of Statement I.
(b) Both the statements are individually true but Statement II is not the correct explanation of Statement I.
(c) Statement I is true but Statement II is false.
(d) Statement I is false but Statement II is true.

94. **Statement-I:** Coalition in India is always a post-poll phenomenon.

Statement-II : The United Progressive Alliance was formed after the Lok Sabha Election of 2004.

95. **Statement I :** The Constitution of India is a liberal Constitution.

Statement II : It provides Fundamental Rights to individuals.

96. **Statement-I :** Sarkaria Commission recommended that Governor of a state should be a non-political person appointed after consultation with the Chief Minister of the state.

Statement-II : This could be achieved through amending Article 165 of the Constitution of India.

97. **Statement I :** A public expression of dissatisfaction with democracy indicates the success of the democratic project: it transforms people from the status of a subject into that of a citizen.

Statement II : The fact that people are complaining is itself an affirmation of the success of democracy: it shows that people have developed awareness and the ability to look critically at the government.

98. Consider the following statements : [CDS]

1. In Hind Swaraj, Mahatma Gandhi formulates a conception of part life for the individual as well as the society.
2. Hind Swaraj was the outcome of the experience of Gandhi's prolonged struggle against colonial raj in India

Which of the statement given above is / are correct?

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

99. Which of the following is / are Constitutional Body / Bodies?

[CDS]

1. National Commission for Scheduled Tribes
2. National Commission for Women
3. National Commission for Minorities
4. National Human Right Commission

Select the correct answer using the code given below

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

100. Which of the following statements relating to the Bandung Conference on Afro - Asian Resurgence (1955) are correct?

[CDS]

1. Bandung Conference was organized by Indonesia, Myanmar (Burma), Ceylon (Sri Lanka), India, and Pakistan in which 29 countries representing more than half of the world's population sent delegates
2. The conference reflected the five sponsors dissatisfaction with what they regarded as a reluctance by the Western power to consult with them on decisions affecting Asia
3. The Conference was concerned over tension between the People's Republic of China and the United States

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

Hints & Explanations

Level - 1

1. (c) 2. (d) 3. (d)
4. (b) 5. (c) 6. (b)
7. (d) The Indian constitution provides for the appointment of ad hoc judge in supreme court, high court and district and session court. If at any time there should not be a quorum of the Judges of the Supreme Court available to hold or continue any session of the Court, the Chief Justice of India may, with the previous consent of the President and after consultation with the Chief Justice of the High Court concerned, request in writing the attendance at the sittings of the Court, as an ad hoc Judge, for such period as may be necessary, of a Judge of a High Court duly qualified for appointment as a Judge of the Supreme Court to be designated by the Chief Justice of India.
8. (c) In the verdict of *Minerva Mills Vs. Union of India* case, Supreme Court has nullified parliament's effort to establish preference of all the directive principles of state policy over Fundamental Rights.
9. (a) 10. (a) 11. (c)
12. (c) 13. (b) 14. (b)
15. (c) Epistatary jurisdiction extended by the apex court is one of the most significant innovations to secure justice for all.
16. (c) *Kesavananda Bharati vs State of Kerala* (1973) is a landmark decision of the Supreme Court of India that outlined the Basic Structure doctrine of the Constitution. In the case, the Supreme Court ruled that all provisions of the constitution, including Fundamental Rights can be amended. However, the Parliament cannot alter the basic structure of the constitution like secularism, democracy, federalism, separation of powers.
17. (a) The Central Administrative Tribunal has been established for adjudication of disputes with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other local authorities within the territory of India.
18. (d) Lok Adalat's Award has the same effect as of a Civil Court decree. The Supreme Court has held that award of the Lok Adalat is as good as the decree of a Court. The award of the Lok Adalat is fictionally deemed to be decrees of Court and therefore the courts have all the powers in relation thereto as it has in relation to a decree passed by itself. It was the legal services authority act 1987, which gave statutory status to Lok Adalat.
19. (b) It is the Parliament which has the power to increase the number of judges in the Supreme Court of India.
20. (c) 21. (d) 22. (c) 23. (d)
24. (b) 25. (d) 26. (b) 27. (a)
28. (a)
29. (b) Department of Official language (Raj Bhasha Vibhag) comes under Ministry of Home affairs.
30. (a) The Planning Commission was set up by a Resolution of the Government of India in March 1950. It is not provided in the constitution of India.
31. (c) The Chief Election Commissioner holds office for a term of six years or until he attains the age of 65 years, whichever is earlier.
32. (a) Elections in India are conducted according to the constitutional provisions, supplemented by laws made by Parliament. The major laws are Representation of the People Act, 1950, which mainly deals with the preparation and revision of electoral rolls, the Representation of the People Act, 1951 which deals, in detail, with all aspects of conduct of elections and post election disputes.
33. (b) Political scientists speculate that proportional representation leads logically to multi-party systems, since it allows new parties to build a niche in the legislature.
34. (c) 35. (b)
36. (b) The Seventh Schedule is given under Article 246 and includes. The union (central government) state, and concurrent lists.
37. (a) On 18 April 1951, Vinoba Bhave started his land donation movement at Pochampally of Nalgonda district Telangana, known as the Bhoodan Movement.
38. (a) The Article 368 deals with power of Parliament to amend the Constitution and its procedure.
39. (d) The unquestioned right of the Parliament to amend any part of the Constitution is not a basic feature of the Constitution of India.
40. (d) To render compulsory military service is not a fundamental duty of the Indian Citizens.
41. (a) The National Population Register is being prepared at the village sub-town, District, State and National level under provisions of the Citizenship Act 1955.
42. (b) The Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989, an Act of the Parliament of India enacted to prevent atrocities against scheduled castes and scheduled tribes. It prevents discrimination and untouchability. Freedom of religion in India is a fundamental right guaranteed by Article 15 to Article 25 of the Constitution of India.

43. (d) The Vice-President of India is the ex-officio Chairman of Rajya Sabha. He is elected by the members of an electoral college consisting of members of both Houses of Parliament. Rajya Sabha also elects one of its members to be the Deputy Chairman.
44. (d) The Drafting Committee for framing the constitution was appointed on 29th August 1947. The committee comprised of a chairman and six other members. The committee members were:- Dr B. R. Ambedkar(Chairman), K M Munshi, Alladi Krishnaswamy Iyer, N Gopalaswami Ayengar, B L Mitter, Md. Saadullah and D P Khaitan.
45. (a) The Congress of Vienna was a conference of ambassadors of European states, and held in Vienna from September 1814 to June 1815. The goal was not simply to restore old boundaries, but to resize the main powers so they could balance each other off and remain at peace. The "Big Four" members included the "Big Four" and France Austria, England, Prussia and Russia.
46. (c) Article 51(A), Part IV(A) of the Indian Constitution, specifies the list of fundamental duties of the citizens. According to it "to promote the educational and economic interests of the weaker sections of the people, especially the Scheduled castes and Scheduled Tribes" and "To protect all monuments of historic interests and national importance" are not fundamental duties.
47. (d) In case of a deadlock due to disagreement between the two Houses on a Bill, an extraordinary situation arises which is resolved by both the Houses sitting together. The Constitution empowers the President to summon a 'joint sitting' of both the Houses. Article 108 of the constitution deals with the Joint sitting of both Houses.
48. (d) Article 352 of the Indian Constitution mentions the National Emergency in India can be declared by the President. He can declare such an emergency only on the basis of a written request by the Council of Ministers headed by the Prime Minister.
49. (a) Joint session is presided over by the speaker of Lok Sabha or in his absence by the Deputy Speaker.
50. (d)
51. (d) Right to health and information is not included.
52. (c)
53. (b) Literally 'certiorary' means 'to be certified'. It can be issued by the Supreme Court or the High Court for quashing the order already passed by an inferior court, tribunal or quasi-judicial authority.
54. (a) Normally the Parliament can legislate.
55. (b) The Attorney General of India is the Indian government's chief legal advisor, and its primary lawyer in the Supreme Court of India. He is appointed by the President of India under Article 76(1) of the Constitution and holds office during the pleasure of the President. He must be a person qualified to be appointed as a Judge of the Supreme Court.
56. (a) A press in democracy must be free and impartial.
57. (c) 58. (c) 59. (d) 60. (c)
61. (d) 62. (d)
63. (c) The state of Jammu & Kashmir of Indian federation has a separate constitution. Article 370 of the Indian constitution, which is of a temporary nature, grants special status to Jammu and Kashmir. Under Part XXI of the Constitution of India, which deals with "Temporary, Transitional and Special provisions", the State of Jammu and Kashmir has been accorded special status under Article 370.
64. (b)
65. (d) Act 253- Parliament has power to make any law for the whole or any part of the country or territory of India for implementing any treaty, agreement or convention with any other country or any decision made at any international conference, association or other body without the consent of any state.
66. (b) the idea of including the emergency provisions in the Constitution of India has been borrowed from the Weimar Constitution of Germany.
67. (c) Freedom to acquire property or to carry on any occupation trade or business is also available to non citizens.
68. (a)
69. (b) According to Article 22(1) and 22(2), a person cannot be arrested and detained without being arrested.
70. (d)
71. (c) The 44th Amendment of the Indian constitution removed the right to property from the list of fundamental right and made it an ordinary right.
72. (b)
73. (b)
74. (a) The RTI has been given the status of FR under Art. 19(1)
75. (d) The 86th amendment to the Constitution approved in 2002 providing free and compulsory education to all children age 6 to 14 years has been notified. It included Article 21(a) in the Indian constitution making education a fundamental right.
76. (d) To practise family planning and to control population, is not a fundamental duty of the citizen of India. The Fundamental Duties of citizens were added to the Constitution by the 42nd Amendment in 1976. Originally ten in number, the Fundamental Duties were increased to eleven by the 86th Amendment in 2002, which added a duty on every parent or guardian to ensure that their child or ward was provided opportunities for education between the ages of six and fourteen years.
77. (b) Promotion of international peace and security is included in the Directive Principles of State as Article 51 of constitution that mentions to promote international peace and security and maintain just an honourable relations between nations to foster respect for international law and treaty obligations, and to encourage settlements of international disputes by arbitration.

78. (b) Directive Principles of State Policy (DPSPs) aim to create social and economic conditions under which the citizens can lead a good life. They also aim to establish social and economic democracy through a welfare state. The Directive Principles of State Policy is guidelines/principles given to the central and state governments of India, to be kept in mind while framing laws and policies.
79. (b) 80. (c) 81. (b) 82. (a)
83. (d) 84. (b)
85. (b) Under Article 109, special procedure in respect of Money Bill has been given, a Money Bill shall not be introduced in the council of state, it can be introduced in only Lok Sabha. After a money bill is passed by Lok Sabha and send to Rajya Sabha, it should be returned within 7 days.
86. (c) In the absence of both the President of India and the vice president, the chief justice of India (or in his absence, the senior-most judge of the supreme court available) shall act as the president of India.
87. (d)
88. (a) According to the Article 75 of Indian Constitution the Council of Ministers of the Union shall be collectively responsible to the House of the People.
89. (d)
90. (c)
91. (a)
92. (b) Department of official languages is subordinate office of the Ministry of Home affairs. It deals with the implementation of the provisions of the Constitution relating to official languages and the provisions of the Official Languages Act, 1963.
93. (b) Department of border management is a department of ministry of Home affairs of the union minister. Department of Border Management is dealing with management of borders, including coastal borders.
94. (d) While proclamation of Emergency is in operation be extended by parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the proclamation has ceased to operate [Article 83 (2)]
95. (d) The presiding officer of the Lok Sabha is the Speaker who is elected by the member from amongst themselves.
96. (c) Cabinet Secretariat is under the charge of the Prime Minister of India.
97. (c) If any question arises whether a Bill is a money bill or not, the decision of the Speaker of the Lok Sabha shall be final under the article 110 of the constitution of India.
98. (a) Members of both houses of parliament.
99. (c) Joint session is presided over by the Speaker of Lok Sabha or in his absence by the deputy Speaker.
100. (b) According to Article 53(b) of the Indian Constitution the supreme command of the Defence Forces of the Union shall be vested in the President and the exercise thereof shall be regulated by law.
101. (d) The correct sequence is, Discussion on Budget, Appropriation Bill, Finance Bill, Vote on Account.
102. (c) Protem Speaker performs the duties of the office of the Speaker from the commencement of the sitting of the new Lok Sabha till the election of the Speaker. Protem speaker is mainly an operating and temporary speaker.
103. (c) Irrespective of the fact that a number of seats may have to be filled, this system postulates one vote for each voter with the reservation that this single vote is transferred to other candidates. This is the reason why this system is known as "single transferable vote system."
104. (a) The Fourth Schedule of the constitution.
105. (a) Appropriation Bill is a money bill. In case of money bill, RS has only recommendatory power and need not to be passed by RS.
106. (b) The Constitution of India makes clear Rajya Sabha can pass are solution empowering the Parliament to make laws in the State List and to create one or more All India Services.
107. (b) Parliament shall have power to authorise by law the withdrawal of moneys from the Consolidated Fund of India for the purposes for which the said grants are made.
108. (a) Adjournment motion :
- (i) It is introduced in the Parliament to draw attention of the house to a definite matter of urgent public importance and needed to support of 50 members to be admitted.
- (ii) It is regarded as an extraordinary device, because it interrupts the normal business of the house.
- (iii) It involves an element of censure against the government and Rajya Sabha is not permitted to make use this device.
- (iv) The discussion an adjournment motion should last for not less than two hours and thirty minutes.
109. (c) The recommendation of the president is required for introduction of money bills or for moving amendments to acts relating to financial matters, except those making provision for the reduction or abolition of any tax. So, for option (c) president's recommendation is not required.
110. (a) In India, if a bill has been rejected by any house of the parliament and if more than six months have elapsed, the President may summon a joint session for purpose of passing the bill. The bill is passed by a simple majority of a joint sitting.
111. (c) 112. (b) 113. (a) 114. (b)
115. (c)
116. (d) The legislative assembly of the concerned state recommends to the parliament for the abolition of the legislative council in a state (Article 169).
117. (d) President's rule refers to Article 356 of the Constitution of India deals with the failure of the constitutional machinery of an Indian state. In the event that government in a state is not able to function as per the

Constitution, the state comes under the direct control of the central government, with executive authority exercised through the Governor instead of a Council of Ministers headed by an elected Chief Minister accountable to the state legislature. Article 356 is invoked if there has been failure of the constitutional machinery in any states of India.

118. (c) 119. (b) 120. (a) 121. (b)
 122. (d) Nutrition is not the component of the Pradhan Mantri Gramodaya Yojna. Pradhan Mantri Gramodaya Yojana' aims at -
 1. meeting rural needs like primary education, health care, drinking water, housing, rural roads
 2. alleviating employment in rural areas
 3. generating employment in rural areas
 4. strengthening Panchayati Raj system in rural areas
 123. (c) State government has exclusive right/jurisdiction over the sales tax.
 124. (c)
 125. (d) In year 2003, by an amendment in constitution the category of 'Overseas Citizen of India' was entered in the Citizenship Act of India.
 126. (b) In the Case of Danial Latifi Vs. Union of India, the court allowed the extension of the right of a muslim woman to get maintenance till she gets remarriage.
 127. (b) An MP elected from a particular party does not become disqualified from membership of a house, when he is expelled by that particular party.
 128. (a) The recognized languages in the 8th Schedule of the constitution - Assamese, Bengali, Bodo, Dogri, Gujarati, Hindi, Kannada, Kashmiri, Konkani, Maithili, Malayalam, Manipuri, Marathi, Nepalli, Oriya, Punjabi, Sanskrit, Santhali, Sindhi, Tamil, Telugu & Urdu.
 129. (a) The Second Administrative Reforms Commission (2005) was setup by the Government of India as a committee of inquiry to prepare a detailed blueprint for revamping the public administration system.
 130. (a) The principle of 'Rarest of Rare' has been laid down by the top court in the landmark judgement in Bachan Singh versus State of Punjab in 1980.

Level - 2

1. (d) 2. (d) 3. (c) 4. (d) 5. (b)
 6. (d) Borrowed features from different countries are correct.
 7. (b) 8. (d) 9. (c) 10. (c) 11. (d)
 12. (a) 13. (d) 14. (b) 15. (c) 16. (b)
 17. (d) 18. (b) 19. (a) 20. (d)
 21. (b) The given features are essential pillars of Indian Parliamentary form of govt.
 22. (d) A no-confidence motion needs to set out grounds on which it is based. The withdrawal of the notice by a member may be made when he is called upon by the speaker to ask for leave of the House.

23. (a) 24. (c) 25. (a) 26. (a) 27. (a)
 28. (d) 29. (c) 30. (b)
 31. (c) The Attorney General of India has a post parallel to any minister in Parliament. He can take part in the proceedings of either house. He can be a member of any committee of Parliament. He has the right to speak in the Parliament but he has no right to vote.
 32. (b) The nominated members of the Rajya Sabha have the right to vote in the election of the Vice President so far none from them has been inducted in the Council of Ministers.
 33. (b) 34. (c)
 35. (b) The Government of India (Allocation of Business) Rules, 1961 are made by the President of India under Article 77 of the Constitution for the allocation of business of the Government of India. The Ministries/ Departments of the Government are created by the President on the advice of the Prime Minister under these Rules. The Cabinet Secretary is the ex-officio Chairman of the Civil Services Board of the Republic of India.
 36. (a) Correct chronological order of the Vice-Presidents of India is as follows:
 1. V.V. Giri - 1967
 2. G.S Pathak - 1969
 3. B.D Jatti - 1974
 4. M Hidayatullah - 1979
 37. (d) According to Article 78 it shall be the duty of the Prime Minister-
 • to communicate to the President all decisions of the council of Ministers relating to the administration of the affairs of the union and proposals for legislation;
 • to furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for;
 • if the President so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister;
 38. (d) Election of Speaker shall be held on such date as the President may fix, and the Secretary-General shall send notice of this date to every member.
 The election of a Deputy Speaker shall be held on such date as the Speaker may fix and the Secretary-General shall send notice of this date to every member.
 At any time before noon on the day preceding the date so fixed, any member may give notice in writing, addressed to the Secretary-General, of a motion that another member be chosen as the Deputy Speaker of the House and the notice shall be seconded by a third member and shall be accompanied by a statement by the member whose name is proposed in the notice that he is willing to serve as Deputy Speaker, if elected.
 39. (c) The Vice-President is elected by an Electoral College, which consists of the members of the Lok Sabha and Rajya Sabha (both elected and nominated members).

40. (b) Statement 1 is correct as per provisions under Article 59. Statement 2 is correct as according to Article 79, Parliament shall consist of the President and two Houses.
41. (c) It is not the duty of the President of India to cause to be laid report of public Accounts Committee before the Parliament.
42. (a)
43. (a)
44. (b) Mohd. Hidayatullah (1979-84); Shankar Dayal Sharma (1987-92)
45. (a) Only option 1 is correct.
46. (b) The value of a MP's vote is calculated by dividing the total value of all MLAs' votes by the number of MPs.
- Value of an MP vote =
$$\frac{\text{The sum of vote value of elected members of all the Legislative Assemblies}}{\text{The sum of elected members of both the house of Parliament}}$$
47. (d)
48. (c)
49. (c)
50. (a) Clause (3) of Article 77 "Conduct of Business of the Government of India" of the Constitution of India lays down as follows: "The President shall make rules for the more convenient transaction of the business of the Government of India, and for the allocation among Ministers of the said business. The Constitution of India mentions that, "All executive action of the Government of India shall be expressed to be taken in the name of the President." Therefore, only option (a) is correct.
51. (c) All revenues received by the Government by way of taxes like Income Tax, Central Excise, Customs and other receipts flowing to the Government in connection with the conduct of Government business i.e. Non-Tax Revenues are credited into the Consolidated Fund constituted under Article 266 (1) of the Constitution of India. No amount can be withdrawn from the Fund without authorization from the Parliament.
52. (b) 53. (a) 54. (b) 55. (c)
56. (b) 57. (d) 58. (b)
59. (d) National Development Council is not constitutional.
60. (b) The Governor is a part of the state legislative and can summon, and prorogue the state legislative. The governor can even dissolve the Vidhan Sabha. At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year the Lieutenant Governor shall address the Legislative Assembly and inform it of the causes of its summons. As per Article 202 of the Constitution of India the Governor of a State shall, cause to be laid before the House or Houses of the Legislature of the State a Statement of the estimated receipts and expenditure of the State for a financial year. This estimated statement of receipt and expenditure for a financial year named in the Constitution as the "Annual Financial Statement" is commonly known as "Budget".
61. (b) The Governor has the power to appoint the Council of Ministers including the Chief Minister of the state, the Advocate General and the members of the State Public Service Commission. However, the Governor cannot remove the members of the State Public Service Commission as they can only be removed by an order of the President.
62. (a) The Constitution provides that there shall be a Council of Ministers with the Chief Minister at the head to aid and advice the Governor in the exercise of his functions except in so far as he is by or under the Constitution required to act in his discretion. The governor appoints the Chief Minister and other Ministers on the advice of the Chief Minister.
63. (d) The maximum strength of the legislative council is fixed at one third of the total strength of the legislative assembly and the minimum strength is fixed at 40. The chairman of the legislative council is elected by the council itself from amongst its members.
64. (a) Zilla parishads at the sub-divisional level-Assam Mandal Praja Parishad-Andhra Pradesh, Tribal Councils-Meghalaya and Absence of village panchayats-Mizoram
65. (b) 66. (b) 67. (c) 68. (a)
69. (c) District planning committee comes under 74th Amendment not in 73rd Amendment.
70. (d) According to Panchayat Extension to the Scheduled Areas) Act 1996, Gram Sabha has the power to prevent alienation of land in the Scheduled Areas, has the ownership of minor forest produce and the recommendation of Gram Sabha is required for granting prospecting licence or mining lease for any mineral in the Scheduled Areas.
71. (a) The fundamental object to Panchayati Raj system is to ensure people's participation in development, political accountability and democratic decentralization.
72. (b) 73. (a)
74. (d) The Judge of the Supreme Court or a High Court can be impeached on the basis of proved misbehaviour and incapacity. Art. 124 (4) & (5) and Art 217 (1) (b) and 218
75. (d) These provisions are given under Article 233-235 in the chapter of Subordinate Courts in the Constitution of India.
76. (a) There are 24 High Courts in India with three new states created in 2000, having their own High Courts (Chattisgarh at Bilaspur, Uttarakhand at Nainital and Jharkhand at Ranchi). Punjab, Haryana and Chandigarh have a common HC at Chandigarh. In the year 2013, three new High Courts in the northeast - Meghalaya, Manipur and Tripura were created taking the total number of High Courts in the country from 21 to 24. National Capital Territory of Delhi has a High Court of its own which was established in the year 1966.
77. (a) When statutory recognition had been given to Lok Adalat, it was specifically provided that the award

passed by the Lok Adalat formulating the terms of compromise will have the force of decree of a court which can be executed as a civil court decree.

78. (a) 79. (d) 80. (b) 81. (c) 82. (c)

83. (c) The seven fundamental rights are Right to equality, Right to freedom, Right against exploitation, Right to freedom of religion, Cultural and Educational rights, Right to constitutional remedies and Right to life.

84. (c) All of these are correct.

85. (a)

86. (a) The Lokpal Act, 2013, officially 'The Lokpal and Lokayuktas Act, 2013', is an anti-corruption Act of Indian Parliament in India which "seeks to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against certain public functionaries and for matters connecting them". According to the Act, Lokpal will be applicable at the Centre and Lokayukta at the States.

87. (c) Nelson Mandela was the first black president of South Africa (1994-99). Mandela spent 18 years (From 1964 to 1982) in prison on Robben island.

88. (c) Option (c) is the correct answer.

89. (c) Federal government is the common government of a federation. There is more than one level of government which run according overlapping and shared power is prescribed by a constitution.

90. (d) Education is included in the concurrent list. Also residuary list/powers are matters not included in the Union list, state list or the concurrent list. These are powers under the judiciary.

91. (b) Members of state legislative assembly are not liable to any proceeding in any court.

92. (a) The preamble to the Constitution of India is a brief introductory statement that sets out the guiding purpose and principles of the document.

93. (b) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality.

94. (b) Coalition government works both at central and state level. It is running in india since two decades. The UPA was formed after the parliamentary election held in 2004.

95. (d) A constitution may be rigid or flexible, but rigid constitution can't be amended easily. Indian constitution is a mixture of both because laws/ acts are made and amended by adopting the legislative procedures.

96. (c) Article 165 is related to the Advocate General for the state. The Governor of each state shall appoint a person who is qualified to be appointed a Judge of a High court to be Advocate General for the state.

97. (a) In democracy all adult citizens have an equal day in the decision making process. A public expression of dissection faction means that people are willing to express their opinions. They now have the ability to look critically at the government.

98. (b) Hind Swaraj or Indian Home Rule is a book written by Mahatma Gandhi in which he expresses his views on Swaraj, modern civilisation, mechanisation, etc.

99. (a) Constitutional bodies are formed by the constitution which helps the government to run properly.

100. (d) Bandung Conference was a meeting of Asian and African states, most of which were newly independent.