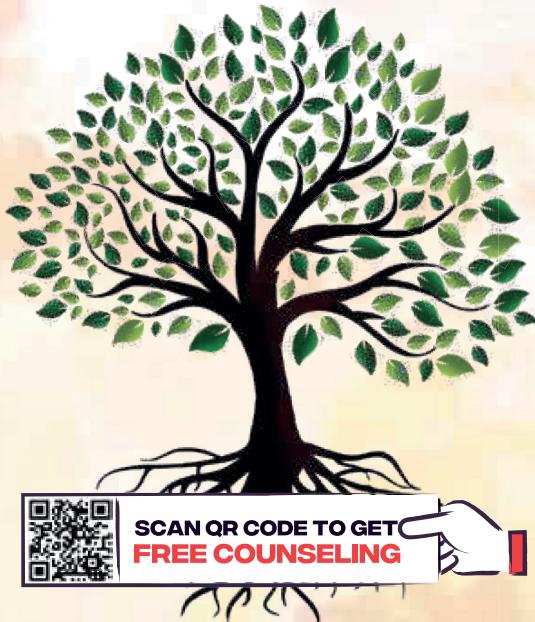


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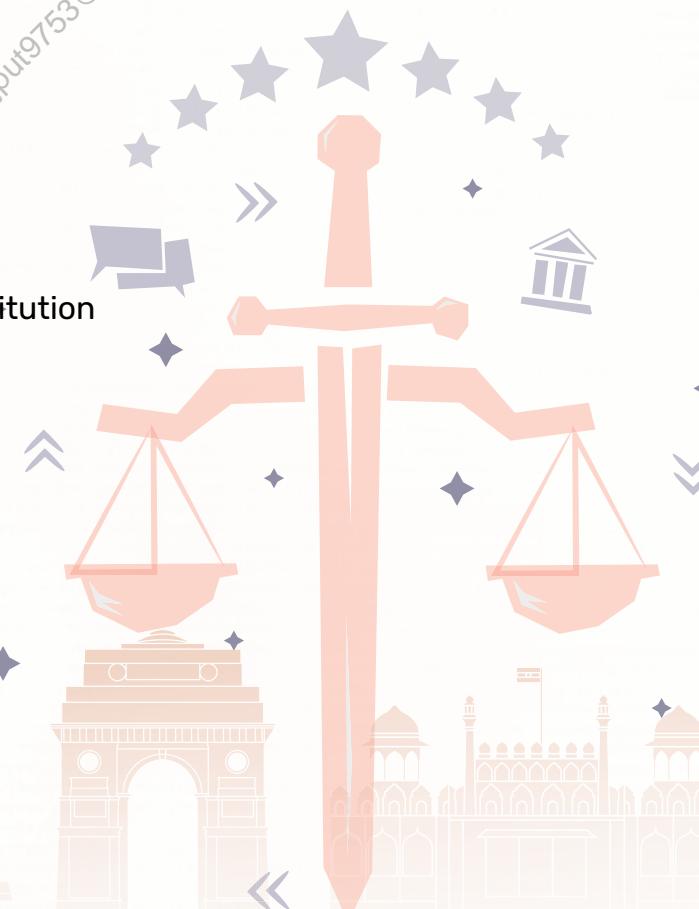
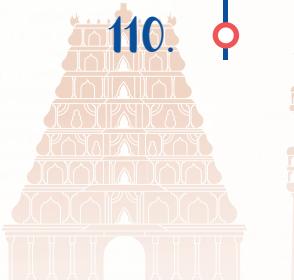
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## A Strategy & Approach- ( Indian Polity and Gover-



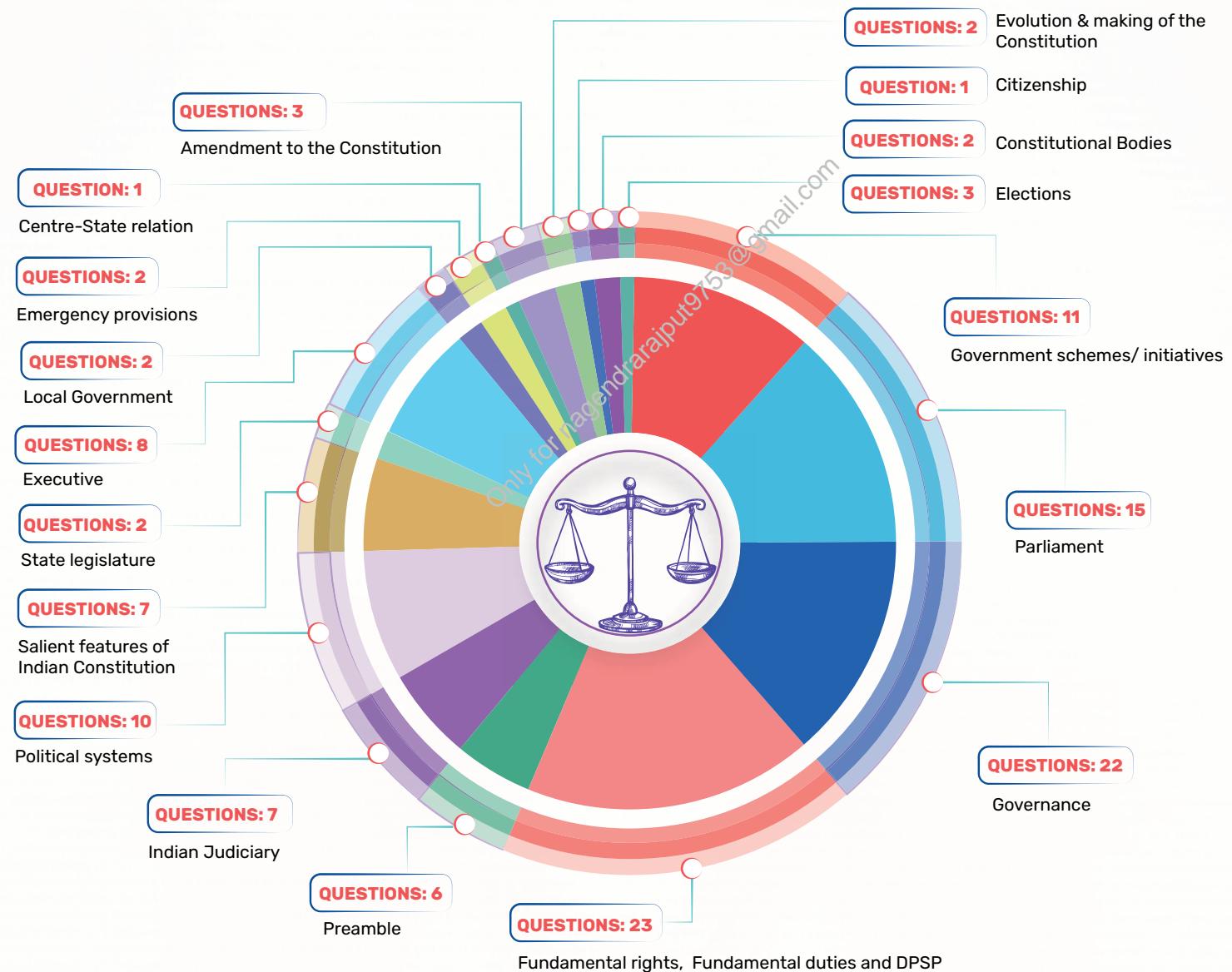
# **SYLLABUS**

**PRELIMS:** Indian Polity and Governance – Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

## **TOTAL NO. OF QUESTIONS: 127**



# **TOPIC WISE QUESTIONS**





## QUESTIONS SOURCE TYPE ANALY-

- ④ **Essential material (EM)** - 93: To be referred - NCERTS: Indian Constitution at work, Democratic Politics I and M.Laxmikanth Indian Polity
- ④ **EN (Standard Newspapers)** - 19
- ④ **Reference material (RM)** - 7 : D.D. Basu (Introduction to the Constitution of India), Subhash Kashyap (Our Political System), ARC
- ④ **RR (Random Read like random website)**: 8

### Difficulty level Analysis (2017-23)

YEAR	NO. OF QUESTIONS	EASY	MEDIUM	DIFFICULT
2017	29	11	13	5
2018	17	2	12	3
2019	13	5	6	2
2020	18	10	4	4
2021	22	10	6	6
2022	14	5	6	3
2023	14	2	3	9

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## OBSERVATIONS

- ④ Mostly questions in this section has come from static and standard sources which makes the difficulty level overall to moderate level.
- ④ UPSC has continued to ask questions based on political philosophy e.g. Constitutionalism/ Constitution, the essence of the principles used in judicial review, etc.
- ④ Increasing trend towards current affairs issues. There is a link in some questions from newspaper articles and current affairs.
- ④ In **Governance section**, significant number of questions were asked from diverse current affairs linked topics like Prisons Act 1894, old-yet-important Acts e.g. Official Secrets Act, etc.



## Suggestions to the students (Based on UPSC 2023 paper)

- Regardless of the **different pattern adopted by UPSC in 2023** by changing the options and limiting the elimination techniques, the students should focus on intentional and observational acquisition of knowledge rather than superficial studying.
- They should read the newspapers and prepare current affairs comprehensively as the inspiration to ask even the static questions has been current affairs.
- **Standard Polity text books and holistic coverage** will remain the key to success in almost all the patterns adopted by UPSC.

## SOURCES TO BE REFERRED

### Essential Materials

- Indian Constitution at work (Class XI th NCERT)
- Democratic Politics-I
- Indian Polity – M.Laxmikanth

### Reference Material

- D.D. Basu (Introduction to the Constitution of India)
- Subhash Kashyap (Our Political System)
- ARC 2 and Ministries Official Websites (For Governance)

### Newspapers and Websites

- The Hindu, Indian Express
- PIB
- PRS Legislative Research



## Parliament -Total No. of Questions- 15

**2**

Questions

Parliamentary  
proceedings

**5**

Questions

Bills

**6**

Questions

Lok Sabha &  
Rajya Sabha

**2**

Questions

Parliamentary  
Committee

### Year 2017



*Parliamentary proceedings*

**Q1. The Parliament of India exercises control over the functions of the Council of Ministers through**

1. Adjournment motion
2. Questions hour
3. Supplementary questions

Select the correct answer using the code given below:

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

**ANSWER D**

### Explanation

- The Parliament exercises control over the ministers through various devices like question hour, discussions, adjournment motion, no confidence motion, etc.
- Here “control over functions” must not be taken in a literal manner. The phrase means that the parliament can demand accountability from the Council of Ministers (the Government) through these instruments.
- **Adjournment Motion:** A Motion for discussing 'a specific and important matter that should have urgent consideration'. It can be moved by any member of the House and is in the nature of emergency motion of censure upon the Government. The object is to draw the attention of the Government to a matter of urgent public importance so as to criticize the decision of Government in an urgent matter in regard to which a motion or resolution with proper notice will be too late.
- **Question Hour:** An hour of every sitting of the House available for asking and answering of questions is popularly known as Question Hour. Until the 232nd Session, the first hour of the House was available for asking and answering of questions. From the 233rd Session onwards, the Question Hour has been shifted which now commences from 12.00 noon to 1.00 p.m.

- ④ **Supplementary Questions:** These are questions which arise out of a Minister's answer to a Starred or Short Notice Question. These can be asked with the Chair's permission immediately after the Minister has answered the main question, for the purpose of further elucidating any matter of fact.

**SOURCE :** Laxmikanth Ch-Parliamentary System.



## Q2. With reference to the Parliament of India, consider the following statements:

1. A private member's bill is a bill presented by a Member of Parliament who is not elected but only nominated by the President of India.
2. Recently, a private member's bill has been passed in the Parliament of India for the first time in its history.

Which of the statements given above is/are correct?

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

**ANSWER D**

## Explanation

- ④ A Private Member's bill is introduced by any member of Parliament other than a minister. Its introduction in the House requires one month's notice. Its drafting is the responsibility of the member concerned. **Hence statement 1 is not correct.**
- ④ The last Private Member's Bill passed by parliament was the Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Bill, 1968, which became an act on August 9, 1970. The Rights of Transgender Persons Bill, 2014, passed by the Rajya Sabha on Friday is the first private member's bill to get the upper house's approval in the past 45 years. **Hence statement 2 is not correct.**

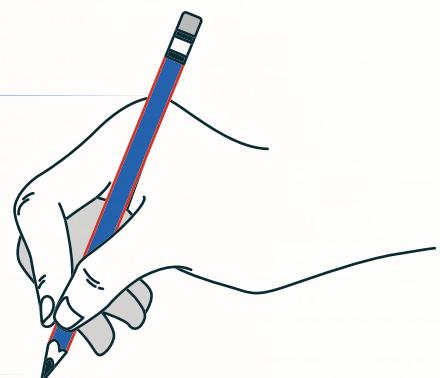
**SOURCE :** Laxmikanth's Ch- Parliament

<http://indianexpress.com/article/opinion/columns/transgender-persons-bill-rajya-sabha-private-member-bill-3195872/>

<http://www.thehindu.com/news/national/tamil-nadu/jallikattu-row-private-member-bill-on-bull-in-rs-but-withdrawn/article17517515.ece>

## STUDENTS NOTE

Various types of bills such as Money Bill, Finance Bill and Constitution Amendment Bill is a repeated theme of UPSC as also asked in 2022, 2023.



## Year 2018



Lok sabha

### Q3. Consider the following statements:

1. In the first Lok Sabha, the single largest party in the opposition was the Swatantra Party
2. In the Lok Sabha, a "Leader of the Opposition" was recognised for the first time in 1969.
3. In the Lok Sabha, if a party does not have a minimum of 75 members, its leader cannot be recognised as the Leader of the Opposition.

Which of the statements given above is/are correct?

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

### ANSWER B

### Explanation

- ① **Statement 1 is not correct:** The Congress party won 364 of the 489 seats in the first Lok Sabha and finished way ahead of any other challenger. The Communist Party of India that came next in terms of seats won only 16 seats.
- ② **Statement 2 is correct:** In 1969, an official leader of the opposition was recognised for the first time. However, it was given statutory recognition in 1977.
- ③ **Statement 3 is not correct:** The leader of the largest Opposition party having not less than one-tenth seats of the total strength of the House is recognised as the leader of Opposition in that House.

**SOURCE :** Indian polity by M Laxmikanth, Chapter- Parliament, NCERT 12th - Politics in India since independence, Chapter-2

### Elimination strategy

The third statement was easy to eliminate as the issue of having no Leader of Opposition in the 16 th Lok Sabha, and details of the 10% criteria was repeatedly covered in news.





## Parliamentary Committee

**Q4. With reference to the Parliament of India, which of the following Parliamentary Committees scrutinizes and reports to the House whether the powers to make regulations, rules, sub-rules, by-laws, etc. conferred by the Constitution or delegated by the Parliament are being properly exercised by the Executive within the scope of such delegation?**

- (a) Committee on Government Assurances
- (b) Committee on Subordinate Legislation
- (c) Rules Committee
- (d) Business Advisory Committee

### ANSWER B

#### Explanation

- The Committee on Subordinate Legislation examines and reports to the House whether the powers to make rules, regulations, bye-laws, schemes or other statutory instruments conferred by the Constitution or delegated by Parliament are being properly exercised. In both the Houses, the committee consists of 15 members. It was constituted in 1953.
- Hence, option (b) is the correct answer.

**SOURCE :** Indian polity by M Laxmikanth, Chapter- Parliament.



## Bills

**Q5. Regarding Money Bill, which of the following statements is not correct?**

- (a) A bill shall be deemed to be a Money Bill if it contains only provisions relating to imposition, abolition, remission, alteration or regulation of any tax.
- (b) A Money Bill has provisions for the custody of the Consolidated Fund of India or the Contingency Fund of India.
- (c) A Money Bill is concerned with the appropriation of money out of the Contingency Fund of India.
- (d) A Money Bill deals with the regulation of borrowing of money or giving of any guarantee by the Government of India.

### ANSWER C

#### Explanation

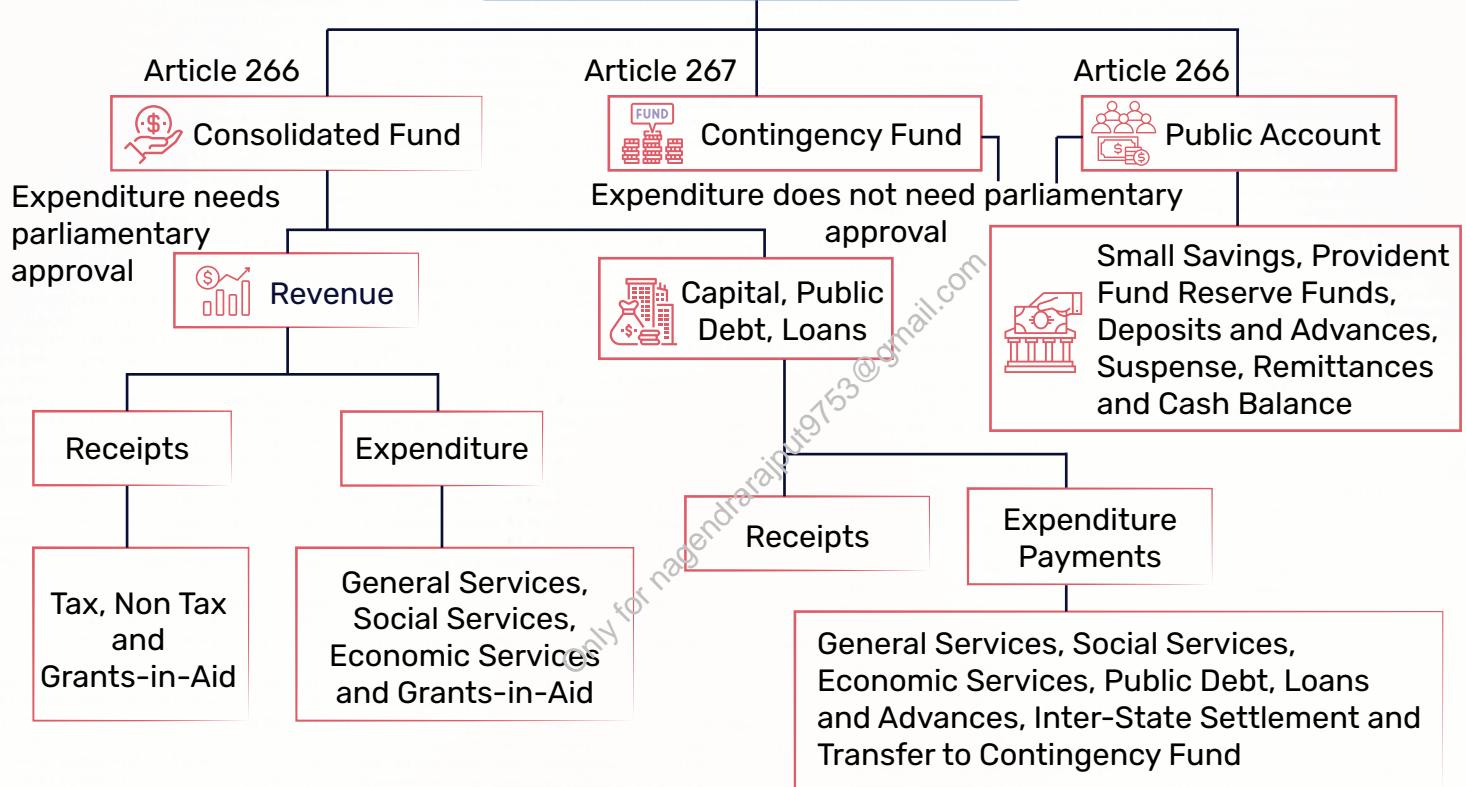
- Article 110 of the Constitution deals with the definition of money bills. It states that a bill is deemed to be a money bill if it contains 'only' provisions dealing with all or any of the following matters:
  1. The imposition, abolition, remission, alteration or regulation of any tax;
  2. The regulation of the borrowing of money or the giving of any guarantee by the Government of India;

3. The custody of the Consolidated Fund of India or the contingency fund of India, the payment of moneys into or the withdrawal of money from any such fund;
4. The appropriation of money out of the Consolidated Fund of India;
5. Declaration of any expenditure charged on the Consolidated Fund of India or increasing the amount of any such expenditure;
6. The receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money, or the audit of the accounts of the Union or of a state; or
7. Any matter incidental to any of the matters specified above.

→ Hence option (c) is the correct answer.

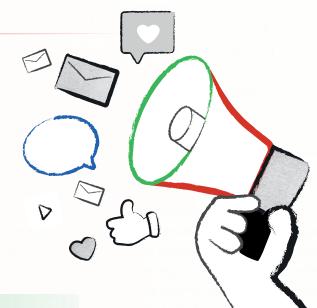
**SOURCE :** Indian polity by M Laxmikanth, Chapter - Parliament.

## Government Accounts



## Additional Information

Funds in the Contingency Fund are transferred from the Consolidated Fund only. That transaction needs parliamentary approval. But no parliamentary approval is required for spending money out of Contingency Fund, and that can be done by the government only.



A question on money bill & finance bill also came in 2023

## Year 2023

**With reference to Finance Bill and Money Bill in the Indian Parliament consider the following statements:**

1. When the Lok Sabha transmits Finance Bill to the Rajya Sabha, it can amend or reject the Bill.
2. When the Lok Sabha transmits Money Bill to the Rajya Sabha, it cannot amend or reject the Bill, it can only make recommendations.
3. In the case of disagreement between the Lok Sabha and the Rajya Sabha, there is no joint sitting for Money Bill, but a joint sitting becomes necessary for Finance Bill.

**How many of the above statements are correct?**

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

## Year 2019



### Parliamentary committee

**Q6. In India, which of the following review the independent regulators in sectors like telecommunications, insurance, electricity, etc.?**

1. Ad Hoc Committee set up by the Parliament.
2. Parliamentary Department Related Standing Committee
3. Finance Commission
4. Financial Sector Legislative Reforms Commission
5. NITI Aayog

Select the correct answer using the code given below.

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

**ANSWER A**

### Explanation

- ④ **Department related Standing Committees:** The Committee system of Parliament is often used in several countries for oversight of regulators. In India, there are 24 Department Related Standing Committees that comprise members from both Houses of Parliament. These committees are ministry specific, and may review the working of regulators within their respective departments. The Ad hoc committees are temporary and perform specific task.
- ④ The Ad Hoc Committees dissolve, once their task is done. These committees are Ministries' specific and review the working of regulators within their respective departments.

- ④ **Ad-hoc Committees:** Parliament may establish ad-hoc committees which may examine the working of regulators. For instance, the terms of reference of the Joint Parliamentary Committee (JPC) on the allocation of 2G spectrum include the review of the policy on spectrum pricing and grant of telecom licences. Another example of parliamentary oversight through ad-hoc committees is the scrutiny of the working of SEBI and RBI by the JPC on the stock market scam.
- ④ **The two parliamentary committees on finance which exercise oversight of regulators are: (a) the Committee on Estimates; and (b) the Public Accounts Committee (PAC).** The Committee on Estimates reviews budgetary estimates of government departments. Such estimates include the budget of regulators. Most laws establishing independent regulators require the Comptroller and Auditor General (CAG) to prepare annual audit reports on the accounts of the regulators. These reports are tabled before Parliament and reviewed by the PAC. The PAC may require the regulator's officers to depose before the Committee. For instance, the Chairman and senior officers of SEBI deposed before the PAC when it was examining the working of SEBI.
- ④ **Finance Commission, Financial Sector Legislative Reforms Commission and NITI Aayog have no role in reviewing the independent regulators.**
- ④ **Hence option (a) is the correct answer.**

**SOURCE :** Laxmikant- Indian Polity

[https://www.prsindia.org/sites/default/files/parliament\\_or\\_policy\\_pdfs/1370586800\\_Parliamentary%20oversight%20of%20Regulators.pdf](https://www.prsindia.org/sites/default/files/parliament_or_policy_pdfs/1370586800_Parliamentary%20oversight%20of%20Regulators.pdf)

## Elimination strategy

Finance Commission is a constitutional body that mainly deals with allocation of revenue resources between the Union and state governments. Thus options (b) and (c) can be eliminated.



## Lok Sabha & Rajya Sabha

### Q7. Consider the following statements:

1. The Parliament (Prevention of Disqualification) Act, 1959 exempts several posts from disqualification on the grounds of 'Office of Profit'.
2. The above-mentioned Act was amended five times.
3. The term 'Office of Profit' is well-defined in the Constitution of India.

Which of the statements given above is/are correct?

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

## ANSWER A

## Explanation

- ④ The expression 'office of profit' has not been defined in the Constitution or in the Representation of the People Act, 1951.
- ④ They have been mentioned in the Article 102 and 191 of the Constitution. According to Article 102 (1) (a), a person shall be disqualified as a member of Parliament for holding any office of profit under the government of India or the government of any state, 'other than an office declared by Parliament by law not to disqualify its holder'. Article 191 (1) (a) has a similar provision for the members of state assemblies. **Hence, statement 3 is not correct.**
- ④ Parliament has also enacted the Parliament (Prevention of Disqualification) Act, 1959, which has been amended 5 times, since its formulation, in the years 1960, 1992, 1993, 2006 and 2013. There is no bar on how many offices can be exempted from the purview of the law. **Hence, statements 1 and 2 are correct.**

**SOURCE :** Laxmikant: Indian Polity ( Parliament)

<https://www.thehindubusinessline.com/news/national/ec-dismisses-plea-against-27-aap-mlas-in-office-of-profit-case/article25325264.ece>

## Elimination strategy

Even though the second statement is difficult, the question can be answered as the third statement was easy to eliminate as the office of profit is not defined in the constitution.



## Year 2020



### Parliamentary Proceedings

**Q8. Consider the following statements:**

1. The President of India can summon a session of the Parliament at such place as he/she thinks it.
2. The Constitution of India provides for three sessions of the Parliament in a year, but it is not mandatory to conduct all three sessions.
3. There is no minimum number of days that the Parliament is required to meet in a year.

Which of the statements given above is/are correct?

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

**ANSWER C**

## Explanation

- ④ Article 85(1) of the Constitution empowers the President to summon each House of Parliament to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one Session and the date appointed for its first sitting in the next Session. In other words, the Parliament should meet at least twice a year. Hence statement 1 is correct and statement 2 is not correct.
- ④ There is no minimum number of days that Parliament is required to meet in a year. Hence statement 3 is correct.

**SOURCE :** Laxmikant: Chapter- Parliament

<https://indianexpress.com/article/explained/parliament-winter-session-delay-congress-november-december-assembly-elections-4951659/>



## Lok sabha & Rajya Sabha

### Q9. Rajya Sabha has equal powers with Lok Sabha in

- the matter of creating new All India Services
- amending the Constitution
- the removal of the government
- making cut motions

**ANSWER B**

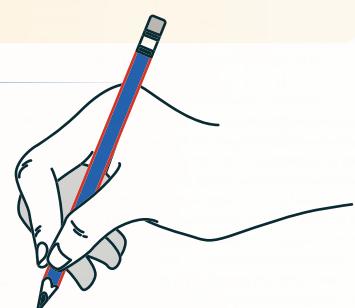
## Explanation

- ④ The powers and status of the Rajya Sabha are equal to that of the Lok Sabha in the following matters:
  - Introduction and passage of ordinary bills, **Constitutional amendment bills and financial bills** involving expenditure from the Consolidated Fund of India.
  - Election and impeachment of the president.
  - Making recommendation to the President for the removal of Chief Justice and judges of Supreme Court and high courts, chief election commissioner and comptroller and auditor general.
  - Approval of ordinances issued by the President.
  - Approval of proclamation of all three types of emergencies by the President.
  - Enlargement of the jurisdiction of the Supreme Court and the Union Public Service Commission.
- ④ Under Article 312, Rajya sabha has special powers in matters of creating new All India Services. Lok sabha has greater say in the removal of government and making cut motions. Hence option (b) is the correct answer.

**SOURCE :** Laxmikanth: Ch-Parliament

## STUDENTS NOTE

Position of Rajya sabha and Lok sabha is a repeated theme asked by UPSC



## Year 2022

**Which of the following is/are the exclusive power(s) of Lok Sabha?**

1. To ratify the declaration of Emergency
2. To pass a motion of no-confidence against the Council of Ministers
3. To impeach the President of India

**Select the correct answer using the code given below:**

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



### Bills

**Q10. Along with the Budget, the Finance Minister also places other documents before the Parliament which include "The Macro Economic Framework Statement". The aforesaid document is presented because this is mandated by**

- (a) Long standing parliamentary convention
- (b) Article 112 and Article 110(1) of the Constitution of India
- (c) Article 113 of the Constitution of India
- (d) Provisions of the Fiscal Responsibility and Budget Management Act, 2003

**ANSWER D**

### Explanation

- ① **Fiscal Responsibility and Budget Management (FRBM)** became an Act in 2003. The objective of the Act is to ensure inter-generational equity in fiscal management, long run macroeconomic stability, better coordination between fiscal and monetary policy, and transparency in fiscal operation of the Government.
- ② It requires for the presentation of the following documents before the Parliament - the Medium Term Expenditure Framework Statement (MTEF), Medium-Term Fiscal Policy Statement, Fiscal Policy Strategy Statement and Macroeconomic Framework Statement.

**SOURCE :** <https://www.business-standard.com/about/what-is-macro-economic-framework-statement>

### Budget documents

 Budget Speech	 Finance Bill Statements mandated under the FRBM Act: a) Macro-Economic Framework Statement b) Fiscal Policy Strategy Statement C) Medium Term Fiscal Policy Statement	 Expenditure Profile  Memorandum Explaining the Provisions in the Finance Bill
 Annual Financial Statement	 Expenditure Budget	 Budget at a Glance
 Demands for Grants	 Receipts Budget	 Outcome Budget
 Appropriation Bill		

# Year 2021



## Lok sabha & Rajya Sabha

### Q 11. Consider the following statements:

1. In India, there is no law restricting the candidates from contesting in one Lok Sabha election from three constituencies.
2. In 1991 Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies.
3. As per the existing rules, if a candidate contests in one Lok Sabha election from many constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her in the event of him/her winning in all the constituencies.

Which of the statements given above is/are correct?

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

**The above question was deleted by UPSC**

### Explanation

- According to Section 33 of Representation of People Act 1951, "a person shall not be nominated as a candidate for election, in the case of a general election to the House of the People, from more than two Parliamentary constituencies."
- In the 1991 Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies.
- There is no such provision in the rules like, "if a candidate contests in one Lok Sabha election from many constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her in the event of him/her winning in all the constituencies."

**SOURCE : Representation of people act 1951**

# CSAT

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## Year 2022



### Lok sabha & Rajya Sabha

**Q12. Which of the following is/are the exclusive power(s) of Lok Sabha?**

1. To ratify the declaration of Emergency
2. To pass a motion of no-confidence against the Council of Ministers
3. To impeach the President of India

Select the correct answer using the code given below:

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

**ANSWER B**

### Explanation

- ④ **Option 1 is not correct:** Under Article 352, the President can declare a national emergency when the security of India or a part of it is threatened by war or external aggression or armed rebellion.
- ④ The proclamation of emergency must be approved by both the houses of parliament within one month from the date of its issue. If approved by both the houses, the Emergency continues for 6 months and can be extended to an indefinite period with an approval of the Parliament for every six months.
- ④ Every resolution approving the proclamation of emergency or its continuance must be passed by either House of Parliament by a special majority.
- ④ **Option 2 is correct:** Article 75 of the Constitution says that the council of ministers shall be collectively responsible to the Lok Sabha. In other words, the Lok Sabha can remove the ministry from office by passing a no-confidence motion.
- ④ **Option 3 is not correct:** Article 61 of the Indian Constitution states that when a President is to be impeached for violation of the Constitution, the charge shall be preferred by either House of Parliament.
- ④ Either Lok Sabha or Rajya Sabha can initiate the process for the removal of the President of India.

**SOURCE :** Laxmikanth Indian Polity- Chapter: Parliament

### Elimination strategy

The 44th Amendment Act of 1978 added many safeguards for declaration of emergency. It is logical to presume the declaration of emergency require ratification by Rajya Sabha. Thus option 1 may be eliminated. Members of both Rajya Sabha and Lok Sabha participate in the election of President. Thus option 3 may be eliminated.





## Lok sabha & Rajya Sabha

**Q13. With reference to Deputy Speaker of Lok Sabha, consider the following statements:**

1. As per the Rules of Procedure and Conduct of Business in Lok Sabha, the election of Deputy Speaker shall be held on such date as the Speaker may fix.
2. There is a mandatory provision that the election of a candidate as Deputy Speaker of Lok Sabha shall be from either the principal opposition party or the ruling party.
3. The Deputy Speaker has the same power as of the Speaker when presiding over the sitting of the House and no appeal lies against his rulings.
4. The well established parliamentary practice regarding the appointment of Deputy Speaker is that the motion is moved by the Speaker and duly seconded by the Prime Minister.

Which of the statements given above are correct ?

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

### ANSWER A

### Explanation

- ① **Statement 1 is correct:** Being an important constitutional office, the election is usually held on next sitting after Speaker selection as the President fixes the date for Speaker election and after being elected the Speaker fixes the date for the Deputy Speaker election.
- ② **Statement 2 is not correct:** There is no mandatory provision that the election of a candidate as Deputy Speaker of Lok Sabha shall be from either the principal opposition party or the ruling party. It is by convention that the position of Deputy Speaker is offered to opposition party in India.
- ③ **Statement 3 is correct:** The Deputy Speaker has the same power as of the Speaker when presiding over the sitting of the House and no appeal lies against his rulings.
- ④ **Statement 4 is not correct:** Article 93 provides for "The House of the People shall, as soon as may be, choose two members of the House to be respectively Speaker and Deputy Speaker thereof and, so often as the office of Speaker and Deputy Speaker becomes vacant, the House shall choose another member to be Speaker or Deputy Speaker, as the case may be."

**SOURCE : Laxmikanth Indian Polity- Chapter: Parliament**

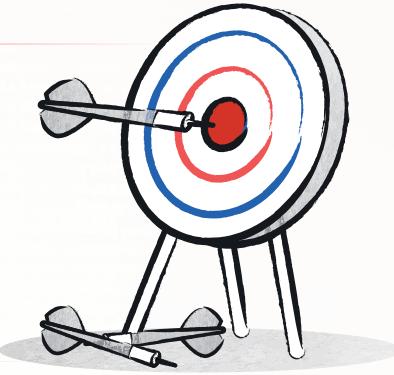
### Additional Information

Under Article 94, the speaker resigns from his office by submitting resignation to the Deputy Speaker.



## Elimination strategy

Generally, the Speaker does not vote in the first instance or move any motion. Various motions are moved by the members of the house and the speaker admits or rejects the motions. Hence statement 4 can be eliminated.



### Bills

#### Q14. Consider the following statements :

1. A bill amending the Constitution requires a prior recommendation of the President of India.
2. When a Constitution Amendment Bill is presented to the President of India, it is obligatory for the President of India to give his/her assent.
3. A Constitution Amendment Bill must be passed by both the Lok Sabha and the Rajya Sabha by a special majority and there is no provision for joint sitting.

Which of the statements given above are correct ?

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

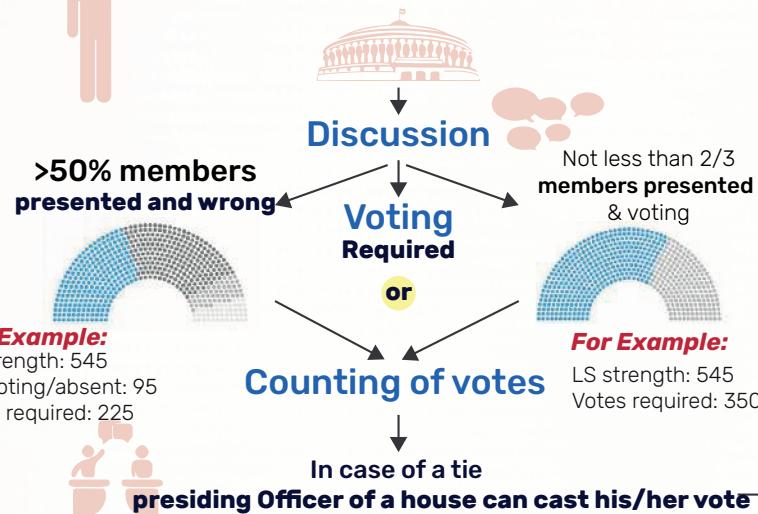
#### ANSWER B

#### Explanation

- An amendment of the Constitution can be initiated only by the introduction of a bill for the purpose in either House of Parliament and not in the state legislatures.
- **Statement 1 is not correct:** The bill can be introduced either by a minister or by a private member and does not require prior permission of the president.
- **Statement 2 is correct:** The president must give his assent to the bill (24th Constitutional Amendment Act, 1967). He can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament.
- After the president's assent, the bill becomes an Act (i.e., a constitutional amendment act) and the Constitution stands amended in accordance with the terms of the Act."
- **Statement 3 is correct:** Each House must pass the bill separately. In case of a disagreement between the two Houses, there is no provision for holding a joint sitting of the two Houses for the purpose of deliberation and passage of the bill.
- If the bill seeks to amend the federal provisions of the Constitution, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members of the House present and voting. After duly passed by both the Houses of Parliament and ratified by the state legislatures, where necessary, the bill is presented to the president for assent.

## Introduction

Either in Lok Sabha or Rajya Sabha



Bill becomes an act

if passed  
**Presented to the President**  
(who is bound to give consent)

**Must be passed**  
both by Rajya Sabha + Lok Sabha

SOURCE : Laxmikanth Indian Polity

## Year 2023



Q15. With reference to Finance Bill and Money Bill in the Indian Parliament consider the following statements:

- When the Lok Sabha transmits Finance Bill to the Rajya Sabha, it can amend or reject the Bill.
- When the Lok Sabha transmits Money Bill to the Rajya Sabha, it cannot amend or reject the Bill, it can only make recommendations.
- In the case of disagreement between the Lok Sabha and the Rajya Sabha, there is no joint sitting for Money Bill, but a joint sitting becomes necessary for Finance Bill.

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

**ANSWER A**

## Explanation

**A Finance Bill is a type of Money Bill as defined in Article 110 (a) of the Constitution.**

- ④ Finance Bill deals with the proposals of the government for levy of new taxes, modification of the existing tax structure or continuance of the existing tax structure beyond the period approved by Parliament are submitted to Parliament through this bill. So, it is introduced as a part of the Annual Financial Statement (i.e. Budget) under Article 112.
- ④ The Finance Bill is accompanied by a Memorandum containing explanations of the provisions included in it. The Finance Bill can be introduced only in Lok Sabha.
- ④ However, the Rajya Sabha can only recommend amendments in the Bill, it can not amend or reject. The bill has to be passed by the Parliament within 75 days of its introduction. **Hence statement 1 is not correct and statement 2 is correct.**
- ④ As a finance bill is a money bill so no joint sitting of the two houses is allowed with regard to a finance bill under Article 108. **Hence statement 3 is not correct.**

 <b>What is a money bill?</b>	 <b>What's the role of the Rajya Sabha in a money bill?</b>
<p>The Constitution does not have a clear definition. Article 110 lays down a set of guidelines related to expenditure and taxation to judge if a bill can be deemed to be a money bill. But merely involving certain expenditure does not make it a money bill. In case of a dispute, the Lok Sabha Speaker is the final authority to decide.</p>	<p>A money bill has to be introduced in the Lok Sabha. The Rajya Sabha has no voting power but can debate and recommend amendments, which will be taken to the Lok Sabha for scrutiny and passage. The Lok Sabha can choose to reject the amendments. The Rajya Sabha cannot retain the bill beyond 14 days. If it does, the bill will be deemed to have been passed by the Lok Sabha.</p>

- ④ Whereas there are two categories of Finance Bills provided for in the Indian Constitution, under Article 117 (1) and Article 117 (2) which are called Finance Bill (I) and Finance Bill (II).
- ④ Financial Bill (I) includes not only the subjects stated in Article 110 of the Constitution but also other legislative provisions.
- ④ Financial bill (I) is comparable to the money bill in two ways. Firstly, both of these bills can only originate in the Lok Sabha and not Rajya Sabha. Secondly, both the bills can be introduced only on the President's advice.
- ④ A financial bill (I) follows the same parliamentary procedures as any ordinary bill.

**SOURCE : Laxmikanth Indian Polity- Chapter: Parliament**

## Fundamental Rights, Fundamental Duties and DPSPs: 23

<b>10</b>	<b>1</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>1</b>
Questions Fundamental Rights	Questions Fundamental Duties	Questions DPSPs	Questions Rights outside part-III	Questions Nature of Rights & duties	Questions Writs & Types

### Year 2017



#### Rights outside Part III

**Q1. Right to vote and to be elected in India is a**

- (a) Fundamental Right
- (b) Natural Right
- (c) Constitutional Right
- (d) Legal Right

**ANSWER C**

#### Explanation

- ② According to the Supreme Court judgment **Jyoti Basu vs Debi Ghosal** - A right to elect, fundamental though it is to democracy, is, anomalously neither a fundamental right nor a Common Law Right. **The article 326** of the Constitution provides for the right to vote and to be elected in India. What is true of the right to vote is also true of the right to contest elections. All citizens have the right to stand for election and become the representative of the people. Hence it is a constitutional right.

### Rights Outside Part III

**Note:** (known as constitutional rights or legal rights or Non fundamental rights).

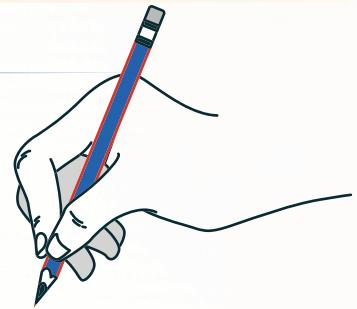
	<b>Article 265</b>	→ No tax shall be levied or collected except by authority of law.
	<b>Article 300 - A</b>	<p>→ No person shall be deprived of his property save by authority of law.</p> <p>→ 44<sup>th</sup> constitutional Amendment Act abolished, the Right to property as a Fundamental Right by repealing Article 19 (1) (f) and Article 31 &amp; Instead inserted Article 300 A- Right to property as a legal right.</p>
	<b>Article 301</b>	→ Trade, Commerce and intercourse throughout the territory of India shall be free.
	<b>Article 326</b>	→ The election to the Lok Sabha and the state Legislative Assembly shall be on the basis of Adult Suffrage.

**SOURCE :** Union of India vs. Association for Democratic Reforms and Anr. (2002) 5SCC 294 and People's Union for Civil Liberties vs. Union of India (2003)

**NCERT - 11, Indian constitution at work, chapter 3, page**

## STUDENTS NOTE

Rights outside Part III is a repeated theme.



## Year 2021

**What is the position of the Right to Property in India?**

- (a) Legal right available to citizens only
- (b) Legal right available to any person
- (c) Fundamental Right available to citizens only
- (d) Neither Fundamental Right nor legal right



## Fundamental Rights

**Q2. Which of the following are envisaged by the Right against Exploitation in the Constitution of India?**

1. Prohibition of traffic in human beings and forced labour
2. Abolition of untouchability
3. Protection of the interests of minorities
4. Prohibition of employment of children in factories and mines

Select the correct answer using the code given below:

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

## ANSWER C

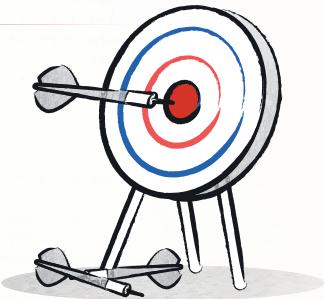
## Explanation

④ **RIGHT AGAINST EXPLOITATION includes Article 23 & 24 of the Indian Constitution.**

- ④ Article 23 prohibits traffic in human beings, begar (forced labour) and other similar forms of forced labour. Any contravention of this provision shall be an offence punishable in accordance with law. This right is available to both citizens and non-citizens. It protects the individual not only against the State but also against private persons.
- ⑤ Article 24 prohibits the employment of children below the age of 14 years in any factory, mine or other hazardous activities like construction work or railway. But it does not prohibit their employment in any harmless or innocent work.

## Elimination strategy

Option 2 (Abolition of Untouchability) is part of Right to Equality and not Right Against Exploitation. If we eliminate Option 2, we're left with the correct option.



### Right Against Exploitation:



**Article 23**

Prohibition of Traffic in Human Beings and forced Labour.



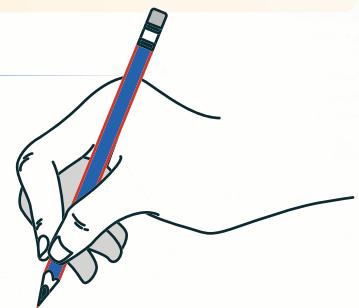
**Article 24**

Prohibition of Employment of Children in factories, etc.

**SOURCE :** Laxmikanth - Ch-7 Fundamental Rights

## STUDENTS NOTE

Fundamental Rights under Part III of Indian Constitution is a theme frequently asked by UPSC.



## Year 2018

**Right to Privacy is protected as an intrinsic part of Right to Life and Personal Liberty. Which of the following in the Constitution of India correctly and appropriately imply the above statement?**

- Article 14 and the provisions under the 42nd Amendment to the Constitution
- Article 17 and the Directive Principles of State Policy in Part IV
- Article 21 and the freedoms guaranteed in Part III
- Article 24 and the provisions under the 44th Amendment to the Constitution

## Year 2019

**Which Article of the Constitution of India safeguards one's right to marry the person of one's choice?**

- (a) Article 19
- (b) Article 21
- (c) Article 25
- (d) Article 29

## Year 2020

**Which one of the following categories of Fundamental Rights incorporate protection against untouchability as a form of discrimination?**

- (a) Right against Exploitation
- (b) Right to Freedom
- (c) Right to Constitutional Remedies
- (d) Right to equality

## Year 2021

**'Right to Privacy' is protected under which Article of the Constitution of India?**

- (a) Article 15
- (b) Article 19
- (c) Article 21
- (d) Article 29

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## Fundamental Duties

**Q3. Which of the following statements is/are true of the Fundamental Duties of an Indian citizen?**

1. A legislative process has been provided to enforce these duties.
2. They are correlative to legal duties.

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

**ANSWER D**

## Explanation

- There is no legislative process provided to enforce the Fundamental duties and they are not correlative to legal duties. Like the Directive Principles, the fundamental duties are also **non-justiciable**. There is no legislative process to enforce citizens to do their duties. **Hence statement 1 is not correct.**
- The Constitution does not provide for their direct enforcement by the courts. Moreover, there is no legal sanction against their violation. There is no correlation between legal and fundamental duties because fundamental duties are non-enforceable. **Hence statement 2 is not correct.**

**SOURCE :** Laxmikant - Indian Polity, chapter - "Fundamental Duties".



## Nature of Rights & Duties

**Q4. In the context of India, which one of the following is the correct relationship between Rights and Duties?**

- (a) Rights are correlative with Duties.
- (b) Rights are personal and hence independent of society and Duties.
- (c) Rights, not Duties, are important for the advancement of the personality of the citizen.
- (d) Duties, not Rights, are important for the stability of the State.

**ANSWER A**

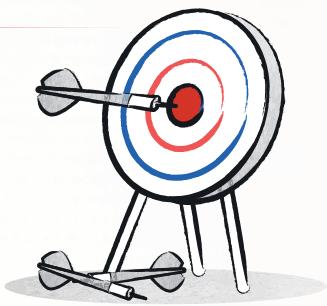
## Explanation

- Rights are what we want others to do for us whereas the duties are those acts which we should perform for others. Thus, a right comes with an obligation to show respect for the rights of others. The obligations that accompany rights are in the form of duties. **Hence option (a) is the correct answer.**

**SOURCE :** NIOS "Democracy at Work"- CH- Fundamental Rights and Fundamental Duties.

## Elimination strategy

The Indian Constitution is based on the fine balance and harmony between FRs, DPSPs and FDs. Option (c) and (d) can be eliminated as they tend to be against the balance.



**DPSP**

**Q5. Which principle among the following was added to the Directive Principles of State Policy by the 42nd Amendment to the Constitution?**

- (a) Equal pay for equal work for both men and women
- (b) Participation of workers in the management of industries
- (c) Right to work, education and public assistance
- (d) Securing living wage and human conditions of work to workers

**ANSWER B**

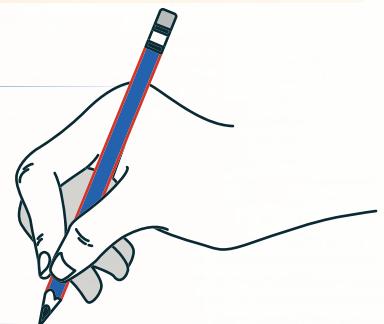
### Explanation

- ④ The 42nd Amendment Act of 1976 added four new Directive Principles to the original list. They require the State:
  1. To secure opportunities for healthy development of children (Article 39).
  2. To promote equal justice and to provide free legal aid to the poor (Article 39 A).
  3. To take steps to secure the participation of workers in the management of industries (Article 43 A).
  4. To protect and improve the environment and to safeguard forests and wild life (Article 48 A).

**SOURCE : Laxmikanth Ch-Directive Principles of State Policy**

### STUDENTS NOTE

DPSPs under Part IV of the Indian constitution and features of DPSPs is an important theme repeated in UPSC in year 2020 and 2021.





## Nature of Rights and Duties

### Q6. Which one of the following statements is correct?

- (a) Rights are claims of the State against the citizens.
- (b) Rights are privileges which are incorporated in the Constitution of a State.
- (c) Rights are claims of the citizens against the State.
- (d) Rights are privileges of a few citizens against the many.

**ANSWER C**

### Explanation

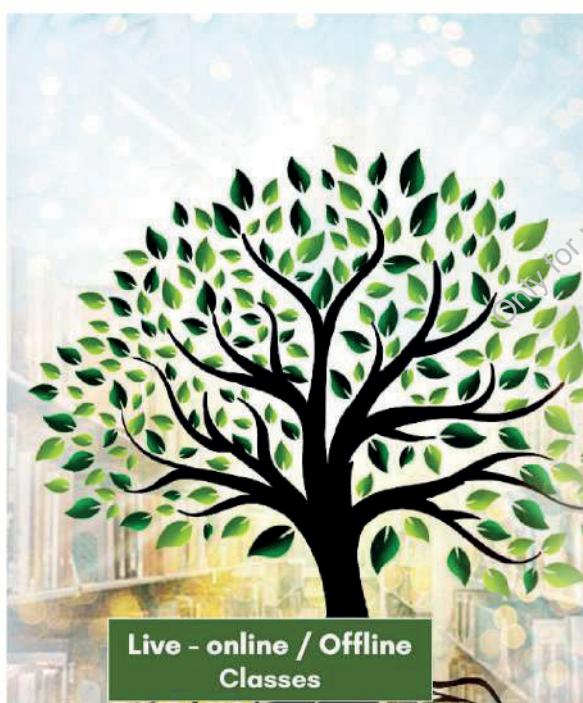
- Rights are legal and moral entitlements or claims of a person over other fellow beings, over society and over the government. **Hence option (c) is the correct answer.**

**SOURCE : NCERT Class 9th Ch 6- 'Democratic Rights'.**

### Elimination strategy

Options (a) and (c) are contradictory. Generally in this case, one of the options is likely to be the correct answer.





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**Q7. Consider the following statements: With reference to the Constitution of India, the Directive Principles of State Policy constitute limitations upon**

1. legislative function.
2. executive function.

Which of the above statements is/are correct?

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

**ANSWER D**

### Explanation

- ④ Directive Principles of state policy cannot act as constraints/limitations on the government because they are not enforceable and they are fundamental to the governance of a country.
- ④ Fundamental Rights operate as limitations on the tyranny of the executive and arbitrary laws of the legislature.
- ④ **Hence option (d) is the correct answer.**

## Directive Principles

Goals	Non-justifiable rights	Policies
 Welfare of the people:  Social, economic and political Justice;   Raising the standard of living: equitable distribution of resources;   Promotion of international peace	 Adequate livelihood:  Equal pay for equal work for men and women;  Right against economic exploitation:  Right to work:  Early childhood care and education to children below the age of six years	 Uniform civil code:  Prohibition of consumption of alcoholic liquor:  Promotion of cottage industries;  Prevention of slaughter of useful cattle:  Promotion of village panchayats

**SOURCE : Laxmikanth Ch-Directive Principles of State Policy**

## Year 2018



### Fundamental Rights

**Q8. Which of the following are regarded as the main features of the "Rule of Law"?**

1. Limitation of Powers
2. Equality before law
3. People's responsibility to the Government
4. Liberty and civil rights

Select the correct answer using the code given below:

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

**ANSWER C**

### Explanation

- ① Fundamental rights enshrined in part III of the constitution is a restriction on the law making power of the Indian Parliament. The state has got no power to deprive a person of his life and liberty without the authority of law.
- ② The secondary meaning of rule of law is that the government should be conducted within a framework of recognized rules and principles which restrict discretionary powers.
- ③ **Dicey's Concept of Rule of Law-In his book,** the law and the constitution, published in the year 1885, Dicey attributed three meanings to the doctrine of rule of law:
  1. Supremacy Of Law
  2. Equality Before The Law
  3. Predominance Of Legal Spirit

**SOURCE : Indian polity by M Laxmikanth, Chapter- Fundamental Rights**

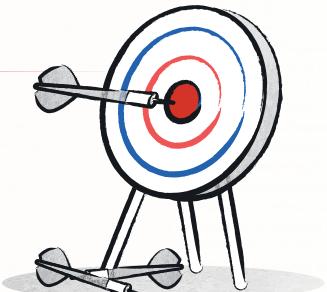
### Constitution and Constitutionalism



- Constitution: It is a legal document that is the fundamental law of the country having a special sanctity."
- Constitutionalism: Constitutionalism is specific limitations on general State powers to prevent the exercise of arbitrary decision-making.
- Constitutional Morality: Steadfast adherence to values and principles enshrined in the

### Elimination strategy

Option 3 can be eliminated as People's responsibility to the Government may be considered as moral responsibilities and duties of citizens.





## Fundamental Rights

**Q9. Right to Privacy is protected as an intrinsic part of Right to Life and Personal Liberty. Which of the following in the Constitution of India correctly and appropriately imply the above statement?**

- (a) Article 14 and the provisions under the 42nd Amendment to the Constitution
- (b) Article 17 and the Directive Principles of State Policy in Part IV
- (c) Article 21 and the freedoms guaranteed in Part III
- (d) Article 24 and the provisions under the 44th Amendment to the Constitution

**ANSWER C**

### Explanation

- ① **The SC in the case of KS Puttaswamy and others vs Union of India and others said that 'Right to Privacy' is an integral part of Right to Life and Personal Liberty guaranteed in Article 21 of the Constitution.** It added that the right to privacy is intrinsic to the entire fundamental rights chapter of the Constitution.
- ② **Hence, option (c) is the correct answer.**

### ARTICLE 21



Right to livelihood



Right to pollution-free environment  
(Subash Kumar Vs. State of Bihar, 1991)



Right to privacy  
(Puttaswamy Case, 2017)



Right to free education  
up to 14 years of age



Right to health



Right to shelter



Right to free legal aid



Right to information



Right to electricity

**SOURCE :** <http://www.thehindu.com/news/resources/supreme-court-verdict-on-right-to-privacy/article19551827.ece>

## Year 2019



## Fundamental Rights

**Q10 . Which Article of the Constitution of India safeguards one's right to marry the person of one's choice?**

- (a) Article 19
- (b) Article 21
- (c) Article 25
- (d) Article 29

**ANSWER B****Explanation**

- ④ The right to marry a person of one's choice is integral to Article 21 (right to life and liberty) of the Constitution", the Supreme Court said Monday and set aside a 2017 order of the Kerala High Court which annulled the marriage of Kerala Muslim convert girl Hadiya and Shefin Jahan.

**SOURCE :** <https://indianexpress.com/article/india/right-to-marry-supreme-court-hadiya-case-5131055/>

**Year 2020**

DPSP

**Q11. Which part of the Constitution of India declares the ideal of Welfare State?**

- Directive Principles of State Policy
- Fundamental Rights
- Preamble
- Seventh Schedule

**ANSWER A****Explanation**

- ④ A welfare state is a concept of government where the state plays a key role in the protection and promotion of the economic and social well-being of its citizens. It is based on the principles of equality of opportunity, equitable distribution of wealth, and public responsibility for those unable to avail themselves of the minimal provisions for a good life. The Directive Principles of State Policy embody the concept of a 'welfare state'.
- ④ A fundamental feature of the welfare state is social insurance, a provision common to most advanced industrialized countries ( National Social Assistance Programme ). The welfare state also usually includes public provision of basic education, health services, and housing etc. Under this system, the welfare of its citizens is the responsibility of the state. India is a welfare state. The fact that the Preamble of the Constitution itself envisages India to be a 'socialist' state bears enough evidence for this. **Hence option (a) is the correct answer.**

**CHARACTERISTICS OF DPSPs**

Ideas to be followed by State



Non-Enforceable



Limitation on Arbitrary power of State



Amplification of Preamble vision



Moral obligation



Creating Welfarist State

**SOURCE :** Lamikanth: Indian Polity- Chapter: DPSP



**Q12. With reference to the provisions contained in Part IV of the Constitution of India, which of the following statements is/are correct?**

1. They shall be enforceable by courts;
2. They shall not be enforceable by any court
3. The principles laid down in this part are to influence the making of laws by the State.

Select the correct answer using the code given below:

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

**ANSWER D**

### Explanation

- DPSPs, contained in Part IV (Article 36–51) of the Constitution of India, are not enforceable by any court, but the principles laid down there in are considered in the governance of the country, making it the duty of the State to apply these principles in making laws to establish a just society. **Hence statements 2 and 3 are correct and statement 1 is not correct.**

**SOURCE :** Lamikanth: Indian Polity- Chapter: DPSP



**Q13. Which one of the following categories of Fundamental Rights incorporate protection against untouchability as a form of discrimination?**

- (a) Right against Exploitation
- (b) Right to Freedom
- (c) Right to Constitutional Remedies
- (d) Right to equality

**ANSWER D**

### Explanation

- **Right to Equality (Article 14-18)** protects the citizens against any discrimination by the State on the basis of religion, caste, race, sex, or place of birth.
- Article 14 says that all citizens enjoy equal privileges and opportunities.
- Article 15 provides that the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth.

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- ④ Article 16 says that no citizen can be discriminated against or be ineligible for any employment or office under the State on grounds of only religion, race, caste, sex, descent, place of birth or residence.
- ④ Article 17 abolishes 'untouchability' and forbids its practise in any form.
- ④ Article 18 abolish all titles national or foreign which create artificial distinctions in social status amongst the people.

**SOURCE :** Lamikanth: Indian Polity - Ch: Fundamental Rights

NCERT: Indian Constitution At Work; Ch 2: RIGHTS IN THE INDIAN CONSTITUTION



DPSP

#### **Q14. In India, separation of judiciary from the executive is enjoined by**

- (a) the Preamble of the Constitution
- (b) a Directive Principle of State Policy
- (c) the Seventh Schedule
- (d) the conventional practice

**ANSWER** B

#### **Explanation**

- ④ **Directive Principles of State Policy can be classified into three broad categories, viz, socialistic, Gandhian and liberal-intellectual.**
- ④ **Socialistic Principles:** These principles reflect the ideology of socialism. They lay down the framework of a democratic socialist state, aim at providing social and economic justice, and set the path towards welfare state.
- ④ **Gandhian Principles:** These principles are based on Gandhian ideology. They represent the programme of reconstruction enunciated by Gandhi during the national movement. In order to fulfil the dreams of Gandhi, some of his ideas were included as Directive Principles.
- ④ **Liberal-Intellectual Principles:** The principles included in this category represent the ideology of liberalism. They direct the state:
  - ④ To secure for all citizens a uniform civil code throughout the country (Article 44).
  - ④ To provide early childhood care and education for all children until they complete the age of six years (Article 45).
  - ④ To organise agriculture and animal husbandry on modern and scientific lines (Article 48).
  - ④ To protect and improve the environment and to safeguard forests and wild life (Article 48 A).
  - ④ To protect monuments, places and objects of artistic or historic interest which are declared to be of national importance (Article 49).
  - ④ To separate the judiciary from the executive in the public services of the State (Article 50).
  - ④ To promote international peace and security and maintain just and honourable relations between nations; to foster respect for international law and treaty obligations, and to encourage settlement of international disputes by arbitration (Article 51).

**SOURCE :** Lamikanth: Indian Polity- Chapter: DPSP



## Nature of Rights and Duties

**Q15. Other than the fundamental Rights, which of the following parts of the Constitution of India reflect/reflects the principles and provisions of the Universal Declaration of Human Rights (1948)?**

1. Preamble
2. Directive Principles of State Policy
3. Fundamental Duties

Select the correct answer using the code given below:

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

**ANSWER D**

## Explanation

- ④ The Universal Declaration of Human Rights was adopted by the UN General Assembly in 1948. This declaration represents the first international expression of human rights to which all human beings are entitled. It is described as the "International Magna Carta".
- ④ The Constitution of India has a rich content of human rights. The Preamble, the Fundamental Rights and the Directive Principles of State Policy reflect the principles and provisions of the Universal Declaration of Human Rights (1948).
- ④ The four ideals of the Preamble are aimed at the promotion of human rights. They are as under:
  - Justice in social, economic and political spheres
  - Liberty of thought, expression, belief, faith and worship
  - Equality of status and opportunity
  - Fraternity assuring the dignity of the individual
- ④ The Fundamental Rights under Part-III of the Constitution contain an elaborate list of civil and political rights divided into six categories:
  - Right to equality
  - Right to freedom
  - Right against exploitation
  - Right to freedom of religion
  - Cultural and educational rights
  - Right to constitutional remedies
- ④ The Directive Principles of State Policy in Part-IV of the Constitution comprise economic, social and cultural rights.
- ④ **Article 26 of The Universal Declaration of Human Rights:** Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

- ④ Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- ④ Parents have a prior right to choose the kind of education that shall be given to their children. All this is reflected in the Fundamental Duty Article 51-A(k) "Who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years."
- ④ Hence all the options are correct.

**SOURCE :** <https://legalaffairs.gov.in/sites/default/files/chapter%203.pdf>

## Year 2021



### Fundamental Rights

**Q16. 'Right to Privacy' is protected under which Article of the Constitution of India?**

- (a) Article 15
- (b) Article 19
- (c) Article 21
- (d) Article 29

**ANSWER C**

### Explanation

- ④ In K.S.Puttaswamy Case (2017), Supreme Court of India has held that right to privacy is a Fundamental Right and it is protected under Article 21 of the Constitution of India. Hence option (c) is the correct answer.
- ④ The Court reasoned that privacy is an incident of fundamental freedom or liberty guaranteed under Article 21. The Court overruled M.P. Sharma, and Kharak Singh judgements, in so far as the latter did not expressly recognize the right to privacy.

**SOURCE :** Vision IAS Monthly Current Affairs (March\_2019): Page No - 12



## Fundamental Rights

**Q17.** A legislation which confers on the executive or administrative authority an unguided and uncontrolled discretionary power in the matter of application of law violates which one of the following Articles of the Constitution of India?

- (a) Article 14
- (b) Article 28
- (c) Article 32
- (d) Article 44

### ANSWER A

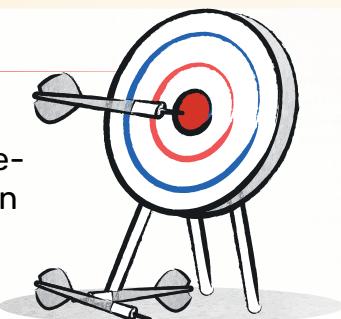
### Explanation

- Article 14 ensures that all citizens are equal and that no person shall be discriminated on the basis of sex, religion, race or place of birth. It ensures that there is a separation of power between the three wings of the government and the executive. By these methods, the constitution fulfils all the requirements of Dicey's theory to be recognized as a country following the Rule of Law.
- Thus, a legislation which confers on the executive or administrative authority, an unguided and uncontrolled discretionary power in the matter of application of law, will violate Rule of law as prescribed under Article 14. **Hence, option (a) is the correct answer.**

**SOURCE :** Laxmikanth Indian Polity

### Elimination strategy

Article 32 grants the right to seek constitutional remedy. Confering discretionary power to executive may not violate Article 32. Hence option (c) can be eliminated.



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DPSP

**Q18. Under the Indian Constitution, concentration of wealth violates**

- (a) the Right to Equality
- (b) the Directive Principles of State Policy
- (c) the Right to Freedom
- (d) the Concept of Welfare

**ANSWER B**

**Explanation**

- ④ In Part IV (Directive Principles of State Policy) of the constitution, Article 39(c) says that, "the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."
- ④ **From the above statement, we can say that concentration of wealth violates DPSP. Hence, option (B) is the correct answer.**

**SOURCE : Laxmikant\_DPSP chapter**



**Rights outside part III**

**Q19. What is the position of the Right to Property in India?**

- (a) Legal right available to citizens only
- (b) Legal right available to any person
- (c) Fundamental Right available to citizens only
- (d) Neither Fundamental Right nor legal right

**ANSWER B**

**Explanation**

- ④ According to Article 300A of the Indian Constitution, "no person shall be deprived of his property save by authority of law." Since, the article says that no person shall be deprived, so the statement, "legal rights are available to citizens only", is incorrect. **Hence option (b) is the correct answer.**
- ④ This article was inserted in the Indian Constitution by 44th constitutional amendment. Before that, Right to property was a fundamental right under Article 31. As this right is mentioned in constitution, it is a constitutional and legal right.

**SOURCE : Laxmikant\_DPSP chapter**

**Elimination strategy**

Right to property may be crucial to attract foreign investors companies. Hence option (a) may be eliminated.



# Year 2022



## Writs & Types

**Q20. With reference to the writs, issued by the Courts in India, consider the following statements**

1. Mandamus will not lie against a private organisation unless it is entrusted with a public duty.
2. Mandamus will not lie against a Company even though it may be a Government Company.
3. Any public minded person can be a petitioner to move the Court to obtain the writ of Quo Warranto.

Which of the statements given above are correct ?

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

**ANSWER C**

## Explanation

- ① Mandamus literally means 'we command'. It is a command issued by the court to a public official asking him to perform the official duties that he has failed or refused to perform.
- ② **Statement 2 is not correct:** It can also be issued against any public body, a corporation, an inferior court, a tribunal, or government for the same purpose.
- ③ **Statement 1 is correct:** The writ of mandamus cannot be issued:
  - against a private individual or body.
  - to enforce departmental instruction that does not possess statutory force.
  - when the duty is discretionary and not mandatory to enforce a contractual obligation.
  - against the president of India or the state governors.
  - against the chief justice of a high court acting in a judicial capacity.
- ④ **Statement 3 is correct:** Quo Warranto means 'by what authority or warrant'. It is issued by the court to enquire into the legality of the claim of a person to a public office. Hence, it prevents illegal usurpation of public office by a person.
- ⑤ The writ can be issued only in case of a substantive public office of a permanent character created by a statute or by the Constitution. It cannot be issued in cases of ministerial office or private office. Any interested person and not necessarily the aggrieved person can seek Quo Warranto writ.

**SOURCE :** Laxmikant Indian Polity- Chapter: Fundamental Rights

## Elimination strategy

Writs are issued by the Courts to protect the rights of citizens against the actions of State. A government company is considered as State under Article 12. Hence option 2 can be eliminated.



# Year 2023



## Fundamental Rights

### Q21. In essence, what does 'Due Process Law' mean?

- (a) The principle of natural justice
- (b) The procedure established by law
- (c) Fair application of law
- (d) Equality before law

**ANSWER A**

### Explanation

- ④ **Due Process of Law** is a principle that makes sure that the procedure used to make a law is free from arbitrariness and irrationality. And Natural justice is an expression of English common law, and involves a procedural requirement of fairness. Thus in the principle of Due Process of Law, fairplay is ensured by giving every party a right to be heard which in essence is Audi Alteram partem or the rule of fair hearing (hear the other side) which is the very basis of the principle of natural justice.
- ④ To remove the arbitrariness, the Supreme Court of India recognised the principle of Due Process of Law in the Maneka Gandhi case. In short, Natural Justice implies fairness, reasonableness, equity and equality.
- ④ Natural Justice is a concept of Common Law and it is the Common Law world counterpart of the American concept of 'procedural due process'. Natural Justice represents higher procedural principles developed by judges which every administrative agency must follow in taking any decision adversely affecting the rights of a private individual.
- ④ Hence option (a) is the correct answer.

**SOURCE :** [https://nios.ac.in/media/documents/SrSec338New/338\\_Introduction\\_To\\_Law\\_Eng/338\\_Introduction\\_To\\_Law\\_Eng\\_L6.pdf](https://nios.ac.in/media/documents/SrSec338New/338_Introduction_To_Law_Eng/338_Introduction_To_Law_Eng_L6.pdf)

**Introduction To The Constitution Of India by DD Basu**



## Fundamental Rights

### Q22. Consider the following statements :

1. According to the Constitution of India, the Central Government has a duty to protect States from internal disturbances.
2. The Constitution of India exempts the States from providing legal counsel to a person being held for preventive detention.
3. According to the Prevention of Terrorism Act, 2002, confession of the accused before the police cannot be used as evidence.

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

### ANSWER A

### Explanation

- ④ **Statement 1 is correct:** According to Article 355 of the Indian Constitution, it shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution.
- ④ **Statement 2 is not correct:** Article 22 (5) of the Indian Constitution does provide for the following when any person is detained in pursuance of an order made under any law providing for preventive detention. The authority making the order shall, as soon as may be, communicate to such person the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order, which means, legal options to question the detention have been provided in the constitution.
- ④ **Statement 3 is not correct:** The Prevention of Terrorism Act, 2002 was an Act passed by the Parliament of India in 2002, with the objective of strengthening anti-terrorism operations. In 2004, the Act was repealed. As per the act, a confession made by a person before a police officer (not lower in rank than a Superintendent of Police) and recorded by that police officer either in writing or on any mechanical or electronic device shall be admissible in the trial of such person for an offence under this Act.

### ARTICLE 22 - PROTECTION AGAINST ARREST AND DETENTION

#### 1<sup>st</sup> Part

The cases of ordinary law

#### Rights Conferred:

- Right to be informed of the grounds of arrest.
- Right to consult & be defended by a legal practitioner.
- Right to be produced before a magistrate within 24 hours, excluding the journey times.
- Right to be released after 24 hours without the authority of a magistrate.

#### 2<sup>nd</sup> Part

The cases of preventive detention law

#### Rights Conferred:

- Right to be informed of the grounds.
- (Exception - Grounds not to be disclosed if that is against public interest).
- Right to make a representation against the detention order.
- Right to be released after three months unless report of advisory board suggests otherwise.

### Applicability of rights

- Rights not available to ENEMY alien.
- Not available to a person arrested or detained under a preventive detention

Constitutional division of legislative power w.r.t preventive detention.

### Applicability of rights

- Available to both citizens as well as aliens.

#### Exclusive authority of parliament.

- Defence.
- Security of India.
- Foreign Affairs and

#### Both Parliament and State Legislature.

- Security of a State.
- Maintenance of Public order.
- Maintenance of supplies & services essential to the community.

**SOURCE :** M Laxmikanth

<https://odishapolicecidcb.gov.in/sites/default/files/THE%20PREVENTION%20OF%20TERRORISM%20ACT%2C%202002.pdf>



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## Fundamental Rights

### Q23. Consider the following statements:

Statement-I: The Supreme Court of India has held in some judgements that the reservation policies made under Article 16(4) of the Constitution of India would be limited by Article 335 for maintenance of efficiency of the administration.

Statement-II: Article 335 of the Constitution of India defines the term 'efficiency of administration'.

Which one of the following is correct in respect of the above statements?

- (a) Both Statements-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct but Statement-II is incorrect
- (d) Statement-I is incorrect but Statement-II is correct

### ANSWER C

### Explanation

- ① **Statement 1 is correct:** Article 16 (4) provides that the State can enact legislation for the reservation of posts in the government sector or jobs in favour of the backward classes of citizens, which the State considers to have not been adequately represented in the services of the State. In the past seven decades of constitutional jurisprudence on reservations, the Supreme Court of India has consistently referred to the notions of "efficiency" and "merit," while adjudicating the validity of various reservation policies. The Court has held in several judgments – **Indra Sawhney v Union of India 1993; M Nagaraj v Union of India 2006** – that the reservation policies made under Article 16(4) of the Constitution would be limited by Article 335, which provides for "maintenance of efficiency of administration," while considering the claims of the Scheduled Castes (SCs) and the Scheduled Tribes (STs) in the making of appointments to public services and posts. This was done while the Constitution does not define the term "efficiency of administration."
- ② **Statement 2 is not correct:** Article 335 states that the claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State. This Article, has however, not defined the expression 'efficiency of administration'. Hence option (c) is the correct answer.

**SOURCE :** Laxmikanth Indian Polity

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## Preamble (Total 6 questions)

**3**

Questions

**3**

Questions

Objective & Significance of Preamble

Keywords in Preamble

## Year 2017



### Objective & Significance of Preamble

**Q1. Which one of the following objectives is not embodied in the Preamble to the Constitution of India?**

- (a) Liberty of thought
- (b) Economic liberty
- (c) Liberty of expression
- (d) Liberty of belief

**ANSWER B**

### Explanation

- ① The Preamble secures to all citizens of India liberty of thought, expression, belief, faith and worship, through their Fundamental Rights, enforceable in court of law, in case of violation.
- ② The ideals of liberty, equality and fraternity in our Preamble have been taken from the French Revolution (1789–1799). **Hence option (b) is the correct answer.**

### Source of Authority of Constitution

"We, The People of India, having solemnly resolved to constitute India into a **Sovereign Socialist Secular Democratic Republic** and to secure to all its citizens:"

#### Nature of Indian State



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

Date of adoption of constitution

twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION

**SOURCE : Laxmikanth -Indian Polity, Chapter - Preamble**



## Objective & Significance of Preamble

**Q2. The mind of the makers of the Constitution of India is reflected in which of the following?**

- (a) The Preamble
- (b) The Fundamental Rights
- (c) The Directive Principles of State Policy
- (d) The Fundamental Duties

**ANSWER A**

## Explanation

- ④ In the Berubari Union case (1960), the Supreme Court said that the Preamble shows the general purposes behind the several provisions in the Constitution, and is thus a key to the minds of the makers of the Constitution. **Hence option (a) is the correct answer.**

**SOURCE : Laxmikanth -Indian Polity, Chapter - Preamble**



## Keywords in the Preamble

**Q3. One of the implications of equality in society is the absence of**

- (a) Privileges
- (b) Restraints
- (c) Competition
- (d) Ideology

**ANSWER A**

## Explanation

- ④ The term 'equality' means the absence of special privileges to any section of the society, and the provision of adequate opportunities for all individuals without any discrimination. **Hence option (a) is the correct answer.**

## EQUALITY



Absence of special privileges to any section



Provision of adequate opportunities for all individuals without any discrimination



Equality of status and opportunity



Not absolute but qualified liberty with limitations mentioned in the Constitution itself

**SOURCE : Laxmikanth -Indian Polity, Chapter - Preamble**

## Year 2018



### Keywords in the Preamble

**Q4. Which one of the following reflects the most appropriate relationship between law and liberty?**

- (a) If there are more laws, there is less liberty.
- (b) If there are no laws, there is no liberty.
- (c) If there is liberty, laws have to be made by the people.
- (d) If laws are changed too often, liberty is in danger.

**ANSWER B**

### Explanation

- ① The term 'liberty' means absence of restraints on the activities of individuals, and at the same time, providing opportunities for the development of individuals.
- ② However, liberty does not mean 'license' to do what one likes, and has to be enjoyed within the limitations mentioned in the Constitution and various laws. The concept of liberty is not absolute. Absence of laws does not ensure liberty. **Hence option (b) is the correct answer.**

**SOURCE : Indian polity by M Laxmikanth, Chapter- Preamble  
NCERT 11, Indian Constitution at work, chapter 2**

## Year 2019



### Keywords in the Preamble

**Q5. In the context of polity, which one of the following would you accept as the most appropriate definition of liberty?**

- (a) Protection against the tyranny of political rulers
- (b) Absence of restraint
- (c) Opportunity to do whatever one likes
- (d) Opportunity to develop oneself fully

**ANSWER D**

### Explanation

- ① The term 'liberty' means the absence of restraints on the activities of individuals, and at the same time, providing opportunities for the development of individual personalities.
- ② Liberty, as elaborated in the Preamble, is very essential for the successful functioning of the Indian democratic system. However, liberty does not mean 'license' to do what one likes and has to be enjoyed within the limitations mentioned in the Constitution itself. In brief, the liberty conceived by the Preamble or fundamental rights is not absolute but qualified. Hence in the above question the most appropriate definition of liberty is to provide opportunity to develop oneself fully. **Hence option (d) is the correct answer.**

**SOURCE : NCERT Class 11: Political Theory      <http://www.ncert.nic.in/ncerts/I/keps102.pdf>**

## LIBERTY



Absence of restraints on the activities of individuals



Providing opportunities for the development of individual personalities



Liberty of thought, expression, belief, faith and worship



Not absolute but qualified liberty with limitations mentioned in the Constitution itself

## Year 2020



### Objective & Significance of Preamble

#### Q6. The Preamble to the Constitution of India is

- (a) part of the Constitution but has no legal effect
- (b) not a part of the Constitution and has no legal effect either
- (c) part of the Constitution and has the same legal effect as any other part
- (d) a part of the Constitution but has no legal effect independently of other parts

**ANSWER D**

### Explanation

- ① The Preamble of the Indian Constitution serves as a brief introductory statement of the Constitution that sets out the guiding purpose, principles, and philosophy of the Indian Constitution. It is the thinking and soul of Constitution makers and the Constituent Assembly.
- ② The preamble is based on the Objectives which were drafted and moved in the Constituent Assembly by Jawaharlal Nehru on 13 December 1946.
- ③ The Supreme Court of India originally stated in the **Berubari Case (1960)** presidential reference that the preamble is not an integral part of the Indian constitution, and therefore it is not enforceable in a court of law.
- ④ However, the same court, in the **1973 Kesavananda case**, overruled earlier decisions and recognized that the preamble may be used to interpret ambiguous areas of the constitution where differing interpretations present themselves. The Supreme Court in the Kesavananda case reiterated that the objectives given in the Preamble form a part of the Basic Structure of the Indian Constitution. In the 1995 case of Union Government vs LIC of India, the Supreme Court once again held that the Preamble is an integral part of the Constitution.
- ⑤ The Preamble is not a legally binding document. No law can be struck down if it is found to violate the Preamble only. **Hence option (d) is the correct answer.**

#### Is Preamble a part of Constitution?

YES (but it is not a source or limitation of power to legislature and it is non-justiciable)

#### Related Cases



Berubari Union case, 1960 -not a part



Kesavananda Bharti case, 1973-is a part



LIC of India case, 1995-part of the constitution

**SOURCE : Indian polity by M Laxmikanth, Chapter- Preamble**

## Salient features of Indian Constitution: 7

2

Questions

Federalism

5

Questions

Schedules in Indian Constitution

### Year 2017



#### Federalism

**Q1. Which one of the following is **not** a feature to Indian federalism?**

- (a) There is an independent judiciary in India.
- (b) Powers have been clearly divided between the Centre and the States.
- (c) The federating units have been given unequal representation in the Rajya Sabha.
- (d) It is the result of an agreement among the federating units.

**ANSWER D**

#### Explanation

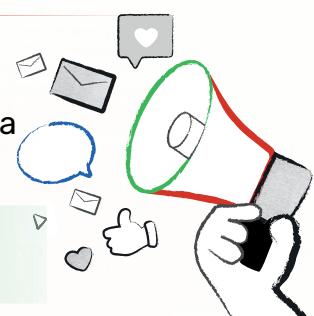
- The Constitution of India establishes a federal system of government. It contains all the usual features of a federation, viz., two government, division of powers, written Constitution, super-macy of Constitution, rigidity of Constitution, independent judiciary and bicameralism.
- Moreover, the term 'Federation' has nowhere been used in the Constitution. Article 1, on the other hand, describes India as a 'Union of States' which implies two things: one, Indian Federation is not the result of an agreement by the states; and two, no state has the right to secede from the federation. **Hence option (d) is the correct answer.**

**SOURCE :** Laxmikanth-CH-Salient Features of the Constitution

#### Additional Information

while **independent Judiciary** is a federal feature, **Integrated Judiciary** is a unitary feature of our constitution.

**Relationship between judicial independence and Indian federalism, as indicated in the first option was asked later in 2021 prelims.**



# Year 2018



## Schedules in Indian Constitution

### Q2. Consider the following statements:

1. The Parliament of India can place a particular law in the Ninth Schedule of the Constitution of India.
2. The validity of a law placed in the Ninth Schedule cannot be examined by any court and no judgement can be made on it.

Which of the statements given above is/are correct?

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

### ANSWER A

### Explanation

- ① The Ninth Schedule was added to the Constitution by the first amendment in 1951 along with Article 31-B with a view to provide a “protective umbrella” to land reforms laws to save them from being challenged in courts on the ground of violation of fundamental rights. Land reforms and specifically land redistribution was challenged in courts as being violative of **Right to Property** which was a fundamental right under **Article 19** till 1978.
- ② Land reforms were needed as the government wished to implement **Article 39 (b) & 39 (c)** which dealt with equal distribution of resources and wealth.
- ③ The SC upheld the validity of Article 31-B and Parliament's power to place a particular law in the Ninth Schedule. **Hence, statement 1 is correct.**
- ④ The Supreme Court in the **I.R. Coelho Case 2007** said that laws placed in the Ninth Schedule are open to judicial scrutiny and that such laws do not enjoy a blanket protection. Laws placed in the Ninth Schedule after the Keshwanand Bharti Judgment on April 24, 1973, when it propounded the “basic structure” doctrine, were open to challenge. **Hence, statement 2 is not correct.**

**SOURCE :** Indian polity by M Laxmikanth, Chapter- Fundamental Rights

### Additional Information

Ninth Schedule was in news because the quota agitations between 2015 and 2017(Patidar, Kapu, Jaat, Maratha) also included the demand for the reservation being protected under Ninth Schedule.

**There was also a question on Ninth Schedule in 2019 Prelims**



## Year 2019

**The Ninth Schedule was introduced in the Constitution of India during the prime ministership of**

- (a) Jawaharlal Nehru
- (b) Lal Bahadur Shastri
- (c) Indira Gandhi
- (d) Morarji Desai

## Year 2019



### Schedules in Indian Constitution

**Q3. The Ninth Schedule was introduced in the Constitution of India during the prime ministership of**

- (a) Jawaharlal Nehru
- (b) Lal Bahadur Shastri
- (c) Indira Gandhi
- (d) Morarji Desai

**ANSWER A**

### Explanation

④ To ensure that agrarian reform legislation did not run into heavy weather, the legislature amended the Constitution in the year 1951 which inserted Ninth Schedule during the tenure of Prime Minister Pt. Jawahar Lal Nehru. **Hence option (a) is the correct answer.**

**SOURCE : Laxmikant: Indian Polity ( Constitutional amendments)**

<https://www.thehindu.com/news/national/govt-mulls-putting-scst-act-in-schedule-ix-of-constitution/article23872979.ece>



## Schedules in Indian Constitution

**Q4. Under which Schedule of the Constitution of India can the transfer of tribal land to private parties for mining be declared null and void?**

- (a) Third Schedule
- (b) Fifth Schedule
- (c) Ninth Schedule
- (d) Twelfth Schedule

**ANSWER B**

### Explanation

- ④ The Indian Constitution provides autonomy to tribal areas in matters of governance under the Fifth and Sixth Schedules, which is further fortified by the *Samatha v. State of Andhra Pradesh & Ors* (1997) judgment where the Supreme Court declared that the transfer of tribal land to private parties for mining was null and void under the Fifth Schedule. **Hence option (b) is the correct answer.**
- ④ The framework for protection of the rights of tribal and indigenous people is further strengthened by the **Recognition of Forest Rights Act, 2006**

**SOURCE : Laxmikant:Indian Polity- Chapter- Fifth and Sixth Schedule**

<https://www.thehindu.com/opinion/op-ed/protecting-the-rights-of-tribals/article17372134.ece>

**There was another question on the land-transfer aspect of the Fifth Schedule in 2022 prelims.**

## Year 2022

**If a particular area is brought under the Fifth Schedule of the Constitution of India, which one of the following statements best reflects the consequence of it?**

- (a) This would prevent the transfer of land of tribal people to non-tribal people.
- (b) This would create a local self-governing body in that area.
- (c) This would convert that area into a Union Territory.
- (d) The State having such areas would be declared a special Category State.

## Year 2021



### Federalism

**Q5. Which one of the following in Indian polity is an essential feature that indicates that it is federal in character?**

- (a) The independence of judiciary is safeguarded.
- (b) The Union Legislature has elected representatives from constituent units.
- (c) The Union Cabinet can have elected representatives from regional parties.
- (d) The Fundamental Rights are enforceable by Courts of Law.

**ANSWER A**

### Explanation

④ The federal character of the Indian Polity is indicated by following features: Written Constitution, Supremacy of the Constitution, Rigid Constitution, Division of Powers, Independent Judiciary, Bicameral Legislature, Dual Government Polity, etc.

Hence, option (A) is the correct answer.

**SOURCE :** Laxmikanth Indian Polity.

Judicial independence was an option regarding a question on Indian federalism asked in 2017 prelims

## Year 2017

**Which one of the following is not a feature to Indian federalism?**

- (a) There is an independent judiciary in India.
- (b) Powers have been clearly divided between the Centre and the States.
- (c) The federating units have been given unequal representation in the Rajya Sabha.
- (d) It is the result of an agreement among the federating units.

## Year 2022



### Schedules in Indian Constitution

**Q6. With reference to anti-defection law in India, consider the following statements:**

1. The law specifies that a nominated legislator cannot join any political party within six months of being appointed to the House.
2. The law does not provide any time-frame within which the presiding officer has to decide a defection case.

Which of the statements given above is/are correct ?

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

### ANSWER

B

### Explanation

- ④ As per the 52nd amendment to the Constitution of India, passed in 1984, the Tenth Schedule was inserted into the constitution to tackle defection. Defection was understood as the action when a elected member resigns from his/her original party which gave him/her the ticket for the election, and joins a new party after getting elected.
- ④ **The Tenth Schedule contains the following provisions with respect to the disqualification of members of Parliament and the state legislatures on the ground of defection:**
- ④ **Members of Political Parties:** A member of a House belonging to any political party becomes disqualified for being a member of the House,
  - If he voluntarily gives up his membership of such political party or
  - If he votes or abstains from voting in such House contrary to any direction issued by his political party without obtaining prior permission of such party and such act has not been condoned by the party within 15 days.
  - In the case of 'voluntarily giving up his membership,' the Supreme Court has interpreted that in the absence of a formal resignation by the member, the giving up of membership can be inferred by his conduct. In other judgments, members who have publicly expressed opposition to their party or support for another party were deemed to have resigned.
- ④ **Independent Members:** An independent member of a House (elected without being set up as a candidate by any political party) becomes disqualified to remain a member of the House if he joins any political party after such election.
- ④ **Statement 1 is not correct:** Nominated Members: A nominated member of a House becomes disqualified for being a member of the House if he joins any political party after the expiry of six months from the date on which he takes his seat in the House. This means that he may join any political party within six months of taking his seat in the House without inviting this disqualification.

④ **Exceptions:**

- The above disqualification on the ground of defection does not apply in the following two cases:
- If a member goes out of his party as a result of a merger of the party with another party. A merger takes place when two-thirds of the members of the party have agreed to such a merger.
- If a member, after being elected as the presiding officer of the House, voluntarily gives up the membership of his party or rejoins it after he ceases to hold that office. This exemption has been provided in view of the dignity and impartiality of this office.

④ **Statement 2 is correct:** The Anti-Defection Law does not specify a time period for the Presiding Officer to decide on a disqualification plea. Given that courts can intervene only after the Presiding Officer has decided on the matter, the petitioner seeking disqualification has no option but to wait for this decision to be made.

**SOURCE :** Laxmikanth Indian Polity.



### Schedules in Indian Constitution

**Q7. If a particular area is brought under the Fifth Schedule of the Constitution of India, which one of the following statements best reflects the consequence of it?**

- (a) This would prevent the transfer of land of tribal people to non-tribal people.
- (b) This would create a local self-governing body in that area.
- (c) This would convert that area into a Union Territory.
- (d) The State having such areas would be declared a special Category State.

**ANSWER A**

### Explanation

④ The Indian Constitution provides autonomy to tribal areas in matters of governance under the Fifth and Sixth Schedules, which is further fortified by the Samatha v. State of Andhra Pradesh & Ors (1997) judgment where the Supreme Court declared that the transfer of tribal land to private parties for mining was null and void under the Fifth Schedule.

④ **Special Provisions for Fifth Schedule Areas:**

- The Union Government shall have executive powers to give directions to the States as to the administration of the Scheduled Areas.
- Provision for establishment of a Tribes Advisory Council (TAC) in any State having Scheduled Areas.
- The Governor may make regulations:
  - # prohibit or restrict the transfer of land by or among members of the Scheduled tribes in such area;
  - # regulate the allotment of land to members of the STs in such area;
  - # regulate the carrying on of business as money-lender by persons who lend money to members of the STs in such area.
- At present, 10 States namely Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana have Fifth Scheduled Areas.

④ **Hence option (a) is the correct answer.**

**SOURCE :** Laxmikant:Indian Polity, Chapter: Fifth and Sixth Schedule

The land transfer aspect of the Fifth Schedule was also asked in 2019 prelims

## Political Systems: 10

4

Questions

Parliamentary form  
of Government

5

Questions

Democracy & Constitutional  
Government

1

Questions

Nature of State

## Year 2017



### Democracy & Constitutional Government

**Q1. Democracy's superior virtue lies in the fact that it calls into activity**

- (a) the intelligence and character of ordinary men and women.
- (b) the methods for strengthening executive leadership.
- (c) a superior individual with dynamism and vision.
- (d) a band of dedicated party workers.

**ANSWER A**

### Explanation

- ① The object of government according to Mill's views, being the attainment of values and virtues in men , their self-development, it is essential that the government should be of those whose self development is being sought. This is only possible if the people participate in the making and working of their government or the government is truly representative.
- ② "Virtue and intelligence should become genuine attributes of character in a citizen.....and then through participation , people at large , would be able to control the rulers by influencing the character and direction of public policy". **Hence option (a) is the correct answer.**

**SOURCE :** N.D. ARORA and SS Awasthy 'Political Theory & Political Thought'



## Parliamentary form of Government

**Q2. Out of the following statements, choose the one that brings out the principle underlying the Cabinet form of Government:**

- (a) An arrangement for minimizing the criticism against the Government whose responsibilities are complex and hard to carry out the satisfaction of all.
- (b) A mechanism for speeding up the activities of the Government whose responsibilities are increasing day by day.
- (c) A mechanism of parliamentary democracy for ensuring collective responsibility of the Government to the people.
- (d) A device for strengthening the hands of the head of the Government whose hold over the people is in a state of decline.

**ANSWER C**

### Explanation

- ④ The Parliamentary system is also known as the 'Westminster' model of government, responsible government and cabinet government. The Constitution establishes the parliamentary system not only at the Centre but also in the states. The features of parliamentary government in India are: (a) Presence of nominal and real executives; (b) Majority party rule, (c) Collective responsibility of the executive to the legislature, (d) Membership of the ministers in the legislature, (e) Leadership of the prime minister or the chief minister, (f) Dissolution of the lower House (Lok Sabha or Assembly). **Hence option (c) is the correct answer.**

**SOURCE : Indian Polity-M.laxmikant**



## Parliamentary form of Government

**Q3. The main advantage of the parliamentary form of governments is that**

- (a) the executive and legislature work independently.
- (b) it provides continuity of policy and is more efficient.
- (c) the executive remains responsible to the legislature.
- (d) the head of the government cannot be changed without election.

**ANSWER C**

### Explanation

- ④ The Parliamentary system is also known as the 'Westminster' model of government, responsible government and cabinet government. The Constitution establishes the parliamentary system not only at the Centre but also in the states. The features of parliamentary government in India include the collective responsibility of the executive to the legislature. This means that the Executive ( Council of Ministers at Central & State level) is answerable to and must enjoy the confidence of the Legislature ( Lok Sabha & State Legislative Assemblies). **Hence option (c) is the correct answer.**

## Comparing Parliamentary and Presidential Systems

Parliamentary System	Presidential System
<b>Features:</b> <ul style="list-style-type: none"> <li>1. Dual executive.</li> <li>2. Majority party rule.</li> <li>3. Collective responsibility.</li> <li>4. Political homogeneity.</li> <li>5. Double membership.</li> <li>6. Leadership of prime minister.</li> <li>7. Dissolution of Lower House.</li> <li>8. Fusion of powers.</li> </ul>	<b>Features:</b> <ul style="list-style-type: none"> <li>1. Single executive</li> <li>2. President and legislators elected separately for fixed tenure</li> <li>3. Non-responsibility</li> <li>4. Political homogeneity may not exist.</li> <li>5. Single membership.</li> <li>6. Domination of president.</li> <li>7. No dissolution of Lower House.</li> <li>8. Separation of powers.</li> </ul>
<b>Merits:</b> <ul style="list-style-type: none"> <li>1. Harmony between legislature and executive.</li> <li>2. Responsible government.</li> <li>3. Prevents despotism.</li> <li>4. Wide representation.</li> </ul>	<b>Demerits:</b> <ul style="list-style-type: none"> <li>1. Conflict between legislature and executive.</li> <li>2. Non-responsible government.</li> <li>3. May lead to autocracy.</li> <li>4. Narrow representation.</li> </ul>
<b>Demerits:</b> <ul style="list-style-type: none"> <li>1. Unstable government.</li> <li>2. No continuity of policies.</li> <li>3. Against separation of powers.</li> <li>4. Government by amateurs.</li> </ul>	<b>Merits:</b> <ul style="list-style-type: none"> <li>1. Stable government.</li> <li>2. Definiteness in policies.</li> <li>3. Based on separation of powers.</li> <li>4. Government by experts.</li> </ul>

**SOURCE :** Indian Polity-M. Laxmikanth

A question on similar theme of executive responsibility to the legislature was asked again in 2020.

## Year 2020

**A Parliamentary System of Government is one in which**

- (a) all political parties in the Parliament are represented in the Government
- (b) the Government is responsible to the Parliament and can be removed by it
- (c) the Government is elected by the people and can be removed by them
- (d) the Government is chosen by the Parliament but cannot be removed by it before completion of a fixed term

# Year 2020



## Democracy & Constitutional Government

**Q4. A constitutional government by definition is a**

- (a) government by legislature
- (b) popular government
- (c) multi-party government
- (d) limited government

**ANSWER D**

### Explanation

→ Constitutionalism has a variety of meanings. Most generally, it is "a complex of ideas, attitudes, and patterns of behavior elaborating the principle that the authority of government derives from and is limited by a body of fundamental law". Constitutionalism means limited government or limitation on government. It is the antithesis of arbitrary powers. Constitutionalism recognizes the need for a government with powers but at the same time insists that limitation be placed on those powers. **Hence option (d) is the correct answer.**

**SOURCE :** <http://www.legalservicesindia.com/article/1699/Constitutionalism.html>

 <p><b>A Constitutional government</b> is that government, which is elected by public of the country through an election process.</p>	 <p>Head of the State has limited powers i.e. power and authorities provided by constitution, which will be limited.</p>	 <p>It has specific tenure or limit to rule and it is compulsory to be re-elect again for another term.</p>	 <p><b>Non-constitutional</b> is a perfect type of monarchic, autocratic or dictatorial government.</p>	 <p>Ruler of the country has unlimited powers and authorities and he is not answerable to anyone.</p>	 <p>There is no ruling limit in case of non-constitutional government. It can remain in power as it wants.</p>	 <p>Brunei, Qatar, Swaziland and Vatican City are examples of non- constitutional government or absolute monarchical government.</p>
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**The sub-theme of the constitution limiting the powers of the government was also asked in 2021 & 2023.**

## Year 2021

### Constitutional government means

- (a) a representative government of a nation with federal structure
- (b) a government whose Head enjoys nominal powers
- (c) a government whose Head enjoys real powers
- (d) a government limited by the terms of the Constitution

## Year 2023

### Which one of the following statements best reflects the Chief purpose of the 'Constitution' of a country?

- (a) It determines the objective for the making of necessary laws.
- (b) It enables the creation of political offices and a government.
- (c) It defines and limits the powers of government.
- (d) It secures social justice, social equality and social security.



### Parliamentary form of government

#### Q5. A Parliamentary System of Government is one in which

- (a) all political parties in the Parliament are represented in the Government
- (b) the Government is responsible to the Parliament and can be removed by it
- (c) the Government is elected by the people and can be removed by them
- (d) the Government is chosen by the Parliament but cannot be removed by it before completion of a fixed term

**ANSWER B**

### Explanation

- The Constitution of India has opted for the British Parliamentary form of Government. It is based on the principle of cooperation and coordination between the legislative and executive organs. The major features of the Parliamentary government in India are :-
- (a) Presence of nominal and real executives
  - (b) Majority party rule
  - (c) **Collective responsibility of the executive to the legislature**
- Hence option (b) is the correct answer.

**SOURCE : NCERT: Indian Constitution At Work, Ch 4 Pg 83  
Laxmikanth: Indian Polity**

## Year 2021



### Parliamentary form of Government

**Q6. We adopted parliamentary democracy based on the British model, but how does our model differ from that model?**

1. As regards legislation, the British Parliament is supreme or sovereign but in India, the power of the Parliament to legislate is limited.
2. In India, matters related to the constitutionality of the Amendment of an Act of the Parliament are referred to the Constitution Bench by the Supreme Court.

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

**ANSWER C**

### Explanation

- Britain follows "Parliamentary Sovereignty", i.e., Parliament is supreme. But, India follows a constitutional government where the power of Parliament to legislate is limited by the constitution. **Hence statement 1 is correct.**
- The provision for a Constitution bench has been provided in the Constitution of India under Article 143 and Article 145(3). It is the Chief Justice of India who is constitutionally authorized to constitute a constitution bench and refer cases to it. A constitution bench consists of at least five or more judges of the court which is set up to decide substantial questions of law with regard to the interpretation of the constitution in a case. **Hence statement 2 is correct.**

**SOURCE :** Vision IAS Polity material

(Topic: Comparison of Indian Constitutional Scheme with that of other countries: Britain-  
Page: 4-9)



## Nature of State

### Q7. Which one of the following best defines the term 'State'?

- (a) A community of persons permanently occupying a definite territory independent of external control and possessing an organized government
- (b) A politically organized people of a definite territory and possessing an authority to govern them, maintain law and order, protect their natural rights and safeguard their means of sustenance
- (c) A number of persons who have been living in a definite territory for a very long time with their own culture, tradition and government
- (d) A society permanently living in a definite territory with a central authority, an executive responsible to the central authority and an independent judiciary

**ANSWER A**

### Explanation

- State is a political organization of society. The state is a form of human association distinguished from other social groups based on its purpose of formation

#### Elements of a state (PTGS)



People, i.e. the community of persons permanently living there.



Territory: Demarcated boundary that separates one state from the other



Government



Sovereignty: It has independent say in all domestic and external decision making.

- Hence option (a) is the correct answer.

**SOURCE : NCERT (<https://ncert.nic.in/textbook/pdf/hess301.pdf>)**

**Chapter 1: The Indian Constitution (Page - 13)**



## Democracy & Constitutional Government

### Q8. Which one of the following factors constitutes the best safeguard of liberty in a liberal democracy?

- (a) A committed judiciary
- (b) Centralization of powers
- (c) Elected government
- (d) Separation of powers

**ANSWER D**

## Explanation

- Committed judiciary i.e. a judiciary committed to the policies of the government. Such judiciary will never go against the government's policies. Therefore, will not be able to protect the liberty. **Hence, option (a) is not correct.**
- Centralization of power refers to a setup in which the decision-making powers are concentrated in a few leaders at the top of the organizational structure. Decisions are made at the top and communicated to lower-level for implementation. This leads to authoritarian tendencies, impacting the liberty. **Hence, option (b) is also not correct.**
- Elected government is representative of the people. It is expected to ensure liberty. This is not the best safeguard to ensure liberty.
- Separation of power (executive, legislature and judiciary) checks the abuse of power by other organs. So, this helps in checking the authoritarian tendencies. This is the best safeguard to safeguard liberty. **Hence, option (d) is the correct answer.**

**SOURCE : NCERT**



## Democracy & Constitutional Government

### Q9. Constitutional government means

- (a) a representative government of a nation with federal structure
- (b) a government whose Head enjoys nominal powers
- (c) a government whose Head enjoys real powers
- (d) a government limited by the terms of the Constitution

**ANSWER D**

## Explanation

- Constitutionalism is a doctrine in which a government's authority is determined by a body of laws or constitution. Although constitutionalism or constitutional government is sometimes regarded as limited government. It is an effort to prevent arbitrary government. Hence, the government is limited by the terms of the constitution.
- **Hence, option (d) is the correct answer.**

**SOURCE : Polity: M. LakshmiKanth and Vision IAS material**

# Year 2023



## Democracy & Constitutional Government

**Q10. Which one of the following statements best reflects the Chief purpose of the 'Constitution' of a country?**

- (a) It determines the objective for the making of necessary laws.
- (b) It enables the creation of political offices and a government.
- (c) It defines and limits the powers of government.
- (d) It secures social justice, social equality and social security.

**ANSWER C**

### Explanation

- ④ Constitutionalism means limited government or limitation on government. The main objective or purpose of the constitution of a country is provide a framework for a government by deciding the nature and form of the government.
- ④ As a constitution is the basic fundamental law of a State, it also lays down the responsibilities of the different limbs of the government; the executive, the legislative and the judiciary. And accordingly the legislative makes laws in keeping with the directions and limits provided in the constitution. Thus option (c) best defines the purpose of the Constitution. **Hence option (c) is the correct answer.**

**SOURCE : Laxmikant Polity**

[https://nios.ac.in/media/documents/SrSec338New/338\\_introduction\\_To\\_Law\\_Eng/338\\_Introduction\\_To\\_Law\\_Eng\\_L17.pdf](https://nios.ac.in/media/documents/SrSec338New/338_introduction_To_Law_Eng/338_Introduction_To_Law_Eng_L17.pdf)

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# फाउंडेशन कोर्स सामान्य अध्ययन

## प्रारंभिक एवं मुख्य परीक्षा 2025

इनोवेटिव क्लासरूम प्रोग्राम

• सीरीट कक्षाएं
• PT 365 कक्षाएं

• मौलिक अकादमिक समझ के विकास एवं विश्लेषणात्मक क्षमता निर्माण पर विशेष ध्यान
• मुख्य परीक्षा टेस्ट सीरीज

• एनीमेशन, पॉर्ट प्लाइट, वीडियो जैसी तकनीकी सुविधाओं का प्रयोग
• निर्बंध टेस्ट सीरीज

• एनीमेशन, पॉर्ट प्लाइट विकासित करने का प्रयास
• सीरीट टेस्ट सीरीज

• योजनाबद्द तैयारी हेतु करेट और एंटरेंट आप्लियू
• नियमित क्लास टेस्ट एवं व्यक्तिगत मूल्यांकन

• करेट अफेयर्स मैगजीन

नोट: ऑनलाइन छात्र हमारे पाठ्यक्रम की लाइव वीडियो कक्षाएं अपने घर पर ऑनलाइन लेटेकोर्स पर देख सकते हैं। छात्र लाइव ऐप विकास के माध्यम से ज्ञान के दोनों अपने संदेह और विषय संबंधी प्रश्न तृप्ति सकते हैं। वे अपने संदेह और प्रश्न नोट पीकर संकरे हैं और दिल्ली केंद्र में हमारे कक्षा सत्राहकार जो बता सकते हैं और हम फोन/गेल के माध्यम से प्रश्नों का उत्तर देंगे।

DELHI: 5 मार्च, 1 PM   20 फरवरी, 1 PM	BHOPAL: 11 जून
LUCKNOW: 5 जून	JODHPUR: 7 मार्च
JAIPUR: 21 फरवरी	

AHMEDABAD | BENGALURU | BHOPAL | CHANDIGARH | DELHI | GUWAHATI | HYDERABAD | JAIPUR | JODHPUR | LUCKNOW | PRAYAGRAJ | PUNE | RANCHI

## Judiciary- Total no. of Questions: 7

**4**  
Questions  
Supreme Court

**1**  
Questions  
Judicial Review

**1**  
Questions  
NALSA

**1**  
Questions  
Miscellaneous

### Year 2017



#### Judicial Review

##### Q1. In India, Judicial Review implies

- (a) the power of the Judiciary to pronounce upon the constitutionality of laws and executive orders.
- (b) the power of the Judiciary to question the wisdom of the laws enacted by the Legislatures.
- (c) the power of the Judiciary to review all the legislative enactments before they are assented to by the President.
- (d) the power of the Judiciary to review its own judgements given earlier in similar or different cases.

**ANSWER A**

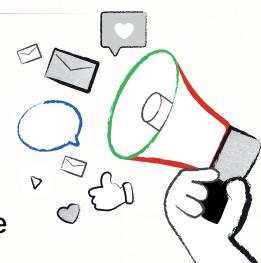
#### Explanation

- ④ Judicial review is the power of the judiciary to examine the constitutionality of legislative enactments and executive orders of both the Central and state governments. On examination, if they are found to be violative of the Constitution (*ultra-vires*), they can be declared as illegal, unconstitutional and invalid (null and void). Consequently, they cannot be enforced by the government.
- ④ The constitutional validity of a legislative enactment or an executive order can be challenged in a high court or supreme court on the following three grounds: (a) it infringes the fundamental rights (Part III), (b) it is outside the competence of the authority which has framed it, and (c) it is repugnant to the constitutional provisions. **Hence option (a) is the correct answer.**

**SOURCE :** Laxmikanth Ch-30 High Court

#### Additional Information

**Article 13** of the Indian Constitution describes the procedure for judicial review. It requires the Indian State to uphold and carry out fundamental rights. It also gives judges the authority to declare a law or other action invalid if it violates fundamental rights. The Supreme Court has declared the power of judicial review as a basic feature of the Constitution or an element of the basic structure of the Constitution.



## Year 2019



### Supreme Court

**Q2. With reference to the Constitution of India, prohibition or limitations or provisions contained in ordinary laws cannot act as prohibitions or limitations on the constitutional powers under Article 142. It could mean which one of the following?**

- (a) The decisions taken by the Election Commission of India while discharging its duties cannot be challenged in any court of law.
- (b) The Supreme Court of India is not constrained in the exercise of its powers by laws made by the Parliament.
- (c) In the event of grave financial crisis in the country, the President of India can declare Financial Emergency without the counsel from the Cabinet.
- (d) State Legislatures cannot make laws on certain matters without the concurrence of Union Legislature.

### ANSWER B

#### Explanation

- ④ Article 142 states that the Supreme Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for doing complete justice in any cause or matter pending before it.
- ④ Any decree so passed or orders so made shall be enforceable throughout the territory of India in such manner as may be prescribed by Parliament.
- ④ Until a provision in that behalf is made, then it would be enforced in such a manner as the President may by order prescribe. One of the important instances of application by the Supreme Court of Article 142 was in the Union Carbide case – relating to the victims of the Bhopal gas tragedy.
- ④ In this judgment, the Supreme Court, while awarding compensation of \$470 million to the victims, went to the extent of saying that to do complete justice, it could even override the laws made by Parliament by holding that, “prohibitions or limitations or provisions contained in ordinary laws cannot, ipso facto, act as prohibitions or limitations on the constitutional powers under Article 142.” By this statement the Supreme Court of India placed itself above the laws made by Parliament or the legislatures of the States. Hence the Supreme Court of India is not constrained in the exercise of its powers by laws made by the Parliament.

#### ④ Some important cases where Supreme Court invoked article 142 are:

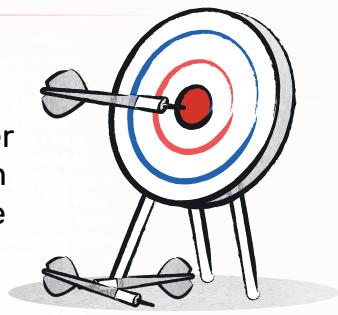
1. Appointment of Lokayukta in Uttar Pradesh.
2. Setting up R.M. Lodha Committee to oversee the functioning of the Medical Council of India (MCI).
3. Transfer the trial of accused in Babri Masjid demolition case.
4. Ban on sale of alcohol within 500 meters of state and national highways.
5. Witness Protection Scheme, 2018

#### SOURCE : Laxmikant:Indian Polity

<https://www.thehindu.com/opinion/op-ed/article-142-and-the-need-for-judicial-restraint/article18474919.ece>

## Elimination strategy

The Indian constitution provides for a provision of the Supreme Court under Part V (The Union). Articles 124 to 147 in Part V of the Constitution deal with the organisation, independence, jurisdiction, powers and procedures of the Supreme Court.



### Supreme Court

#### Q3. Consider the following statements:

1. The motion to impeach a Judge of the Supreme Court of India cannot be rejected by the Speaker of the Lok Sabha as per the Judges (Inquiry) Act, 1968.
2. The Constitution of India defines and gives details of what constitutes 'incapacity and proved misbehaviour' of the Judges of the Supreme Court of India.
3. The details of the process of impeachment of the Judges of the Supreme Court of India are given in the Judges (Inquiry) Act, 1968.
4. If the motion for the impeachment of a Judge is taken up for voting, the law requires the motion to be backed by each House of the Parliament and supported by a majority of total membership of that House and by not less than two-thirds of total members of that House present and voting

Which of the statements given above is/are correct?

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

## ANSWER C

### Explanation

- A judge may be removed from office through a motion adopted by Parliament on grounds of 'proven misbehaviour or incapacity'. While the Constitution does not use the word 'impeachment', it is colloquially used to refer to the proceedings under Article 124 (for the removal of a Supreme Court judge) and Article 218 (for the removal of a High Court judge).
- **The Judges Enquiry Act (1968)** regulates the procedure relating to the removal of a judge of the Supreme Court by the process of impeachment.

## Impeachment Proceedings



A removal motion signed by 100 members (in CASE of lok sabha) or 50 members (in case of Rajya Sabha) is to be given to the Speaker/Chairman.



If the motion is admitted, then a three member committee (consisting of a Supreme court judge, a chief justice at high court and a distinguish jurist to investigate into the charges is constituted.



If the committee finds the judge to be guilty of the charges (misbehavior of incapacity), the house in which the motion was introduced, can take consideration of the motion.

### Special majority: Majority of total membership of the house & Majority of not less than two third members present and voting



Once, the House in which removal motion was introduced passes it with special majority it goes to the second house which also has to pass it with a special majority.



After the motion is passed, an address is presented to the President for removal of the judge. The President then passes an order removing the judge.

#### SOURCE : Laxmikant: Indian Polity ( Supreme Court)

<https://www.thehindu.com/news/national/the-hindu-explains-how-is-the-chief-justice-of-india-impeached/article23624312.ece>

<https://www.prssindia.org/theprsblog/explainer-removal-judges-office>

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## Year 2020



NALSA

**Q4. In India, Legal Services Authorities provide free legal services to which of the following type of citizens?**

1. Person with an annual income of less than 1,00,000
- 2 Transgender with an annual income of less than 2,00,000
3. Member of Other Backward Classes (OBC) with an annual income of less than 3,00,000
4. All Senior Citizens

Select the correct answer using the code given below:

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

**ANSWER A**

### Explanation

→ As per the Legal Services Authorities Act, 1987, following are entitled to free legal services:

Provisions for providing legal service- Every person who has to file or defend a suit shall be entitled to legal service under this Act, if such person-

- (a) is a member of a Scheduled Caste or Scheduled Tribe.
- (b) is a victim of human trafficking or forced labour as referred to in article 23 of the Constitution
- (c) is a woman or child.
- (d) is a person with disability as defined in clause (t) of section 2 of the Persons with Disabilities (Equal Opportunities, Rights, Protection and Full Participation) Act, 1995 (1 of 1996)
- (e) is a person subject to conditions of undeserved deprivation. For example, is a victim of disaster, caste violence, caste atrocity, flood, drought, earthquake or industrial crisis. (f) is an industrial worker.
- (g) is in custody in a protection home
- (h) persons having an annual income of less than a specified amount

- The Income Ceiling Limit prescribed u/S 12(h) of the Act for availing free legal services in different States. For most of the states NALSA have included people whose Annual income does not exceed Rs 1 lakh. **Hence option 1 is correct.**
- Senior Citizen - Senior citizens' eligibility for free legal aid depends on the Rules framed by the respective State Governments in this regard. Further, Free legal services are not available to all senior citizens. **Hence option 4 is not correct.**
- Transgender (Annual income less than Rs. 2 Lac) in Delhi. **Hence option 2 is correct.**
- **Note: . Statement 3 is not correct as there is no such provision for OBC.**

**SOURCE :** <https://nalsa.gov.in/services/legal-aid/eligibility>

# Year 2021



## Supreme Court

**Q5. With reference to Indian judiciary, consider the following statements :**

1. Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with prior permission of the President of India.
2. A High Court in India has the power to review its own judgement as the Supreme Court does.

Which of the statements given above is/are correct?

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

**ANSWER A**

### Explanation

- ① **Article 128:** Chief Justice of India may at any time, with the previous consent of the president, request any person who has held the office of a Judge of the Supreme Court or of the Federal Court or who has held the office of a Judge of a High Court and is duly qualified for appointment as a Judge of the Supreme Court to sit and act as a Judge of the Supreme Court. **Hence, statement 1 is correct.**
- ② Article 215: Every High Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself. UpSC in its official answer key gave statement 2 as incorrect as no specific power has been given to High Court by the constitution to review its judgement. **Hence statement 2 is not correct.**
- ③ However, as per Pottakalathil Ramakrishnan v. Thahsildar, Tirur & ors, it was stated that as a court of record, a High Court in India has the power to review its own judgement.

**SOURCE : Laxmikanth Indian Polity**

# Year 2022



## Supreme Court

### Q6. Consider the following statements:

1. Pursuant to the report of H.N. Sanyal Committee, the Contempt of Courts Act, 1971 was passed.
2. The Constitution of India empowers the Supreme Court and the High Courts to punish for contempt of themselves.
3. The Constitution of India defines Civil Contempt and Criminal Contempt.
4. In India, the Parliament is vested with the powers to make laws on Contempt of Court.

Which of the statements given above is/are correct ?

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

### ANSWER **B**

### Explanation

- ① **Statement 1 is correct:** A committee was set up in 1961 under the chairmanship of the late H N Sanyal, the then additional solicitor general. The committee made a comprehensive examination of the law and problems relating to contempt of court in the light of the position obtaining in our own country and various foreign countries. The recommendations, which the committee made, took note of the importance given to freedom of speech in the Constitution and of the need for safeguarding the status and dignity of courts and interests of administration of justice.
- ② **Statement 2 is correct:** Article 129 of the Constitution gives the Supreme Court the power to initiate contempt cases on its own, independent of the motion brought before it by the Attorney General (AG) or with the consent of the AG.
- ③ **Statement 3 is not correct and Statement 4 is correct:** Contempt of court seeks to protect judicial institutions from motivated attacks and unwarranted criticism, and as a legal mechanism to punish those who lower its authority. The expression 'contempt of court' has not been defined by the Constitution. The Contempt of Court Act, 1971 defines both civil and criminal contempt. Hence the Parliament is vested with the powers to make laws regarding contempt of court.

### SOURCE : Laxmikanth Indian Polity

<https://www.legalserviceindia.com/article/I255-Contempt-of-Court.html>

<https://indianexpress.com/article/india/sc-even-law-cant-take-away-power-to-punish-for-contempt-7542797/>

### Elimination strategy

Arbitrary invoke of contempt powers by courts due to lack of proper definition of civil and criminal contempt was widely covered in the news.



**Q7. With reference to India, consider the following statements:**

1. Government law officers and legal firms are recognised as advocates, but corporate lawyers and patent attorneys are excluded from recognition as advocates.
2. Bar Councils have the power to lay down the rules relating to legal education and recognition of law colleges.

Which of the statements given above is/are correct ?

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

**ANSWER B**

**Explanation**

- The role of the legal profession in society is manifold—its members are flag-bearers of the rule of law and they defend fundamental rights. Along with these responsibilities, members of the legal profession have been conferred significant power and privileges as officers of the court. First, only advocates have the right to access and represent others in a court of law. No citizen, other than an advocate, has the right to appear, act, or plead in court. Second, in India, the term “legal professionals” refers only to those “advocates” who are law graduates and have been enrolled in state bar councils (SBCs).
- **Statement 1 is not correct:** An emerging class of legal professionals engaged with various law-related activities—such as government law officers, corporate lawyers, law firms, law professors, legal researchers, and patent attorneys—have been excluded from recognition as advocates.
- Third, the judiciary has clarified the otherwise undefined concept of “practice of law” to include all forms of legal activities, including both litigious and non-litigious work, such as appearing in court, drafting, giving opinions, performing transactional work, consulting, arbitrating, mediating, filing vakalatnamas (power of attorney), and working as legal officers. Thus, “advocates” enrolled in bar councils enjoy exclusive monopoly over the right to practise law in all courts, tribunals, and other authorities in India.
- **Statement 2 is correct:** The Advocates Act, 1961, enacted with the objective of creating “a unified Bar for the whole country with monopoly in legal practice and autonomy in matters of professional management,” conferred the Bar Council of India (BCI) and SBCs with the power to self-regulate the profession and lay down rules relating to admission and enrolment, conditions of practice, standards of professional conduct and etiquette, disciplinary proceedings, legal education, recognition of law colleges, and welfare activities. These powers were granted to the bar councils to promote the administration of justice and uphold the dignity of the profession in the eyes of the common people.

**SOURCE :** <https://www.epw.in/journal/2018/2/commentary/reformation-legal-profession-interest-justice.html>

<https://www.indiatoday.in/law/story/bci-forms-panel-to-review-new-rules-that-prevent-lawyers-from-criticising-judges-bar-councils-1821331-2021-06-30>

<https://www.indiatoday.in/law/story/bar-council-in-dia-amends-rules-curb-criticism-against-judges-1819920-2021-06-27>

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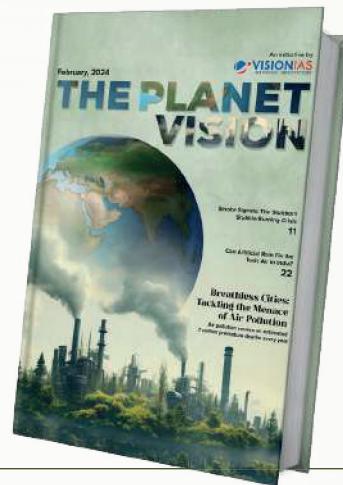
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## Emergency Provisions- Total No. of Questions: 2

2  
Questions  
President's Rule

### Year 2017



#### President's Rule

**Q1. Which of the following are not necessarily the consequences of the proclamation of the President's rule in a State?**

1. Dissolution of the State Legislative Assembly
2. Removal of the Council of Ministers in the State
3. Dissolution of the local bodies

Select the correct answer using the code given below:

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

**ANSWER** B

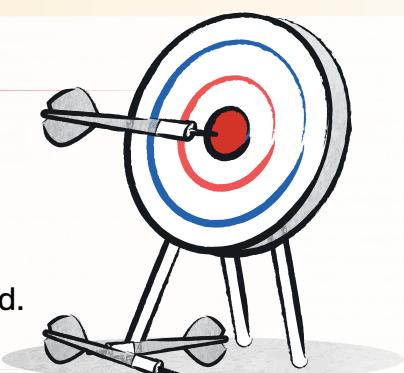
#### Explanation

- ① When the President's Rule is imposed in a state, the President dismisses the state council of ministers headed by the chief minister. The state governor, on behalf of the President, carries on the state administration with the help of the chief secretary of the state or the advisors appointed by the President. This is the reason why a proclamation under Article 356 is popularly known as the imposition of '**President's Rule**' in a state.
- ② **Further, the President either suspends or dissolves the state legislative assembly.** Dissolution of the State Legislative Assembly would have meant that all the seats of the legislative assembly would have been vacated and fresh elections must be held at a later date. The Parliament passes the state legislative bills and the state budget. The President's Rule does not lead to dissolution of local bodies. **Hence, the correct answer is 1 and 3 only.**

**SOURCE :** Laxmikanth Ch-16 Emergency Provisions

#### Elimination strategy

- Under president's rule, the president (through Governor) acts as executive. Hence it is necessary to dismiss the state executive which is the council of ministers. Thus option 2 can be eliminated.



# Year 2018



## President's Rule

**Q2. If the President of India exercises his power as provided under Article 356 of the Constitution of a particular State, then**

- (a) the Assembly of the State is automatically dissolved.
- (b) the powers of the Legislature of that State shall be exercisable by or under the authority of the Parliament.
- (c) Article 19 is suspended in that State.
- (d) the President can make laws relating to that State.

**ANSWER B**

### Explanation

- ④ The President acquires the following extraordinary powers when the President's Rule is imposed in a state:
- ④ 1. He can take up the functions of the state government and powers vested in the governor or any other executive authority in the state.
- ④ 2. He can declare that the powers of the state legislature are to be exercised by the Parliament.
- ④ 3. He can take all other necessary steps including the suspension of the constitutional provisions relating to any body or authority in the state.
- ④ The state governor, on behalf of the President, carries on the state administration with the help of the chief secretary of the state or the advisors appointed by the President. Further, the President either suspends or dissolves the state legislative assembly. The Parliament passes the state legislative bills and the state budget. Article 356 has no effect on any of the fundamental rights. **Hence, option (b) is the correct answer.**

**SOURCE : Laxmikanth Ch-16 Emergency Provisions**

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## Executive- Total No. of Questions- 8

**6**  
Questions  
Union Executive

**1**  
Questions  
State Executive

**1**  
Questions  
Permanent Executive

### Year 2018



#### Union executive

##### **Q1. With reference to the election of the President of India, consider the following statements:**

1. The value of the vote of each MLA varies from State to State.
2. The value of the vote of MPs of the Lok Sabha is more than the value of the vote of MPs of the 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

#### ANSWER A

#### Explanation

→ The President is elected not directly by the people but by members of electoral college consisting of:

1. the elected members of both the Houses of Parliament;
2. the elected members of the legislative assemblies of the states; and
3. the elected members of the legislative assemblies of the Union Territories of Delhi and Puducherry.

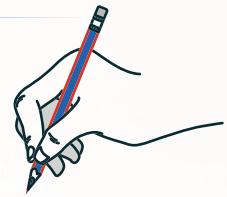
→ Value of the vote is determined in the following manner:

1. Every elected member of the legislative assembly of a state shall have as many votes as there are multiples of one thousand in the quotient obtained by dividing the population of the state by the total number of the elected members of the assembly. (Hence, it varies according to population of state.)
2. Every elected member of either House of Parliament shall have such number of votes as may be obtained by dividing the total number of votes assigned to members of the legislative assemblies of the states by the total number of the elected members of both the Houses of Parliament. **Hence, option (a) is the correct answer.**

**SOURCE :** Indian polity by M Laxmikanth, Chapter- President

## STUDENTS NOTE

- Election of President is a repeated theme asked by UPSC.



## Year 2023

① Consider the following statements in respect of election to the President of India:

1. The members nominated to either House of the Parliament or the Legislative Assemblies of States are also eligible to be included in the Electoral College.
2. Higher the number of elective Assembly seats, higher is the value of vote of each MLA of that State.
3. The value of vote of each MLA of Madhya Pradesh is greater than that of Kerala.
4. The value of vote of each MLA of Puducherry is higher than that of Arunachal Pradesh because the ratio of total population to total number of elective seats in Puducherry is greater as compared to Arunachal Pradesh.

② How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) All four



## State Executive

**Q2. Consider the following statements:**

1. No criminal proceedings shall be instituted against the Governor of a State in any court during his term of office.
2. The emoluments and allowances of the Governor of a State shall not be diminished during his term of office.

Which of the statements given above is/are correct?

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

## ANSWER C

### Explanation

- ① Like the President, the governor is also entitled to a number of privileges and immunities. According to Article 361 the Governor is immune from any criminal proceedings, even in respect of his personal acts during his term of office. **Hence, statement 1 is correct.**
- ② The Governor is entitled to such emoluments, allowances and privileges as may be determined by Parliament. His emoluments and allowances cannot be diminished during his term of office. **Hence, statement 2 is correct.**

**SOURCE : Indian polity by M Laxmikanth, Chapter- Governor**

## Year 2020



### Permanent Executive

**Q3. In the context of India, which one of the following is the characteristic appropriate for bureaucracy?**

- (a) An agency for widening the scope of parliamentary democracy
- (b) An agency for strengthening the structure of federalism
- (c) An agency for facilitating political stability and economic growth
- (d) An Agency for the implementation of public policy

**ANSWER D**

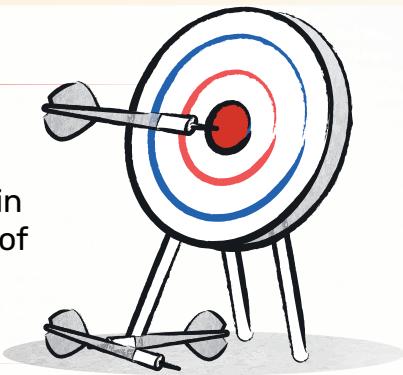
### Explanation

- While the heads of government and their ministers, saddled with the overall responsibility of government policy, are together known as the political executive having a shorter term of office (In India, it is generally for 5 years); those responsible for the day to day administration are called the permanent executive, i.e. the Bureaucracy. **Hence option (d) is the correct answer.**

**SOURCE : NCERT: Indian Constitution At Work; Ch 4: Executive**

### Elimination strategy

- Bureaucracy may exist in Presidential form of government and in Unitary System. Thus it may not be seen as widening the scope of parliamentary democracy nor strengthening the structure of federation.



## Year 2021



### Union executive

**Q4. With reference to the Union Government, consider the following statements:**

1. N. Gopalswamy Iyenger Committee suggested that a minister and a secretary be designated solely for pursuing the subject of administrative reform and promoting it.
2. In 1970, the Department of Personnel was constituted on the recommendation of the Administrative Reforms Commission, 1966, and this was placed under the Prime Minister's charge.

Which of the statements given above is/are correct?

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

**ANSWER B****Explanation**

- ④ First Administrative reforms committee suggested that a minister and a secretary be designated solely for pursuing the subject of administrative reform and promoting it. **Hence statement 1 is not correct.**
- ④ In 1970, the Department of Personnel was constituted on the recommendation of the Administrative Reforms Commission, 1966, and this was placed under the charge of Cabinet Secretariat. In 1985, it was placed under the overall charge of the Prime Minister assisted by a Minister of State and the Cabinet Secretariat functions directly under the Prime Minister. **Hence statement 2 is correct.**

**SOURCE :** ARC reports and Ministry of personnel website

## Year 2022



### Union Executive

**Q5. Consider the following statements :**

1. The Constitution of India classifies the ministers into four ranks viz. Cabinet Minister, Minister of State with Independent Charge, Minister of State and Deputy Minister.
2. The total number of ministers in the Union Government, including the Prime Minister, shall not exceed 15 percent of the total number of members in the Lok 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

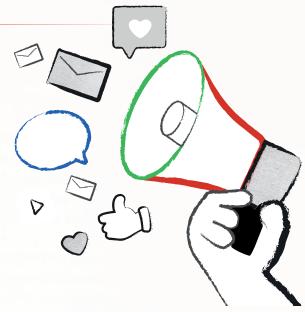
**ANSWER B****Explanation**

- ④ **Statement 1 is not correct:** The Council of Ministers is a constitutional body. Article 74 of the Constitution provides that there shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President who shall, in the exercise of his functions, act in accordance with such advice. However, its classification is not mentioned in the Constitution. The classification of the central council of ministers into a three-tier body (Cabinet Ministers, Ministers of State, and Deputy Ministers) is based on British parliamentary conventions.
- ④ **Statement 2 is correct:** The 91st Amendment, 2003 to the Constitution introduced Article 75(1A), which states that the Union Council of Ministers cannot exceed more than 15 percent of the number of MPs in the Lok Sabha.

**SOURCE :** Laxmikanth Indian Polity

## Additional Information

- Article 74: A Council of Ministers, led by the Prime Minister, will assist and advise the President in the performance of his duties. The word cabinet appears only once in our Indian constitution, in Article 352.



### Union Executive

#### Q6. Consider the following statements :

- Attorney General of India and Solicitor General of India are the only officers of the Government who are allowed to participate in the meetings of the Parliament of India.
- According to the Constitution of India, the Attorney General of India submits his resignation when the Government which appointed him resigns.

Which of the statements given above is/are correct ?

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

### ANSWER D

### Explanation

- Statement 1 is not correct:** Article 76 of the constitution provides for the office of Attorney General of India and he is the highest law officer in the country. The Solicitor General of India assists Attorney General to fulfil his official duties and responsibilities. In the performance of his official duties, the Attorney General (AG) has the right of audience in all courts in the territory of India. Further, he has the right to speak and to take part in the proceedings of both the Houses of Parliament or their joint sitting and any committee of the Parliament of which he may be named a member, but without a right to vote. He enjoys all the privileges and immunities that are available to a member of Parliament. The Solicitor General of India is not allowed to participate in the meetings of the Parliament.
- Statement 2 is not correct:** The term of office of the AG is not fixed by the Constitution. Further, the Constitution does not contain the procedure and grounds for his removal. He holds office during the pleasure of the president. This means that he may be removed by the president at any time. He may also quit his office by submitting his resignation to the president. Conventionally, he resigns when the government (council of ministers) resigns or is replaced, as he is appointed on its advice.

### SOURCE : Laxmikanth Indian Polity

# Year 2023



## Union Executive

### Q7. Consider the following statements:

1. If the election of the President of India is declared void by the Supreme Court of India, all acts done by him/her in the performance of duties of his/her office of President before the date of decision become invalid.
2. Election for the post of the President of India can be postponed on the ground that some Legislative Assemblies have been dissolved and elections are yet to take place.
3. When a Bill is presented to the President of India, the Constitution prescribes time limits within which he/she has to declare his/her assent.

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

### ANSWER D

### Explanation

- ① As per Article 71(2), if the election of a person as President or Vice President is declared void by the Supreme court, acts done by him in the exercise and performance of the powers and duties of the office of President or Vice President, as the case may be, on or before the date of the decision of the Supreme Court shall not be invalidated by reason of that declaration. **Hence statement 1 is not correct.**
- ② As per Article 71(4), the election of a person as President or Vice President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him. Thus, postponement is not an option. **Hence statement 2 is not correct.**
- ③ As regards the Indian President, the Constitution does not prescribe any time-limit within which he has to take the decision with respect to a bill presented to him for his assent. **Hence statement 3 is not correct.**

**SOURCE : Laxmikanth Indian Polity**



## Union Executive

### Q8. Consider the following statements in respect of election to the President of India:

1. The members nominated to either House of the Parliament or the Legislative Assemblies of States are also eligible to be included in the Electoral College.
2. Higher the number of elective Assembly seats, higher is the value of vote of each MLA of that State.
3. The value of vote of each MLA of Madhya Pradesh is greater than that of Kerala.
4. The value of vote of each MLA of Puducherry is higher than that of Arunachal Pradesh because the ratio of total population to total number of elective seats in Puducherry is greater as compared to Arunachal Pradesh.

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) All four

## ANSWER A

### Explanation

- ④ **Statement 1 is not correct:** The President is elected not directly by the people but by members of electoral college consisting of:
1. the elected members of both the Houses of Parliament;
  2. the elected members of the legislative assemblies of the states (MLAs); and
  3. the elected members of the legislative assemblies of the Union Territories of Delhi and Puducherry. The nominated MPs and MLAs are not included in the electoral college.
- ④ **Statement 2 is not correct:** Every elected member of the legislative assembly of a state shall have as many votes as there are multiples of one thousand in the quotient obtained by dividing the population of the state by the total number of the elected members of the assembly. This can be expressed as: Value of the vote of an MLA of a state = Total population of the state/(1000 x total number of elected members in the state legislative assembly). From the equation, it is clear that higher the number of seats in the legislative assembly, lower the value of the vote of an MLA of that state (as the number of seats forms the denominator)
- ④ The Constitution (Eighty-fourth) Amendment Act, 2001 provides that until the relevant population figures for the first census to be taken after the year 2026 have been published, the population of the States for the purposes of calculation of value of votes for the Presidential Election shall mean the population as ascertained at the 1971-census. On the basis of the above formula, the value of a vote of an MLA is given for the following states and union territories:
1. Madhya Pradesh - 131
  2. Kerala - 152
  3. Arunachal Pradesh - 8
  4. Puducherry - 16. **Hence statement 3 is not correct and statement 4 is correct.**

**SOURCE :** Laxmikanth Indian Polity

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## State Legislature- Total No. of Questions: 2

2

Questions

State Legislative Assembly

### Year 2018



*State Legislative Assembly*

**Q1. Consider the following statements:**

1. The Speaker of the Legislative Assembly shall vacate his/her office if he/she ceases to be a member of the assembly.
2. Whenever the Legislative Assembly is dissolved, the Speaker shall vacate his/her office immediately.

Which of the statements given above is/are correct?

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

### ANSWER A

#### Explanation

- Usually, the Speaker remains in office during the life of the assembly. However, he vacates his office earlier in any of the following three cases:
1. if he ceases to be a member of the assembly;
  2. if he resigns by writing to the deputy speaker; and
  3. if he is removed by a resolution passed by a majority of all the then members of the assembly. Such a resolution can be moved only after giving 14 days advance notice.

→ Hence, statement 1 is correct.

Article 179 of the Indian Constitution provides that whenever the Assembly is dissolved, the Speaker shall not vacate his office until immediately before the first meeting of the Assembly after the dissolution.

→ Hence, statement 2 is not correct.

**SOURCE :** Indian polity by M Laxmikanth, Chapter- State Legislature

## Year 2019



### State Legislative Assembly

**Q2. With reference to the Legislative Assembly of a State in India, consider the following statements:**

1. The Governor makes a customary address to Members of the House at the commencement of the first session of the year.
2. When a State Legislature does not have a rule on a particular matter, it follows the Lok Sabha rule on that matter.

Which of the statements given above is/are correct?

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

**ANSWER C**

### Explanation

① **Article 176(1)** of the Constitution of India enjoins that the Governor shall Address both the Houses assembled together at the commencement of the first Session after each general election to the Assembly and at the commencement of the first session of each year and inform the Legislature of the causes of its Summons. The Address of the Governor contains a review of the activities and Achievements of the Government during the previous year and their policy with regard to important internal problems as well as a brief account of the programme of Government Business for the session. **Hence Statement 1 is the correct.**

② **Article 208 of The Constitution Of India (Rules of procedure)**

- (1) A House of the Legislature of a State may make rules for regulating subject to the provisions of this Constitution, its procedure and the conduct of its business.
- (2) Until rules are made under clause ( 1), the rules of procedure and standing orders in force immediately before the commencement of this Constitution with respect to the Legislature for the corresponding Province shall have effect in relation to the Legislature of the State subject to such modifications and adaptations as may be made therein by the Speaker of the Legislative Assembly, or the Chairman of the Legislative Council, as the case may be.
- (3) In a State having a Legislative Council the Governor, after consultation with the Speaker of the Legislative Assembly and the Chairman of the legislative Council, may make rules as to the procedure with respect to communications between the two Houses.
- When the state legislature does not have any rule on a particular subject, it follows the rule of the Lok Sabha on that subject. **Hence statement 2 is correct.**

**SOURCE :** <https://indiankanoon.org/doc/695063/>  
<https://aplegislature.org/web/aplegislature/governors-address>

## Local Government -Total No. of Questions: 2

**1**  
Questions

Scheduled  
Areas

**1**  
Questions

Local self  
government

### Year 2017



*Local self government*

#### Q1. Local self-government can be best explained as an exercise in

- (a) Federalism
- (b) Democratic decentralization
- (c) Administrative delegation
- (d) Direct democracy

**ANSWER B**

#### Explanation

- ① In January 1957, the Government of India appointed a committee to examine the working of the Community Development Programme (1952) and the National Extension Service (1953) and to suggest measures for their better working. The chairman of this committee was Balwant Rai G Mehta. The committee submitted its report in November 1957 and recommended the **establishment of the scheme of 'democratic decentralisation'**, which ultimately came to be known as Panchayati Raj. **Hence option (b) is the correct answer.**
- ② Through the 73rd and 74th constitutional amendment decentralization of powers was given a practical form in India.

**SOURCE :** Laxmikanth Ch-Panchayati Raj

### Year 2023



*Scheduled Areas*

#### Q2. With reference to 'Scheduled Areas' in India, consider the following statements:

1. Within a State, the notification of an area as Scheduled Area takes place through an Order of the President.
2. The largest administrative unit forming the Scheduled Area is the District and the lowest is the cluster of villages in the Block.
3. The Chief Ministers of the concerned States are required to submit annual reports to the Union Home Ministry on the administration of Scheduled Areas in the States.

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

**ANSWER B****Explanation**

- ④ **Statement 1 is correct:** As per the Indian Constitution (Part C of the Fifth Schedule), the expression Scheduled Areas means such areas as the President may by order declare to be Scheduled Areas.
- ④ **Statement 2 is correct:** The largest administrative unit forming the scheduled areas has been the district and the lowest the cluster of villages in the block.
- ④ **Statement 3 is not correct:** The governor of the state has a special responsibility regarding such scheduled areas. He has to submit a report to the president regarding the administration of such areas, annually or whenever so required by the president.
- ④ **Hence option (b) is the correct answer.**

**SOURCE :** Laxmikanth

<https://www.epw.in/journal/2019/44/alternative-standpoint/governors-and-fifth-schedule.html>

**Centre-State Relations- Total No. of Questions: 1****Year 2019****Centre-State relations**

**Q1. Which one of the following suggested that the Governor should be an eminent person from outside the State and should be a detached figure without intense political links or should not have taken part in politics in the recent past?**

- (a) First Administrative Reforms Commission (1966)
- (b) Rajamannar Committee (1969)
- (c) Sarkaria Commission (1983)
- (d) National Commission to Review the Working of the Constitution (2000)

**ANSWER C****Explanation**

- ④ **Sarkaria Commission Report (1988)**

**Recommendation on appointment of Governor:**

1. Governor should be an eminent person and not belong to the state where he is to be posted.
2. State chief minister should have a say in the appointment of governor
3. Governor should be a detached figure without intense political links or should not have taken part in politics in recent past.
4. Governor should not be a member of the ruling party.

### Recommendation on removal of Governor:

- Governors must not be removed before completion of their five year tenure, except in rare and compelling circumstances
- On appointment of Chief Minister during a hung assembly:
- Leader of the majority party or parties,
- Should seek the vote of confidence in the assembly within 30 days of his appointment as the CM.
- As long as the council of ministry possess a majority in the assembly the governor cannot use his discretionary powers

**SOURCE :** Laxmikant: Indian Polity

## Amendment of the Constitution- Total No. of Questions: 3



Questions

Amendability of  
Constitution



Questions

Constitutional  
amendments

## Year 2019



### Amendability of Constitution

#### Q1. With reference to the Constitution of India, consider the following statements:

1. No High Court shall have the jurisdiction to declare any central law to be constitutionally invalid.
2. An amendment to the Constitution of India cannot be called into question by the Supreme Court of India.

Which of the statements given above is/are correct?

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

**ANSWER D**

### Explanation

#### → 42nd Constitutional Amendment Act,1976:

- Inserted new article 228A.- After article 228 of the Constitution,Special provisions as to disposal of questions relating to constitutional validity of State laws.-(1) No High Court shall have jurisdiction to declare any Central law to be constitutionally invalid. However, the **43rd** Amendment Act of 1977 restored the original position. **Hence statement 1 is not correct.**

- In the Kesavananda Bharati case (1973), Supreme Court laid down a new doctrine of the 'basic structure' (or 'basic features') of the Constitution. It ruled that the constituent power of Parliament under Article 368 can amend the constitution Under Article but Such amendments Should not does not enable it to alter the 'basic structure' of the Constitution anything that ultravires the constitution is cut down by the highest judiciary including the Constitutional amendment. **Hence statement 2 is not correct.**

**SOURCE :** Laxmikant: Indian Polity



## Amendability of the Constitution

### Q2. Consider the following statements:

- The 44th Amendment to the Constitution of India introduced an Article placing the election of the Prime Minister beyond judicial review.
- The Supreme Court of India struck down the 99th Amendment to the Constitution of India as being violative of the independence of judiciary.

Which of the statements given above is/are correct?

- 1 only
- 2 only
- Both 1 and 2
- Neither 1 nor 2

### ANSWER B

#### Explanation

- The Parliament passed the Thirty-ninth amendment to the Constitution which removed the authority of the Supreme Court to adjudicate petitions regarding elections of the President, Vice President, Prime Minister and Speaker of the Lok Sabha. Instead, a body constituted by Parliament would be vested with the power to resolve such election disputes.
- Amendments were also made to the Representation of Peoples Acts of 1951 and 1974 and placed in the Ninth Schedule along with the Election Laws Amendment Act, 1975. **Hence statement 1 is not correct.**
- The National Judicial Appointments Commission (NJAC) was a body tasked with appointing judges to the higher judiciary in India. Article 124 of the Constitution was amended through the 99th Amendment to reflect the change in the system of appointments from the collegium system, in which a body of judges would be consulted by the President to appoint the judges, with the judiciary's opinion being final. The composition of the NJAC includes as the Chief Justice of India, the two senior most judges of the Supreme Court, the Law Minister and two "eminent persons". A sub-committee was further constituted to appoint the "eminent persons". The composition of the sub-committee includes the Prime Minister, the Chief Justice, and the Leader of the Opposition.
- The composition of the NJAC, therefore, presents a problem it allows excessive executive interference in the appointment of judges. More specifically, the term "eminent persons" has not been defined with clarity, leaving a lot to the discretion of the executive. Therefore, it was natural for the judiciary to fear the abuse of such discretion by the executive, resulting in political appointments to the Supreme Court and the High Courts. Petitions were filed before the Supreme Court to strike down the 99th Amendment as being unconstitutional. The Court reasoned that the 99th Amendment was unconstitutional. In arriving at this conclusion, the Court evaluated the theory of separation of powers and held that the interference of the executive in the appointment of judges to the higher judiciary was a violation of the theory. **Hence statement 2 is correct.**

**SOURCE :** <http://constitutionnet.org/v1/item/basic-structure-indian-constitution>  
<https://www.livelaw.in/njac-unconstitutional-constitution-bench-41-2/>

## Year 2023



### Constitutional amendments

**Q3. In India, which one of the following Constitutional Amendments was widely believed to be enacted to overcome the judicial interpretations of the Fundamental Rights?**

- (a) 1st Amendment
- (b) 42nd Amendment
- (c) 44th Amendment
- (d) 86th Amendment

**ANSWER A**

### Explanation

- There have been several cases in which supremacy of the Fundamental Rights (FR) have been questioned vis-a-vis other constitutional provisions e.g. the Directive Principles of State Policy (DPSP).
- During the initial fifteen months of the working of the Constitution, certain difficulties were brought to light by judicial decisions and pronouncements specially in regard to the chapter on fundamental rights.
- The citizen's right to freedom of speech and expression guaranteed by article 19(1)(a) was held by some courts to be so comprehensive as not to render a person culpable even if he advocates murder and other crimes of violence. The main objects of this First Amendment Act, 1951 was, accordingly to amend article 19 for the purposes indicated above.
- The Constitution (First Amendment) Act, 1951, enacted in 1951, made several changes to the Fundamental Rights provisions of the Indian constitution. It provided means to restrict freedom of speech and expression, validation of zamindari abolition laws, and clarified that the right to equality does not bar the enactment of laws which provide "special consideration" for weaker sections of society. **Hence option (a) is the correct answer.**
- The 43rd and 44th amendment Acts were believed to be enacted to undo many changes introduced in the Constitution by the 42nd Amendment Act (1976). They did not aim at overcoming the judicial interpretations of the Fundamental Rights.

#### Laxmikanth Indian Polity

**SOURCE :** <https://www.india.gov.in/my-government/constitution-in-dia/amendments/constitution-india-first-amendment-act-1951>

## Evolution and making of the Constitution-

### Total No. of Questions: 2 questions



Questions

Enactment and Enforcement  
of the Constitution

## Year 2021



*Enactment and Enforcement of the Constitution*

**Q1. What was the exact constitutional status of India on 26th January, 1950?**

- (a) A democratic Republic
- (b) A Sovereign Democratic Republic
- (c) A Sovereign Secular Democratic Republic
- (d) A Sovereign Socialist Secular Democratic Republic

**ANSWER B**

### Explanation

- ④ As the original preamble, during 26th January-1950, constitutional status of India was a "**Sovereign Democratic Republic.**" Later, with 42nd Constitutional Amendment two more words were added to constitutional status of India, i.e., "**Socialist and Secular.**"
- ④ **Hence, option (b) is the correct answer.**

**SOURCE :** Polity: M. LakshmiKanth and Vision IAS material

# Year 2023



## Enactment and Enforcement of the Constitution

### Q2. Consider the following statements in respect of the Constitution Day:

Statement-I

The Constitution Day is celebrated on 26th November every year to promote constitutional values among citizens

Statement-II

On 26th November, 1949, the Constituent Assembly of India set up a Drafting Committee under the Chairmanship of Dr. B. R. Ambedkar to prepare a Draft Constitution of India.

Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct but Statement-II is incorrect
- (d) Statement-I is incorrect but Statement-II is correct

**ANSWER C**

### Explanation

- ① Constitution Day also known as 'Samvidhan Divas', is celebrated in our country on 26th November every year to commemorate the adoption of the Constitution of India. The Ministry of Social Justice and Empowerment on 19th November 2015 notified the decision of Government of India to celebrate the 26th day of November every year as 'Constitution Day' to promote Constitution values among citizens. **Hence statement 1 is correct.**
- ② Among all the committees of the Constituent Assembly, the most important committee was the Drafting Committee set up on August 29, 1947. It was this committee that was entrusted with the task of preparing a draft of the new Constitution. On 26th November, 1949, the Constitution was adopted. **Hence statement 2 is not correct.**
- ③ Hence option (c) is the correct answer.

Laxmikanth

SOURCE : <https://www.mygov.in/campaigns/constitution-day/#:-:text=Constitution%20Day%20also%20known%20as,effect%20from%2026th%20January%201950.>

## Constitutional Bodies- Total No. Of Questions: 2

### Year 2017

#### Q1. Consider the following statements:

1. The Election Commission of India is a five-member body.
2. Union Ministry of Home Affairs decides the election schedule for the conduct of both general elections and bye-elections.
3. Election Commission resolves the disputes relating to splits/mergers of recognized political parties.

Which of the statements given above is/are correct?

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

#### ANSWER D

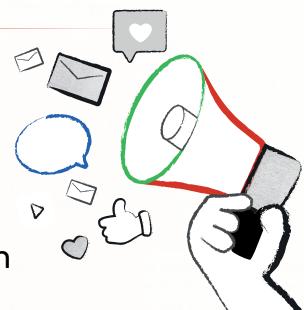
#### Explanation

- ④ Only statement 3 is correct.
- ④ Election Commission of India is a 3 member body and it is the election commission which decides the election schedule for both general elections and bye-elections.
- ④ It is also the function of election commission to resolve the disputes relating to splits/mergers of recognized political parties.

**SOURCE :** Laxmikant - Indian Polity, chapter - "Election Commission"

#### Additional Information

- The Election Symbols (Reservation and Allotment) Order, 1968, lays down the procedure for resolving disputes over party symbols when a recognised political party splits into rival factions. According to Para 15 of this order, the Election Commission (EC) has the authority to decide which faction or group is entitled to use the party symbol, after considering all the facts and circumstances of the case and giving a hearing to the representatives of the factions.



# Year 2023

## Q2. Consider the following organizations/bodies in India:

1. The National Commission for Backward Classes
2. The National Human Rights Commission
3. The National Law Commission
4. The National Consumer Disputes Redressal Commission

How many of the above are constitutional bodies?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

**ANSWER A**

## Explanation

- The National Commission for Backward Classes is a constitutional body. It was established through a Constitution (Amendment) Act, 2018 (also called, 102nd Amendment Act, 2018). This amendment act in the constitution to make it a constitutional body under Article 338B of the Indian Constitution. **Hence option 1 is correct.**
- The National Human Rights Commission: It is a statutory body established under the Protection of Human Rights Act, 1993. **Hence option 2 is not correct.**
- National Law Commission: The Law Commission of India is an executive body whose chief function is legal reforms in the country. **Hence option 3 is not correct.**
- The National Consumer Disputes Redressal Commission: The National Consumer Disputes Redressal Commission was established in 1988 under the Consumer Protection Act of 1986. It is a quasi-judicial body and statutory in nature. **Hence option 4 is not correct.**

**SOURCE :** Laxmikanth  
<http://ncdrc.nic.in/>

## Citizenship- Total No. of Questions: 1

### Year 2021

#### **Q1. With reference to India, consider the following statements :**

1. There is only one citizenship and one domicile.
2. A citizen by birth only can become the Head of State.
3. A foreigner once granted the citizenship cannot be deprived of it under any circumstances.

Which of the statements given above is/are correct?

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

### ANSWER **A**

#### Explanation

- ① In India, we have single citizenship, i.e., a person can have only one citizenship. Also, at a particular time, a person can have only one domicile. **Hence, statement 1 is correct.**
- ② Any citizen (Citizen by birth or Naturalised Citizen) can become the Head of State, i.e., the President, in India. **Hence, statement 2 is not correct.**
- ③ A foreigner once granted the citizenship can be deprived of the citizenship under circumstances like registration is done by fraud, person is disloyal towards constitution, voluntarily acquires citizenship of other country, etc. **Hence, statement 3 is not correct.**

**SOURCE : Laxmikanth Indian Polity-Ch: Citizenship**

## Elections- Total No. of Questions: 3

2

Questions

Election to Lok  
Sabha

1

Questions

RPA, 1951

### Year 2017



*Election to Lok Sabha*

**Q1. For election to the Lok Sabha, a nomination paper can be filed by**

- (a) anyone residing in India.
- (b) a resident of the constituency from which the election is to be contested.
- (c) any citizen of India whose name appears in the electoral roll of a constituency.
- (d) any citizen of India.

**ANSWER C**

### Explanation

① Qualifications for election to Lok Sabha:

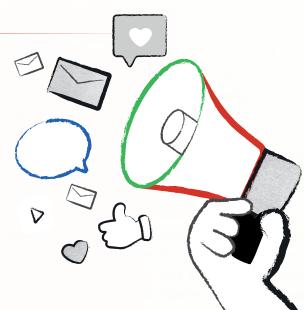
- must be a citizen of India
- not less than 25 years of age
- must be registered as an elector for a parliamentary constituency

② Hence option (c) is the correct answer.

**SOURCE :** Laxmikant - Indian Polity, chapter - "Parliament".

### Additional Information

- ③ The actual process of filing the nomination papers happens as per the Provisions mentioned in the **Representation Of The People Act 1951**





## Election to Lok Sabha

### Q2. Consider the following statements:

1. In the election for Lok Sabha or State Assembly, the winning candidate must get at least 50 percent of the votes polled, to be declared elected.
2. According to the provisions laid down in the Constitution of India, in Lok Sabha, the Speaker's post goes to the majority party and the Deputy Speaker's to the Opposition.

Which of the statements given above is/are correct?

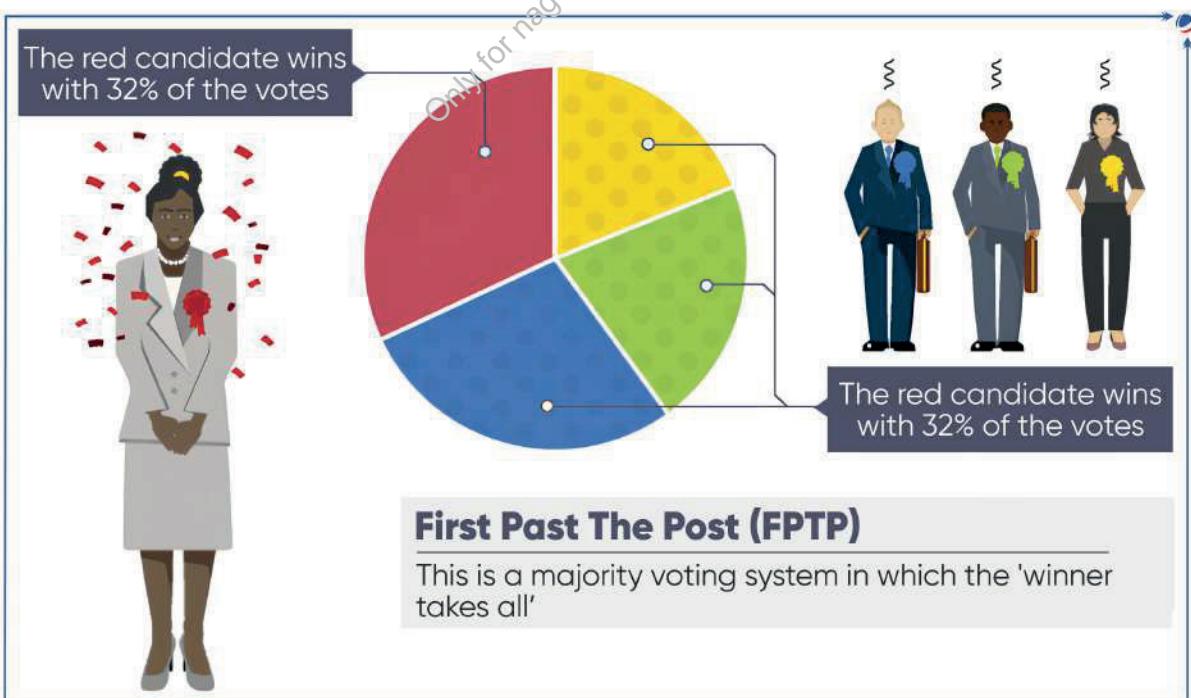
- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

### ANSWER D

#### Explanation

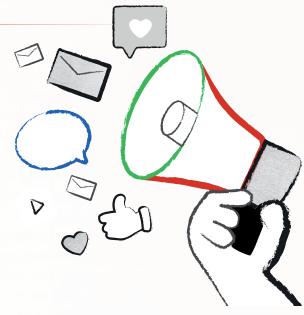
- ① **Statement 1 is not correct.** In elections for lok sabha and state assembly, the **First Past The Post System** is followed where a candidate who polls more votes than any other candidate is elected. First Past The Post System has no minimum number/percentage of votes that must be secured by the winner.
- ② **Statement 2 is not correct.** As per the constitution, the speaker and deputy speaker in lok sabha are elected among its members.
- ③ The largest party in the Lok Sabha usually gets the Speaker post due to its majority. The post of Deputy Speaker is usually given to the opposition party, but practice is due to convention, and has no legal or statutory backing.

**SOURCE :** Laxmikant - Indian Polity, chapter - "Parliament".



## Additional Information

- Even if the **None Of The Above (NOTA)** option gets the most votes, the candidate with the second largest number of votes will be declared winner.



## Year 2020



RPA, 1951

### Q3. Consider the following statements:

- According to the Constitution of India a person who is eligible to vote can be made a minister in a State for six months even if he/she is not a member of the Legislature of that State
- According to the Representation of People Act, 1951, a person convicted of a criminal offence and sentenced to imprisonment for five years is permanently disqualified from contesting an election even after his release from prison

Which of the statements given above is/are correct?

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

### ANSWER D

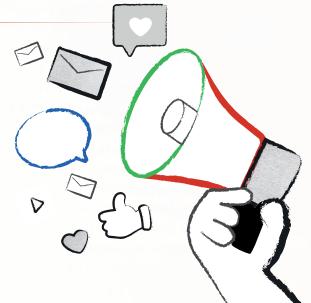
#### Explanation

- ④ Constitution does not mention eligibility as a condition to be made a minister in a State.  
Qualifications a person should possess to become eligible for appointment as a minister are:
- ④ He should be a citizen of India.
  - ④ He should be above 25 years of age
  - ④ He should not hold any office of profit under the government of India
  - ④ If he is not a member of Parliament, then he should be elected to the Lok Sabha or the Rajya Sabha within six months after his appointment as a minister.
- ④ Section 8 in The Representation of the People Act, 1951: A person convicted of any offence and sentenced to imprisonment for not less than two years [other than any offence referred to in sub-section (1) or sub-section (2)] shall be disqualified from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.

SOURCE : [http://legislative.gov.in/sites/default/files/04\\_representation%20of%20the%20people%20act%2C%201951.pdf](http://legislative.gov.in/sites/default/files/04_representation%20of%20the%20people%20act%2C%201951.pdf)

## Additional Information

- Every citizen who is 18 years old on the qualifying date unless disqualified, is eligible to be enrolled as a voter. While the voting age is 18 years, a person can be an MLA only after 25 years of age.



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## Government scheme/Initiative-

### Total No. of Questions: 11

## Year 2017

**Q1. With reference to 'National Skills Qualification Framework (NSQF)', which of the statements given below is/are correct?**

1. Under NSQF, a learner can acquire the certification for competency only through formal learning.
2. An outcome expected from the implementation of NSQF is the mobility between vocational and general education.

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

**ANSWER** B

### Explanation

- ① The National Skills Qualifications Framework (NSQF) organizes qualifications according to a series of levels of knowledge, skills and aptitude. These levels are defined in terms of learning outcomes which the learner must possess regardless of whether they were acquired through formal, non-formal or informal learning.
- ② It provides for multiple pathways, horizontal as well as vertical, both within vocational education and vocational training and among vocational education, vocational training, general education and technical education, thus linking one level of learning to another higher level. **Hence statement 1 is not correct and statement 2 is correct.**

<http://www.thehindu.com/features/education/Bridge-the-skills-gap/article14556912.ece>

**SOURCE :** <http://pib.nic.in/newsite/printrelease.aspx?relid=157637>  
<http://www.nsda.gov.in/nsqf.html>

**Q2. Consider the following in respect of 'National Career Services':**

1. National Career Service is an initiative of the Department of Personnel and Training, Government of India.
2. National Career Service has been launched in a Mission Mode to improve the employment opportunities to uneducated youth of the country.

Which of the above statements is/are correct?

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

**ANSWER D**

**Explanation**

- ① National Career Service (NCS) project is an initiative launched by the Ministry of Labour and Employment (India) Government of India as a Mission Mode Project for establishing quick and efficient career related services. **Hence statement 1 is not correct.**
- ② Its purpose is to provide a variety of employment-related services, such as career counseling, vocational guidance, and information on skill development courses, to job seekers and employers in the country. It aims to improve the employment opportunities for all job seekers, not just the uneducated youth. **Hence statement 2 is not correct.**

**SOURCE :** <http://pib.nic.in/newsite/PrintRelease.aspx?relid=154499> <https://www.ncs.gov.in/Pages/default.aspx> <http://dget.nic.in/content/students/national-career-service.php>

**Q3. What is the purpose of 'Vidyanjali Yojana'?**

1. To enable the famous foreign educational institutions to open their campuses in India.
2. To increase the quality of education provided in government schools by taking help from the private sector and the community.
3. To encourage voluntary monetary contributions from private individuals and organizations so as to improve the infrastructure facilities for primary and secondary schools.

Select the correct answer using the code given below:

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

**ANSWER A**

## Explanation

- The Ministry of HRD has launched the Vidyanjali scheme aimed at boosting the education system by delivering volunteer teachers to government schools.
- It will not replace the regular and professionally qualified teachers in the government schools. The volunteer's responsibility is towards overall development of the child, not academics. The volunteer service will be used in developing skills like public speaking, creative writing, counseling, music and dance. **Hence option (a) is the correct answer.**

**SOURCE :** <http://pib.nic.in/newsite/PrintRelease.aspx?relid=146273> <http://www.thehindu.com/news/cities/Vijayawada/Vidyanjali-launched/article14427857.ece>

### Q4. What is the aim of the programme 'Unnat Bharat Abhiyan'?

- (a) Achieving 100% literacy by promoting collaboration between voluntary organizations and government's education system and local communities.
- (b) Connecting institutions of higher education with local communities to address development challenges through appropriate technologies.
- (c) Strengthening India's scientific research institutions in order to make India a scientific and technological power.
- (d) Developing human capital by allocating special funds for health care and education of rural and urban poor, and organizing skill development programmes and vocational training for them.

## ANSWER B

## Explanation

- With a view to uplift rural India, the Unnat Bharat Abhiyan programme is launched in collaboration with the Indian Institutes of Technology (IIT) and the National Institutes of Technology (NITs) across the country. The programme aims to connect institutions of higher education, including Indian Institutes of Technology (IITs), National Institutes of Technology (NITs) and Indian Institutes of Science Education & Research (IISERs) etc. with local communities to address the development challenges through appropriate technologies. **Hence option (b) is the correct answer.**

**SOURCE :** <http://www.thehindu.com/news/cities/Thiruvananthapuram/this-bureaucrat-also-heals/article17413890.ece>  
<http://pib.nic.in/newsite/PrintRelease.aspx?relid=160790>

### Q5. 'Recognition of Prior Learning Scheme' is sometimes mentioned in the news with reference to

- (a) Certifying the skills acquire by construction workers through traditional channels.
- (b) Enrolling the persons in Universities for distance learning programmes.
- (c) Reserving some skilled jobs to rural and urban poor in some public sector undertakings.
- (d) Certifying the skills acquired by trainees under the National Skill Development Programme.

## ANSWER A

## Explanation

④ The Recognition of Prior Learning (RPL) is an assessment of the skills acquired by the individual through experience, observation and self-learning. The assessment, which is followed by a certification, gives an edge to an otherwise informal worker.

It provides the employee with the confidence, social recognition and empowerment that are necessary to negotiate his future employment. Following successful assessment, a candidate is given a financial reward, in addition to certification. **Hence option (a) is the correct answer.**

**SOURCE :** <http://www.thehindu.com/education/careers/Massive-in-scale-and-innovative-in-approach/article17287913.ece>

### Q6. Which of the following are the objectives of 'National Nutrition Mission'?

1. To create awareness relating to malnutrition among pregnant women and lactating mothers.
2. To reduce the incidence of anaemia among young children, adolescent girls and women.
3. To promote the consumption of millets, coarse cereals and unpolished rice.
4. To promote the consumption of poultry eggs.

Select the correct answer using the code given below:

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

## ANSWER A

## Explanation

④ There are two components of the National Nutrition Mission as follows:

1. Information, Education and Communication (IEC) Campaign against malnutrition

### 2. Multi-sectoral Nutrition Programme

The key objectives of these programmes are as under:

- **To create awareness relating to malnutrition amongst pregnant women, lactating mothers,** promote healthy lactating practices and importance of balanced nutrition;
- To improve maternal and child under-nutrition in 200 high burdened districts and to prevent and reduce the under-nutrition prevalent among children below 3 years;
- **To reduce incidence of anaemia among young children, adolescent girls and women.**

④ Hence option (a) is the correct answer.

**SOURCE :** <http://pib.nic.in/newsite/PrintRelease.aspx?relid=103192> <http://timesofindia.indiatimes.com/India/Nutrition-Mission-gets-new-boost/articleshow/51248078.cms>

## Year 2018

### Q7. Consider the following statements:

1. The Food Safety and Standards Act, 2006 replaced the Prevention of Food Adulteration Act, 1954.
2. The Food Safety and Standards Authority of India (FSSAI) is under the charge of Director General of Health Services in the Union Ministry of Health and Family Welfare.

Which of the statements given above is/are correct?

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

**ANSWER A**

### Explanation

- ① **Statement 1 is correct:** Various central Acts like Prevention of Food Adulteration Act, 1954, Fruit Products Order, 1955, Meat Food Products Order, 1973, Vegetable Oil Products (Control) Order, 1947, Edible Oils Packaging (Regulation) Order 1988, Solvent Extracted Oil, De-Oiled Meal and Edible Flour (Control) Order, 1967, Milk and Milk Products Order, 1992 etc were repealed after commencement of FSS Act, 2006.
- ② **Statement 2 is not correct:** Ministry of Health & Family Welfare, Government of India is the Administrative Ministry for the implementation of FSSAI. The Chairperson and Chief Executive Officer of Food Safety and Standards Authority of India (FSSAI) have already been appointed by Government of India.
- ③ Before the formation of FSSAI, from 1954 onwards Prevention of Food Adulteration was part of Directorate General of Health Services. **After having detached from the direct administrative control of the Health Ministry, this authority is holding independent authority and has attained special status.**

<https://www.thehindubusinessline.com/economy/policy/fs-sai-launches-logo-for-organic-food-products/article9949389.ece>

**SOURCE :** <http://www.fssai.gov.in/home/about-us/introduction.html> <http://caindia.org/food-safe/abtFssai.html>

**Q8. With reference to Pradhan Mantri Kaushal Vikas Yojana, consider the following statements:**

1. It is the flagship scheme of the Ministry of Labor and Employment.
2. It, among other things, will also impart training in soft skills, entrepreneurship, financial and digital literacy.
3. It aims to align the competencies of the unregulated workforce of the country to the National Skill Qualification Framework.

Which of the statements given above is/are correct?

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

**ANSWER C**

**Explanation**

- ① Pradhan Mantri Kaushal Vikas Yojana (PMKVY) is the flagship scheme of the **Ministry of Skill Development & Entrepreneurship (MSDE)**. The Short Term Training imparted at PMKVY Training Centres (TCs) is expected to benefit candidates of Indian nationality who are either school/college dropouts or unemployed. **Hence statement 1 is not correct.**
- ② Apart from providing training according to the National Skills Qualification Framework (NSQF), TCs shall also impart training in Soft Skills, Entrepreneurship, Financial and Digital Literacy. **Hence statement 2 is correct.**
- ③ Individuals with prior learning experience or skills shall be assessed and certified under the Recognition of Prior Learning (RPL) component of the Scheme. **RPL aims to align the competencies of the unregulated workforce of the country to the NSQF. Hence statement 3 is correct.**

**SOURCE :** [http://pmkvyofficial.org/faq.php?cat\\_id=46](http://pmkvyofficial.org/faq.php?cat_id=46)

## Year 2019

**Q9. Consider the following statements about Particularly Vulnerable Tribal Groups (PVTGs) in India:**

1. PVTGs reside in 18 States and one Union Territory.
2. A stagnant or declining population is one of the criteria for determining PVTG status.
3. There are 95 PVTGs officially notified in the country so far.
4. Irular and Konda Reddi tribes are included in the list of PVTGs.

Which of the statements given above are correct?

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

**ANSWER C**

## Explanation

- ④ 75 tribal groups have been categorized by Ministry of Home Affairs as Particularly Vulnerable Tribal Groups (PVTGs). PVTGs reside in 18 States and UT of A&N Islands. Particularly Vulnerable Tribal Groups (PVTGs) are centrally recognized special category from among the Scheduled Tribe. **Hence statement 1 is correct and statement 3 is not correct.**
- ④ Such groups were identified by one or more of the following features: Existence of pre-agricultural practices, Practice of hunting and gathering, **Zero or negative population growth and relatively low level of literacy as compared to other tribal groups.** Konda reddy of Khammam district of Telangana and Irular of Tamil Nadu are in the list of PVTGs. **Hence statement 2 and 4 are correct.**



### Additional Information:

- ④ It was constituted during the 4th five year plan on the basis of the report of the Dhebar commission (1960-61).

SOURCE : <https://tribal.nic.in/pvtg.aspx>

## Year 2020

### Q10. With reference to the funds under Members of Parliament Local Area Development Scheme (MPLADS), which of the following statements are correct?

1. MPLADS funds must be used to create durable sets like physical infrastructure for health, education, etc
2. A specified portion of each MP fund must benefit SC/ST populations
3. MPLADS funds are sanctioned on yearly basis and the unused funds cannot be carried forward to the next year.
4. The district authority must inspect at least 10% of all work under implementation every year.

Select the correct answer using the code given below.

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

## ANSWER D

## Explanation

- ④ **Statement 1 is correct:** Members of Parliament Local Area Development Scheme is for development works and creation of durable community assets. The emphasis is on creation of durable community assets based on locally felt needs in the arenas of roads, electricity, drinking water, health and education etc. The recommendations of the works are made by the Members of Parliament for the betterment of the community. These works are executed by District Authorities in accordance with the respective State Government's financial, technical and administrative rules.
- ④ The scheme was announced in 1993. Initially the MPLADS was under the control of the Ministry of Rural Development. The MPLAD Scheme was transferred to the Ministry of Statistics and Programme Implementation in October 1994.

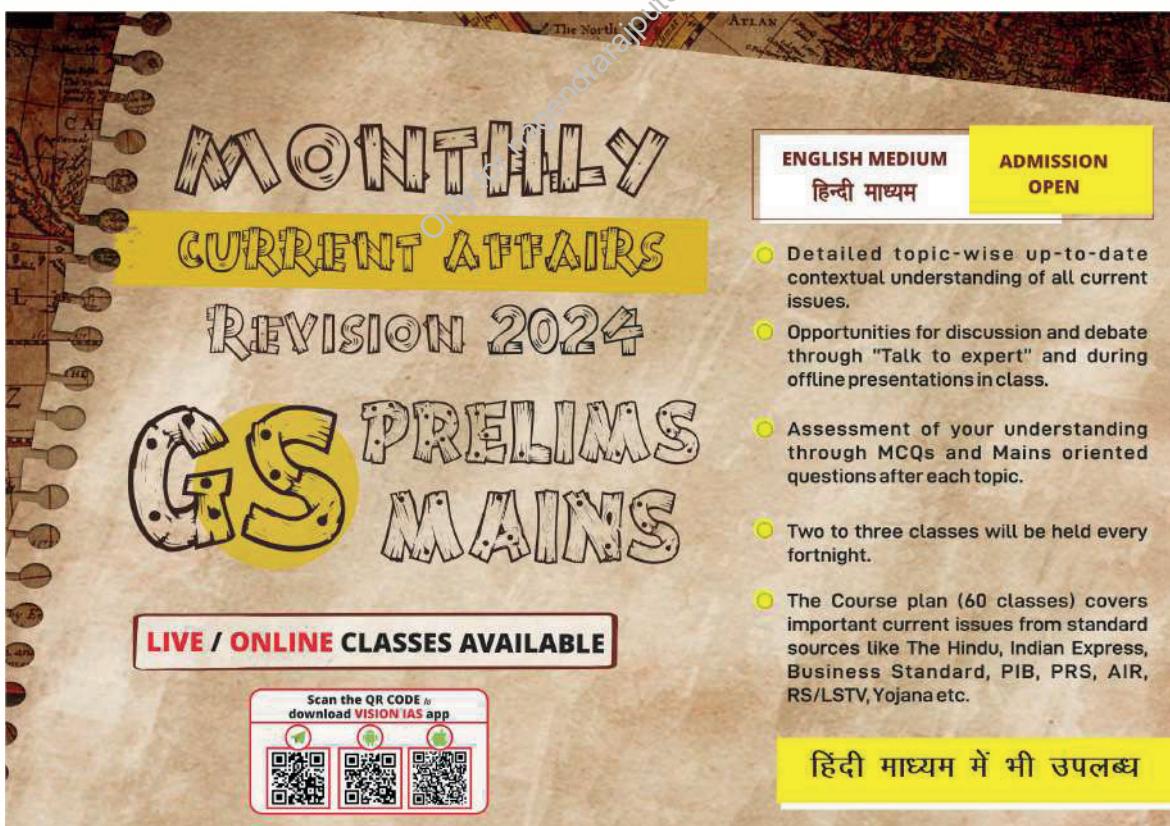
- ④ The annual MPLADS fund entitlement per MP constituency is Rs. 5 crores. Lok Sabha Members can recommend works within their Constituencies. Elected Members of Rajya Sabha can recommend works within the State of Election. Nominated Members of both the Rajya Sabha and Lok Sabha can recommend works anywhere in the country.
  - ④ **Statement 2 is correct:** M.Ps are to recommend every year, works costing at least 15 per cent of the MPLADS entitlement for the year for areas inhabited by Scheduled Caste population and 7.5 per cent for areas inhabited by S.T. population. In other words, out of an amount of Rs.5 crores, a M.P. shall recommend for areas inhabited by S.C. population, Rs.75 lacs and Rs.37.5 lacs for areas inhabited by S.T. population.
  - ④ In case there is insufficient tribal population in the area of Lok Sabha Member, they may recommend this amount for the creation of community assets in tribal areas outside of their constituency but within their State of election. In case a State does not have S.T. inhabited areas, this amount may be utilized in S.C. inhabited areas and vice-versa.
  - ④ It shall be the responsibility of the district authority to enforce the provision of the guideline. In order to facilitate implementation of this guideline, it will be responsibility of the district authority keeping in view the extant provisions of State and Central Government's to declare areas eligible for utilization for funds meant for the benefit of SC & ST population.
  - ④ **Statement 3 is not correct:** An important aspect of the MPLAD Scheme is that funds released under this scheme are non-lapsable i.e. if the money is not utilised, it gets carried to the next year.
  - ④ Statement 4 is correct: The District Authority would be responsible for overall coordination and supervision of the works under the scheme at the district level and inspect at least 10% of the works under implementation every year.

[https://mplads.gov.in/MPLADS/UploadedFiles/MPLADSGuidelines2016English\\_638.pdf](https://mplads.gov.in/MPLADS/UploadedFiles/MPLADSGuidelines2016English_638.pdf)

<https://economictimes.indiatimes.com/news/politics-and-na->

<https://economictimes.indiatimes.com/news/politics-and-nation/high-court-seeks-info-from-centre-on-release-utilisation-of-funds-under-mplads/article>

**SOURCE :** cleshow/77593993.cms <https://www.thehindu.com/opinion/editorial/for-better-use-the-hindu-editorial-on-mplads-funds/article31293067.ece> <https://www.indiatoday.in/elections/lok-sabha-2019/story/lok-sabha-mps-report-card-mplad-funds-unspent-amount-1487490-2019-03-29>



## Year 2022

### Q11. With reference to Ayushman Bharat Digital Mission, consider the following statements :

1. Private and public hospitals must adopt it.
2. As it aims to achieve universal health coverage, every citizen of India should be part of it ultimately.
3. It has seamless portability across the country.

Which of the statements given above is/are correct ?

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

### ANSWER B

### Explanation

- ① The Union Cabinet, chaired by Prime Minister Shri Narendra Modi has approved the national roll-out of **Central Sector Scheme, Ayushman Bharat Digital Mission (ABDM) of Ministry of Health and Family Welfare**, Government of India, with a budget of Rs.1,600 crore for five years. **The National Health Authority (NHA) will be the implementing agency of Ayushman Bharat Digital Mission (ABDM)**.
- ② **Statement 1 is not correct:** Participation in ABDM is voluntary including for citizens. Participation of a healthcare facility or an institution is also voluntary and shall be taken by the respective management (**government or private management**). However, once the management decides to register the respective healthcare facility/institution in ABDM, it is essential for all the healthcare professionals serving the said facility/institution to register in Healthcare Professionals Registry so that the institution can become fully integrated with the National Digital Health Ecosystem (NDHE).
- ③ **Statement 2 is not correct and statement 3 is correct:** Ayushman Bharat Digital Mission will connect the digital health solutions of hospitals across the country with each other. Based on the foundations laid down in the form of Jan Dhan, Aadhaar and Mobile (JAM) trinity and other digital initiatives of the government, **Ayushman Bharat Digital Mission (ABDM) is creating a seamless online platform** through the provision of a wide-range of data, information and infrastructure services, duly leveraging open, interoperable, standards-based digital systems while ensuring the security, confidentiality and privacy of health-related personal information.
- ④ **Under the ABDM, citizens will be able to create their ABHA (Ayushman Bharat Health Account) numbers, to which their digital health records can be linked.** This will enable creation of longitudinal health records for individuals across various healthcare providers, and improve clinical decision making by healthcare providers. The mission will improve equitable access to quality healthcare by encouraging use of technologies such as telemedicine and enabling national portability of health services.

**SOURCE :** <https://ndhm.gov.in/faq>

## Governance- Total No. of Questions: 22

**6**  
Questions  
Acts

**16**  
Questions  
Miscellaneous

### Year 2017



**Q1. With reference to the 'Prohibition of Benami Property Transaction Act, 1988 (PBPT Act)', consider the following statements:**

1. A property transaction is not treated as a benami transaction if the owner of the property is not aware of the transaction.
2. Properties held benami are liable for confiscation by the Government.
3. The Act provides for three authorities for investigations but does not provide for any appellate mechanism.

Which of the statements given above is/are correct?

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

**ANSWER B**

### Explanation

④ Salient features of Prohibition of Benami Property Transaction Act, 1988 (PBPT Act)-

- The PBPT Act defines benami transactions, prohibits them and further provides that violation of the PBPT Act is punishable with imprisonment and fine. The PBPT Act prohibits recovery of the property held benami from benamidar by the real owner.
- The definition of a benami transaction has been widened to include a transaction made in a fictitious name; where the owner is not aware or denies knowledge of the ownership of the property or the person providing the consideration for the property is not traceable. **Hence statement 1 is not correct.**
- Properties held benami are liable for confiscation by the Government without payment of compensation. **Hence statement 2 is correct.**
- An appellate mechanism has been provided under the PBPT Act in the form of Adjudicating Authority and Appellate Tribunal. **Hence statement 3 is not correct.**

**SOURCE :** [https://www.business-standard.com/article/economy-polity/ls-okays-changes-to-benami-property-law-116072701533\\_1.html](https://www.business-standard.com/article/economy-polity/ls-okays-changes-to-benami-property-law-116072701533_1.html)

# Year 2018

## Q2. Consider the following statements:

1. Aadhaar card can be used as a proof of citizenship or domicile.
2. Once issued, Aadhaar number cannot be deactivated or omitted by the Issuing Authority.

Which of the statements given above is/are correct?

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

**ANSWER D**

## Explanation

- ① **Statement 1 is not correct:** The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016 says that the number can't be used as proof of citizenship or domicile.
- ② **Statement 2 is not correct:** The Aadhaar Act regulations, state that an individual's Aadhaar number may be "omitted" permanently or deactivated temporarily by the Unique Identification Authority of India, the agency responsible for issuing the numbers and managing the database. The regulations give the Authority the power to deactivate Aadhaar numbers even in the absence of an effective grievance redressal procedure for those whose numbers have been suspended.

<http://www.thehindu.com/news/national/aadhaar-bill-introduced-in-lok-sabha/article8309741.ece>

<http://www.thehindu.com/news/national/around-81-lakh-aadhaar-deactivated-till-date-govt/article19475097.ece>

**SOURCE :** <http://www.thehindu.com/news/national/web-site-launched-for-govt-map-download-but-aadhaar-mandatory/article17908003.ece>

## Q3. "Rule of Law Index" is released by which of the following?

- (a) Amnesty International
- (b) International Court of Justice
- (c) The Office of UN Commissioner for Human Rights
- (d) World Justice Report

**ANSWER D**

## Explanation

- ① The World Justice Project Rule of Law Index measures how the rule of law is experienced and perceived by the general public across the globe. It is the world's leading source for original, independent data on the rule of law. **Hence option (d) is the correct answer.**

<http://www.thehindu.com/todays-paper/tp-opinion/against-human-rights/article22885113.ece>

**SOURCE :** <http://www.thehindu.com/todays-paper/tp-opinion/against-human-rights/article22885113.ece>

**Vision IAS February, 2018 Current Affairs Page no: 88**



## Acts

### Q4. Consider the following statements:

1. As per the Right to Education (RTE) Act, to be eligible for appointment as a teacher in a State, a person would be required to possess the minimum qualification laid down by the concerned State Council of Teacher Education.
2. As per the RTE Act, for teaching primary classes, a candidate is required to pass a Teacher Eligibility Test conducted in accordance with the National Council of Teacher Education guidelines.
3. In India, more than 90% of teacher education institutions are directly under the State Governments.

Which of the statements given above is/are correct?

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

### ANSWER **B**

### Explanation

- ① **Statement 1 is not correct:** In accordance with the provisions of sub-section (1) of section 23 of the Right of Children to Free and Compulsory Education (RTE) Act, 2009, the National Council for Teacher Education (NCTE) has laid down the minimum qualifications for a person to be eligible for appointment as a teacher in class I to VIII, vide its Notification dated August 23, 2010.
- ② **Statement 2 is correct:** One of the essential qualifications for a person to be eligible for appointment as a teacher in any of the primary schools is that he/she should pass the Teacher Eligibility Test (TET) which will be conducted by the appropriate Government.
- ③ **Statement 3 is not correct:** From the mid-1960s to 1993, the number of TEIs in India went up from about 1,200 to about 1,500. After the NCTE was set up, the number of TEIs exploded, to about 16,000 (over 90% private) by 2011.

**SOURCE :** [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/upload\\_document/RTE\\_TET.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/upload_document/RTE_TET.pdf)



## Acts

### Q5. With reference to the provisions made under the National Food Security Act, 2013, consider the following statements:

1. The families coming under the category of 'below poverty line (BPL)' only are eligible to receive subsidies food grains.
2. The eldest woman in a household, of age 18 years or above, shall be the head of the household for the purpose of issuance of a ration card.
3. Pregnant women and lactating mothers are entitled to a 'take-home ration' of 1600 calories per day during pregnancy and for six months thereafter.

Which of the statements given above is/are correct?

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

### ANSWER **B**

## Explanation

- ④ **Statement 1 is not correct:** The Act provides for coverage of upto 75% of the rural population and upto 50% of the urban population for receiving subsidized foodgrains under Targeted Public Distribution System (TPDS), thus covering about two-thirds of the population.
- ④ **Statement 2 is correct:** It provides that eldest woman of the household of age 18 years or above is to be the head of the household for the purpose of issuing of ration cards.
- ④ **Statement 3 is not correct:** Provision for Pregnant Women and Lactating Mothers in the form of food supplement of 600 (not 1600)calories of energy and 18-20 gms of Protein per day in the form of Micronutrient Fortified Food and/or energy dense food as Take Home Ration. Besides meal to pregnant women and lactating mothers during pregnancy and six months after the child birth, such women will also be entitled to receive maternity benefit of not less than Rs. 6,000.

**SOURCE :** <http://dfpd.nic.in/nfsa-act.htm>  
<http://pib.nic.in/newsite/PrintRelease.aspx?relid=102057>

## Year 2019

**Q6. In the context of any country, which one of the following would be considered as part of its social capital?**

- (a) The proportion of literates in the population
- (b) The stock of its buildings, other infrastructure and machines
- (c) The size of population in the working age group
- (d) The level of mutual trust and harmony in the society

## ANSWER D

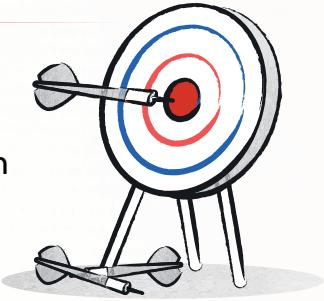
## Explanation

- ④ **Social capital is a sociological concept that refers to the intangible relational assets that emerge from social interactions. These assets are generated through give and take and activate the “norm of reciprocity,” creating social obligations that connect and bind people and groups. The more social capital is used, the greater the benefits.**
- ④ The concept of social capital is composed of three distinct but interrelated structural, emotional and behavioral components. They are, respectively, networks, trust and collaborative cultural norms.
- ④ In every society, some people have a greater share of valued resources – money, property, education, health, and power – than others. These social resources can be divided into three forms of capital – economic capital in the form of material assets and income; cultural capital such as educational qualifications and status; and social capital in the form of networks of contacts and social associations (Bourdieu 1986). Often, these three forms of capital overlap and one can be converted into the other.
- ④ For example, a person from a well-off family (economic capital) can afford expensive higher education, and so can acquire cultural or educational capital. Someone with influential relatives and friends (social capital) may – through access to good advice, recommendations or information – manage to get a well-paid job.

SOURCE : NCERT Class XII Sociology: Chapter 5 – Patterns of Social Inequality and Exclusion

## Elimination strategy

- Options (a) and (c) may be considered as human capital, whereas option (b) is the physical capital. Hence option (d) is the social capital.



### Acts

#### Q7. Which of the following statements is/are correct regarding the Maternity Benefit Amendment Act, 2017?

- Pregnant women are entitled for three months pre-delivery and three months post-delivery paid leave.
- Enterprises with creches must allow the mother minimum six creche visits daily.
- Women with two children get reduced entitlements.

Select the correct answer using the code given below.

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

### ANSWER C

### Explanation

#### Maternity Benefit (Amendment) Act, 2017

- It provides for full paid absence from work for a period of 26 weeks (earlier 12 weeks) to take care of the child. **Hence statement 1 is not correct.**
- The Act is applicable to all establishments employing 10 or more women.
- For women who are expecting after having 2 children, the duration of paid maternity leave shall be 12 weeks. **Hence statement 3 is correct.**
- Maternity leave of 12 weeks to be available to mothers adopting a child below the age of three months from the date of adoption as well as to the “commissioning mothers”.
- The Act makes it mandatory for employers to educate women about the maternity benefits available to them at the time of their appointment.
- Any establishment which has 50 or more employees shall have the facility of creche. **Hence statement 2 is not correct.**

SOURCE : <https://labour.gov.in/sites/default/files/Maternity%20Benefit%20Amendment%20Act%202017%20.pdf> <https://www.thehindu.com/news/national/maternity-leave-govt-for-incentive-scheme/article25520440.ece>

# Year 2020

## Q8. One common agreement between Gandhism and Marxism is

- (a) the final goal of a stateless society
- (b) class struggle
- (c) abolition of private property
- (d) economic determinism

**ANSWER A**

## Explanation

### ④ The similarity and dissimilarity between Gandhism and Marxism are as under:

**(1) Conception of Ideal State:** While the final aim of both of them was the establishment of a stateless and classless society, their means for achieving this aim are different. Mahatma Gandhi wanted to achieve this end through non-violent means but Marx wanted to achieve it through violent means. **Hence option (a) is the correct answer.**

**(2) Capitalism:** Though both Mahatma Gandhi and Karl Marx were opposed to capitalism and exploitation, yet they propagated different means. Gandhi wanted to remove capitalism not by violent means but through economic decentralization, by encouraging cottage industries, and by making the capitalist trustees. Karl Marx had no faith in economic decentralisation. He wanted to remove the government through revolution in order to destroy capitalism's root and branch.

**(3) Spiritualism vs. Materialism:** Mahatma Gandhi was decisively a spiritualist. In every aspect of his life there was a deep impact of religion. He did not attach any importance to materialism and luxuries of life. He said that man should have minimum needs. He did not attach any importance to politics devoid of religion.

Karl Marx considered religion as opium for the workers, because in his view religion made man a fatalist and it did not allow discontentment to arise in the workers against capitalism. Marx did not believe in God. He was a materialist and he gave materialistic and economic interpretation of history, in which he stressed the importance of economic factors.

**(4) Ends and Means:** Mahatma Gandhi was not in favour of using violent means for achieving a good end. Therefore, he adopted non-violent means for the achievement of India's freedom. Marxists do not believe in non-violence. They believe that capitalism cannot be abolished through parliamentary means and socialist revolution is not possible without the use of violence.

**(5) Class War:** Marxists have a deep faith in class struggle. Marx said that there had been two classes in each country since the very beginning. One class was of the exploiters and the other of the exploited. Today the capitalists are the exploiters and the workers are the exploited. According to Marx, there can never be compromise between the two and there would be a continuous conflict between the two. Mahatma Gandhi said that class-struggle brought ruin to the country and it made the production of goods fall considerably. All propertied persons were not bad. There was an urgent need to change their minds. So, called for a trusteeship model i.e. capitalists should become the trustees of the country's wealth.

**(6) Investment of Capital:** With regard to the investment of capital the views of Marx and Gandhiji are different. Marxists say that there should be socialisation of the means of production and are not ready to allow private ownership on land. Mahatma Gandhi allows the investment of private capital but not exploitation through it. He wants to make the capitalists trustees of the national wealth. Gandhi is also in favour of co-operative farming, while the Marxists are in favour of collective farming, in which there is a great control of the state.

**(7) Democracy vs. Dictatorship:** Gandhiji had a firm faith in democracy, but he considered the Western democracy as incomplete. He said that there should be decentralisation of power. The Panchayats in the village should be given more powers and the villages should be given complete autonomy. He was the supporter of welfare state and hated dictatorship or autocracy. The Marxists believe in the Dictatorship of the proletariat. They want to give maximum powers to the workers. In the transitory period the Marxists want to give more powers to the state. In the name of the working class, these powers have been utilised by the Communist Party in the U.S.S.R., China and Communist countries of Eastern Europe. The state has established its control over all the aspects of the individual's life and democracy has been slain.

**SOURCE :** <https://shodhganga.inflibnet.ac.in/bitstream/10603/89197/6/06chapter%202.pdf>  
<https://www.politicalsciencenotes.com/articles/similarity-dis-similarity-gandhism-marxism/402>

#### **Q9. Consider the following statements:**

1. Aadhaar metadata cannot be stored for more than three months.
2. State cannot enter into any contract with private corporations for sharing of Aadhaar data.
3. Aadhaar is mandatory for obtaining insurance products.
4. Aadhaar is mandatory for getting benefits funded out of the Consolidated Fund of India.

Which of the statements given above is/are correct?

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

**ANSWER** B

#### **Explanation**

- ① Metadata or meta base is a set of data that describes and gives information about other data. "Authentication records are not to be kept beyond a period of six months, as stipulated in Regulation 27(1) of the Authentication Regulations. As per SC Judgement, retaining authentication data of citizens who have enrolled for Aadhaar beyond six months was "impermissible. **Hence statement 1 is not correct.**
- ② Supreme Court has struck down the Section 57 of the Aadhaar Act which allowed sharing of data with private entities. The judgement means that private bodies like telecom companies, e-commerce firms cannot ask for biometric and other data from consumers for their services. **Hence statement 2 is correct.**
- ③ Insurance regulator IRDAI has advised insurers not to mandatorily seek Aadhaar and PAN/Form 60 from customers, existing or new, for KYC (Know Your Customer) purpose. It, however, allowed insurers to accept Aadhaar card as one of the documents for establishing identity, address of the customer subject to certain conditions that presumably are being stipulated to guard against misuse of the information. The insurers can accept Aadhaar as one of the documents for KYC, only when the same is offered voluntarily by the proposer/policy-holder. **Hence statement 3 is not correct.**
- ④ As per section 7 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, any individual who is desirous of availing any subsidy, benefit or service for which the expenditure is incurred from the Consolidated Fund of India, shall require to furnish proof of possession of Aadhaar number or undergo Aadhaar based authentication. In case the individual does not have Aadhaar, he/she shall make an application for enrolment and the individual shall be offered alternate and viable means of identification for delivery of the subsidy, benefit or service. **Hence statement 4 is correct.**

# THE BIG IMPACT



- 1 Aadhaar-based biometric authentication can't be used by telecom operators, banks, ecommerce firms and other private cos
- 2 The cost of acquiring subscribers could go up for telecom companies, new connections may be delayed
- 3 Fintech startups, which built entire business models around Aadhaar, may be hit as costs and time for enrolment are likely to go up
- 4 Could lead to rise in costs for banks, widen account opening timeline
- 5 Data can't be disclosed by the govt on grounds of national security
- 6 More security measures for protecting data as well as reduced period of data storage to 6 mths
- 7 Individuals, too, can file complaint in case of theft of Aadhaar data
- 8 Court directs govt to ensure illegal migrants are not issued Aadhaar
- 9 Parents' consent needed to enrol children into Aadhaar database



"It is a historic judgement and the whole concept of unique identity number that has been accepted after judicial review is an extremely welcome decision."

Arun Jaitley Finance Minister

**WHERE AADHAAR ISN'T NEEDED** School admissions & for exams such as UGC, NEET and CBSE

**WHERE AADHAAR IS NEEDED** For transfer of subsidies, benefits or services provided by

Linking Aadhaar | with PAN mandatory

For filing Income tax returns

<https://www.financialexpress.com/aadhaar-card/aadhaar-authentication-data-can-t-be-retained-beyond-6-months-says-supreme-court/1328066/>

<https://economictimes.indiatimes.com/news/economy/policy/government-may-bring-legal-backing-for-private-companies-to-use-aadhaar/articleshow/659735>

**SOURCE :** 97.cms

<https://www.thehindu.com/news/cities/Hyderabad/aadhaar-not-mandatory-to-buy-insurance-policy/article26123273.ece>

<https://pib.gov.in/Pressreleaseshare.aspx?PRID=1541274#:~:text=As%20per%20section%207%20of,furnish%20proof%20of%20possession%20of>

**Note:** ➤ Aadhar question was also asked in 2018.

## Year 2018

④ Consider the following statements:

1. Aadhaar card can be used as a proof of citizenship or domicile.
2. Once issued, Aadhaar number cannot be deactivated or omitted by the Issuing Authority.

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

## Year 2021

**Q10. Consider the following statements:**

1. 'Right to the City' is an agreed human right and the UN-Habitat monitors the commitments made by each country in this regard.
2. 'Right to the City' gives every occupant of the city right to reclaim public spaces and public participation in the city.
3. 'Right to the City' means that the State cannot deny any public service or facility to the unauthorized colonies in the city.

Which of the statements given above is/are correct?

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

### ANSWER D

### Explanation

- ④ The term Right to the City has its origin in the writings of French philosopher Henri Lefebvre in his 1968 book *Le Droit à la ville*. **It prioritises collective right over the individual right to urban space.** It gives every inhabitant, and not just the legal citizens, the right to not just occupy a pre-existing urban space but also to produce spaces according to their needs. **Hence statement 2 is correct.**
- ④ The right to the city (RTC) further implies responsibilities on governments and people to claim, defend, and promote this right. This right claims for: the social function of the city; quality public spaces; sustainable and inclusive rural-urban linkages; inclusive economies; inclusive citizenship; enhanced political participation; non-discrimination; gender equality; and cultural diversity. Acknowledging the RTC means that the State can no longer deny shelter or provision of services such as water to those living in unauthorised slums. **Hence statement 3 is correct.**
- ④ RTC was the most contentious issue during the series of negotiations in the run-up to the once-in-twenty-year United Nations housing and sustainable urban development conference. In the run-up to Habitat III, India has opposed the inclusion of the Right to the City in the draft New Urban Agenda that will define the way cities world-wide are shaped over the next two decades. The RTC's deletion from the draft was also a demand put forward by the developed bloc of the USA, Japan and EU countries.

- Countries such as Brazil, which has written the Right to the City into its federal law, Mexico, which has City Charter for the Right to the City as well as Chile, Argentina and Ecuador were the most vociferous supporters of the right. Certain others such as the UAE were in favour of changing the language to "Cities for All" diluting the guarantees that are conferred by the language of a rights-based approach.
- Similarly, civil society groups point out that the resistance from EU countries is a result of the migrant crisis in Europe. EU's official stated position is that RTC is not an agreed human right recognised by international human rights instruments. India's position too was that managing migrants and refugees should be left to the individual nations and should not be dictated by the New Urban Agenda. **Hence statement 1 is not correct.**

**SOURCE :** <https://indianexpress.com/article/india/india-news-india/habitat-iii-and-draft-new-urban-agenda-right-to-city-3010794/>

**Q11. With reference to the history of ancient India, which of the following statements is/are correct?**

1. Mitakshara was the civil law for upper castes and Dayabhaga was the civil law for lower castes.
2. In the Mitakshara system, the sons can claim right to the property during the lifetime of the father, whereas in the Dayabhaga system, it is only after the death of the father that the sons can claim right to the property.
3. The Mitakshara system deals with the matters related to the property held by male members only of a family, whereas the Dayabhaga system deals with the matters related to the property held by both male and female members of a family.

Select the correct answer using the code given below.

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

**ANSWER** B

**Explanation**

- **Statement 1 is not correct:** Both the Two systems of family/civil law, Dayabhaga and Mitakshara are the basic to the upper castes alone - Dayabhaga system prevailed in eastern India and Mitakshara in remaining parts of the country.
- **Statement 2 is correct:** According to the Dayabhaga system, which came to prevail in eastern India, only on the death of the father could the sons claim rights to property and partition the property. In Mitakshara system, the sons could claim this right even during the lifetime of the father.
- **Statement 3 is not correct:** Both the systems deal with the property rights of both of men and women –
- In Mitakshara school property rights of the women were restricted to a great extent; women were believed to never be able to become a coparcener. The widow of a deceased coparcener could not get his share and was not allowed to enforce a partition of his husband's share against his brothers, Dayabhaga school on the other hand was somewhat lenient, a widow has the right to inherit her deceased husband' s share and could enforce a partition against his brothers.

**SOURCE :** <https://www.thehindu.com/news/national/the-hindu-explains-what-is-coparcenary-property-in-hindu-law/article32364484.ece>  
<https://www.tribuneindia.com/news/editorials/equal-rights-for-daughters-125738>

**Q12. Consider the following statements:**

1. 21st February is declared to be the International Mother Language Day by UNICEF.
2. The demand that Bangla has to be one of the national languages was raised in the Constituent Assembly of Pakistan.

Which of the above statements is/are correct?

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

**ANSWER** B

**Explanation**

- ④ **Statement 1 is not correct:** Ekushe February, or simply "Ekushe", which is "The 21st" in Bangla, commemorates the day in 1952 when students of the University of Dhaka launched a nationwide protest against the imposition of Urdu on the people of what was then East Pakistan. In 1999, in recognition of the Bengali people's struggle for their language and culture, UNESCO announced that February 21 would be observed worldwide as International Mother Language Day.
- ④ **Statement 2 is correct:** During the first Constituent Assembly of Pakistan, on 23 February 1948, some of the government officials stated that only Urdu or English could be spoken at the Assembly, excluding Bengali. Dhirendrana Datta, a representative from the East Pakistan Congress Party, requested a motion to include Bengali at the Assembly. The Chief Minister of East Pakistan, West Pakistani leaders, and the Prime Minister Liaquat Ali Khan opposed the motion.

<https://indianexpress.com/article/explained/february-21-world-languages-ekushe-february-international-mothers-language-day-6280226/>

**SOURCE :** <https://www.un.org/en/observances/mother-language-day>  
<https://nvdatabase.swarthmore.edu/content/pakistanis-demand-their-government-recognize-bengali-official-language-1947-1952>

**Q13. With reference to India, consider the following statements:**

1. Judicial custody means an accused is in the custody of the concerned magistrate and such accused is locked up in police station, not in jail.
2. During judicial custody, the policy officer in charge of the case is not allowed to interrogate the suspect without the approval of the court.

Which of the statements given above is/are correct?

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

**ANSWER** B

## Explanation

- ④ Police Custody means that police has the physical custody of the accused while Judicial Custody means an accused is in the custody of the concerned Magistrate. In former, the accused is lodged in police station lockup while in latter, it is the jail. Thus, in judicial custody, the accused is not locked up in police station but in jail. **Hence statement 1 is not correct.**
- ④ During Judicial Custody, the police officer in charge of the case is not allowed to interrogate the suspect. However, the court may allow the interrogations to be conducted if it opines the interrogation being necessary under the facts produced before the court. **Hence statement 2 is correct.**

**SOURCE :** <https://www.thehindu.com/news/national/the-hindu-ex-plains-what-is-coparcenary-property-in-hindu-law/article32364484.ece>  
<https://www.tribuneindia.com/news/editorials/equal-rights-for-daughters-125738>

### Q14. With reference to India, consider the following statements:

1. When a prisoner makes out a sufficient case, parole cannot be denied to such prisoner because it becomes a matter of his/her right.
2. State Governments have their own Prisoners Release on Parole Rules.

Which of the statements given above is/are correct?

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

## ANSWER B

## Explanation

- ④ Parole is a system of releasing a prisoner with suspension of the sentence. The release is conditional, usually subject to behaviour, and requires periodic reporting to the authorities for a set period of time. Parole is considered a reformative process. The provision (along with furlough) was introduced with a view to humanising the prison system. It is not a matter of right. **Hence statement 1 is not correct.**
- ④ In India, parole (as well as furlough) are covered under The Prisons Act of 1894. Prisoners convicted of multiple murders or under the anti-terror Unlawful Activities Prevention Act (UAPA) are not eligible for parole. Since prisons is a State subject in the Constitution, the Prisons Act of each state government defines the rules under which parole is granted in that state. **Hence statement 2 is correct.**

**SOURCE :** <https://indianexpress.com/article/explained/explained-what-are-parole-and-furlough-how-are-they-different-6090508/>

**Additional Information: Difference between parole and furlough:**

- Parole is allowed in case of short term detention while furlough is allowed in case of long term detention.
- Parole is not a right of the prisoner, while furlough is the right of the prisoner.
- Parole lasts for a month, while furlough lasts for a maximum of 14 days.
- Parole requires a specific justification, while the purpose of a furlough is to break the monotony of imprisonment or to have a break.
- Parole can be granted multiple times, while furlough has a limit.

**Q15. Consider the following statements in respect of Bharat Ratna and Padma Awards:**

1. Bharat Ratna and Padma Awards are titles under the Article 18(1) of the Constitution of India.
2. Padma Awards, which were instituted in the year 1954, were suspended only once.
3. The number of Bharat Ratna Awards is restricted to a maximum of five in a particular year.

Which of the above statements are **not** correct?

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

**ANSWER D**

**Explanation**

- **Statement 1 is not correct:** Bharat Ratna, Padma Vibhushan, Padma Bhushan and Padma Shri "do not amount to titles within the meaning of Article 18(1) of the Constitution and thus are not to be used as prefixes or suffixes to the name of the recipient in any manner whatsoever".
- **Statement 2 is not correct:** Padma Awards, which were instituted in the year 1954, are announced every year on the occasion of Republic Day except for brief interruption(s) during the years 1978 and 1979 and 1993 to 1997.
- **Statement 3 is not correct:** Bharat Ratna is the highest civilian award of the country. It is awarded in recognition of exceptional service/performance of the highest order in any field of human endeavour. It is treated on a different footing from Padma Award. The recommendations for Bharat Ratna are made by the Prime Minister to the President of India. No formal recommendations for Bharat Ratna are necessary. **The number of Bharat Ratna Awards is restricted to a maximum of three in a particular year.** Government has conferred Bharat Ratna Award on 45 persons till date.

<https://padmaawards.gov.in/AboutAwards.aspx>

**SOURCE :** [https://www.business-standard.com/article/pti-stories/bharat-ratna-padma-awards-cannot-be-used-as-titles-govt-119021200809\\_1.html](https://www.business-standard.com/article/pti-stories/bharat-ratna-padma-awards-cannot-be-used-as-titles-govt-119021200809_1.html)



## Acts

**Q16. At the national level, which ministry is the nodal agency to ensure effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006?**

- (a) Ministry of Environment, Forest and Climate Change
- (b) Ministry of Panchayati Raj
- (c) Ministry of Rural Development

**ANSWER D**

### Explanation

④ Ministry of Tribal Affairs is the nodal agency at the national level to ensure effective implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. An Act to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded. It provides a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land. **Hence option (d) is the correct answer.**

**SOURCE :** <https://tribal.nic.in/downloads/FRA/FRAActnRulesBook.pdf>

## Year 2022

**Q17. In India, what is the role of the Coal Controller's Organization (CCO)?**

1. CCO is the major source of Coal Statistics in Government of India.
2. It monitors progress of development of Captive Coal/Lignite blocks.
3. It hears any objection to the Government's notification relating to acquisition of coal-bearing areas.
4. It ensures that coal mining companies deliver the coal to end users in the prescribed time.

Select the correct answer using the code given below:

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

**ANSWER A**

## Explanation

④ Coal controller organization (earlier Coal Commissioner), established in 1916, is one of the oldest offices in Indian Coal sector. Main aim behind setting up this office was to have Government control to adequately meet the coal requirement during First World War. Acute scarcity of coal necessitated promulgation of Colliery Control Order, 1944 for effective control on production, distribution and pricing of coal. Subsequently, it was revised by a more comprehensive order in 1945. Later in 1996, distribution and pricing of coal was deregulated. Thereafter, Colliery Control Order, 2000 superseded the previous order. Finally, the Colliery Control Rules, 2004, was published by Government of India in August, 2004.

### ④ Functions of Coal Controller's Organization

#### (i) Under Colliery Control Rules, 2004:

- (a) To lay down procedure and standard for sampling of coal.
- (b) Inspection of collieries so as to ensure the correctness of the class, grade or size of coal.
- (c) To issue directives for the purpose of declaration and maintenance of grades of coal of a seam mined in a colliery.
- (d) To act as the appellate authority in case of dispute between consumers and owner arising out of declaration of grade and size of coal.
- (e) To regulate disposal of stock of coal or the expected output of coal in the colliery.
- (f) Quality surveillance with respect to maintenance of grade, loading of coal in wagons/ trucks according to laid down procedures regarding grades and sizes.
- (g) To grant opening / re-opening permission of coal mine, seam or a section of seam or to subdivide a mine.

#### (ii) Under Collection of Statistics Act, 2008:

- (a) Coal Controller has been made the statistical authority with respect to coal and lignite statistics. Hence statement 1 is correct.
- (b) Entrusted the responsibility of carrying out Annual Coal & Lignite survey and publishing of Provisional Coal Statistics and Coal Directory of India.
- (c) Submission of monthly coal data to different ministries of central and state Govt., national and international organization.
- (d) Collection of Statistics relating to coal washeries.

**(iii) Under Coal Bearing Area (Acquisition and Development) Act, 1957: Coal Controller is the competent authority under this act to hear any objection to the Central Government's Notification relating to acquisition of coal bearing land and to furnish his reports to Central Govt. Hence statement 3 is correct.**

#### (iv) Under Coal Mines (Conservation & Development) Act, 1974 and Coal Mines (Conservation and Development) Amendment Rules, 2011:

- (a) Assessment and collection of excise duty levied on all raw coal raised and dispatched.
- (b) Providing financial support to the coal operators for - Ensuring the conservation of coal resources: Stowing in UG mines. -Undertaking the development of coal mines in a scientific manner. -Undertaking research in relation to conservation of coal, development of coal mines and utilization of coal. -Protective works including blanketing with incombustible material, N<sub>2</sub> & CO<sub>2</sub> flushing, filling up of subsided areas, cutting of trenches etc. -Infrastructure development such as Road / Rail infrastructures in coalfields.

#### (v) Commissioner of Payments

(a) Coal Controller functions as the Commissioner of Payment to settle the claim cases of colliery owners of pre-nationalisation period under the Coking Coal Mines (Nationalisation) act, 1972, the Non-coking Coal Mines (Nationalisation) Act, 1973 and also for the Schedule-I Coal Mines as per the Coal Mines (Special Provision) Act, 2015

**(vi) Others:** Monitoring of Coal & Lignite blocks. **Hence statement 2 is correct.** Monitoring of opening of Escrow account as per approved MCP. In above roles and responsibility, it is not explicitly mentioned that CCO ensures that coal mining companies deliver the coal to end users in the prescribed time. **Hence option (a) is the correct answer.**

**SOURCE :** <http://www.coalcontroller.gov.in/pages/display/5-functionsresponsibilities>  
<https://energy.economictimes.indiatimes.com/news/coal/extended-office-of-coal-controllers-organization-inaugurated/89128579>

**Q18. With reference to the "Tea Board" in India, consider the following statements:**

1. The Tea Board is a statutory body.
2. It is a regulatory body attached to the Minister of Agriculture and Farmers Welfare.
3. The Tea Board's Head Office is situated in Bengaluru.
4. The Board has overseas offices at Dubai and Moscow.

Which of the statements given above are correct?

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

**ANSWER D**

**Explanation**

- ① The genesis of the Tea Board India dates back to 1903 when the Indian Tea Cess Bill was passed. **The present Tea Board set up under section 4 of the Tea Act 1953 was constituted on 1st April 1954.** It has succeeded the Central Tea Board and the Indian Tea Licensing Committee which functioned respectively under the Central Tea Board Act, 1949 and the Indian Tea Control Act, 1938 which were repealed. The activities of the two previous bodies had been confined largely to regulation of tea cultivation and export of tea as required by the International Tea Agreement then in force, and promotion of tea Consumption.
- ② **Statement 1 is correct and statement 2 is not correct:** The present Tea Board is functioning as a statutory body of the Central Government under the Ministry of Commerce. The Board is constituted of 31 members (including Chairman) drawn from Members of Parliament, tea producers, tea traders, tea brokers, consumers, and representatives of Governments from the principal tea producing states, and trade unions. **The Board is reconstituted every three years.**
- ③ **Statement 3 is not correct:** Its head office is located at Kolkata (West Bengal).
- ④ **Statement 4 is correct:** Currently Tea Board has two overseas offices located at Dubai, and Moscow. All these foreign offices of the Board are designed to undertake the various promotional measures to boost up export of Indian tea. These offices also act as a liaison office for interaction between importers of Indian tea of the respective regions as well as Indian Exporters.

**SOURCE :**

<https://economictimes.indiatimes.com/news/economy/policy/commerce-ministry-proposes-repeal-of-decades-old-tea-coffee-spices-rubber-acts/articleshow/89217798.cms>

<https://www.livemint.com/economy/tea-board-of-india-set-for-overhaul-as-exports-falter-11647802870770.html>

### Q19. Consider the following statements:

1. The India Sanitation Coalition is a platform to promote sustainable sanitation and is funded by the Government of India and the World Health Organization.
2. The National Institute of Urban Affairs is an apex body of the Minister of Housing and Urban Affairs in Government of India and provides innovative solutions to address the challenges of Urban India.

Which of the statements given above is/are correct?

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

**ANSWER D**

### Explanation

- ① **Statement 1 is not correct:** The India Sanitation Coalition was launched on June 25, 2015, at FICCI, New Delhi. ISC is a multi-stakeholder platform that brings together the private sector, government, financial institutions, civil society groups, media, donors/bilateral/multilateral, experts etc. to work in the sanitation space to drive sustainable sanitation through a partnership model.
- ② **Statement 2 is not correct:** Established in 1976, the National Institute of Urban Affairs (NIUA), is a premier Institute and appointed as an apex body to support and guide the Government of India in its urban development plans. The Institute is supported by the Ministry of Housing and Urban Affairs, the Government of India, State Governments, urban and regional development authorities, and other agencies concerned with urban issues. It is not the apex body of the Ministry of Housing and Urban Affairs.

**SOURCE :**

<https://www.newindianexpress.com/cities/delhi/2022/feb/23/contest-for-promoting-hand-hygiene-2422771.html>

<http://urbanrivers.niua.org/no de/46>

# Year 2023

## Q20. Consider the following statements:

Statement-I: In India, prisons are managed State Governments with their own rules and regulations for the day-to-day administration of prisons.

Statement-II: In India, prisons are governed by the Prisons Act, 1894 which expressly kept the subject of prisons in the control of Provincial Governments.

Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-1
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-1
- (c) Statement-I is correct but Statement-II is incorrect
- (d) Statement-I is incorrect but Statement-II is correct

**ANSWER A\***

### Explanation

- In India, prisons are governed by the Prisons Act, 1894 which vested the Provincial Governments (now States) the power to make rules on prisons. Also, till date, the management and administration of prisons falls exclusively in the domain of the State Governments, and is governed by the Prisons Act, 1894 and the Prison Manuals of the respective State Governments. **Hence statements 1 and 2 are correct and statement 2 is the correct explanation of statement 1.**
- \*\*For Clarification purposes: there can be few more interpretations to this question.



#### Interpretation 1

- 'Prisons'/'persons detained therein' is a State subject under the seventh schedule (item 4, state list).
- Prisons are governed by the Prisons Act 1894 and the prison manuals of the respective state governments.
- Ministry of Home Affairs also provides regular guidance and advice to States and UTs on various issues concerning prisons and prison inmates. So in India, prisons are managed State Governments with their own rules and regulations for the day-to-day administration of prisons not only by virtue of Prisons Act 1894 but also because of other reasons given above. In this case answer could be B as well. **Both statements 1 and 2 are correct but statement 2 is not the correct explanation of statement 1.**



#### Interpretation 2

- Statement 2 could be wrong because of the use of words "expressly kept the subject". Although the section 59 of the Prisons Act, 1894 vests the power to make rules on prisons to the state governments but it did not place the subject to them. It was the Government of India Act 1935 which resulted in the transfer of the subject of jails from the Central List to the control of Provincial Governments and henceforth reduced the possibility of uniform implementation of a prison policy at the national level. Thus,
- State Governments have their own rules and regulations for the day to day administration of prisons, maintenance of prisoners, and prescribing procedures. So in this case the answer could be C.

[https://www.mha.gov.in/en/divisionofmha/Women\\_Safety\\_Division/prison-reforms  
Laxmikanth](https://www.mha.gov.in/en/divisionofmha/Women_Safety_Division/prison-reforms_Laxmikanth)

**SOURCE :** [https://www.mha.gov.in/sites/default/files/2023-03/Prisons\\_act1894\\_0%5B1%5D%5B1%5D.pdf](https://www.mha.gov.in/sites/default/files/2023-03/Prisons_act1894_0%5B1%5D%5B1%5D.pdf)

**Q21. With reference to Home Guards, consider the following statements :**

1. Home Guards are raised under the Home Guards act and Rules of the Central Government.
2. The role of the Home Guards is to serve as an auxiliary force to the police in maintenance of internal security.
3. To prevent infiltration on the international border /coastal areas, the Border Wing Home Guards Battalions have been raised in some States.

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

**ANSWER B**

**Explanation**

- ④ **Statement 1 is not correct:** Home Guards' is a voluntary force, first raised in India in December 1946, to assist the police in controlling civil disturbance and communal riots. Subsequently, the concept of the voluntary citizen's force was adopted by several States. In the wake of Chinese aggression in 1962, the Centre advised the States and Union Territories to merge their existing voluntary organisation into one uniform voluntary force known as Home Guards. Thus the Central Government does not directly raise Home Guards. They are raised by the state governments under state acts.
- ④ **Statement 2 is correct:** The role of Home Guards is to serve as an auxiliary Force to the Police in maintenance of internal security situations, help the community in any kind of emergency such as an air-raid, fire, cyclone, earthquake, epidemic etc., help in maintenance of essential services, promote communal harmony and assist the administration in protecting weaker sections, participate in socio-economic and welfare activities and perform Civil Defence duties.
- ④ **Statement 3 is correct:** Fifteen Border Wing Home Guards (BWHG) Battalions (Bns.) have been raised in the border States viz. Punjab (6 Bns.), Rajasthan (4 Bns.), Gujarat (2 Bns.) and one each Battalion for Meghalaya, Tripura and West Bengal to serve as an auxiliary to Border Security Force for preventing infiltration on the international border/coastal areas, guarding of VA/VPs and lines of communication in vulnerable area at the time of external aggression.
- ④ **Hence only two statements are correct.**

**SOURCE :** <https://dgfscdhg.gov.in/about-homeguard>



## Acts

**Q22. With reference to India, consider the following pairs:**

Action	The Act under Which it is covered
1. Unauthorized wearing of police or military uniforms :	The Official Secrets Act, 1923
2. Knowingly misleading or otherwise interfering with a police officer or military officer when engaged in their duties :	The Indian Evidence Act, 1872
3. Celebratory gunfire which can endanger the personal safety of others :	The Arms (Amendment) Act, 2019

How many of the above pairs are correctly matched ?

- (a) Only one
- (b) Only two
- (c) All three
- (d) None

## ANSWER B

### Explanation

- ① **Pair 1 is correctly matched:** Section 6 of the Official Secrets Act 1923 clearly states that if any person is found to be unauthorisedly using the police or military uniforms, they will be held guilty of an offence under this section.
- ② **Pair 2 is not correctly matched:** Section 7 of the Official Secrets Act, 1923 clearly states that no person in the vicinity of any prohibited place shall obstruct, knowingly mislead or otherwise interfere with or impede, any police officer, or any member of (the Armed Forces of the Union) engaged on guard, sentry, patrol, or other similar duty in relation to the prohibited place.
- ③ **Pair 3 is correctly matched:** The Arms (Amendment) Act, 2019 says that whoever uses firearm in a rash or negligent manner or in celebratory gunfire so as to endanger human life or personal safety of others shall be punishable with an imprisonment for a term which may extend to two years, or with fine which may extend to rupees one lakh, or with both.
- ④ **Hence only two pairs are correctly matched.**

**SOURCE :** <https://www.indiacode.nic.in/bitstream/123456789/2379/1/A1923-19.pdf>  
[https://www.mha.gov.in/sites/default/files/ActAndRule\\_The%20ArmsAct\\_17122019.Pdf](https://www.mha.gov.in/sites/default/files/ActAndRule_The%20ArmsAct_17122019.Pdf)



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# ETHICS

## PREPARATION APPROACH & STRATEGIES

### Insights from Ethics Answer Scripts of UPSC Toppers



**Ishita Kishore**

**Rank 1, 2022**

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Ishita Kishore, had shown a remarkable proficiency in ethics answer writing as evident in her attempted copies of **Abhyaas** mains test series

- ◆ Her approach, distinctively displays a meticulous **understanding of the question**, implying a deliberate pause to grasp the question's demand before writing.
- ◆ **Structure of her answers**, replete with precise introductions, headings, subheadings, and conclusions, emphasizes the significance of clear outlining for fluid information flow.
- ◆ Ishita's commendable **language** command ensures concise, clear, and error-free answers.
- ◆ Additionally, her unique **introductions** using varied tools like quotes and statistics make a lasting first impression.
- ◆ Her answers stand out for **relevant arguments** substantiated by **fresh and imaginative examples**, showcasing depth and research.
- ◆ Importantly, her **case study** solutions reflect a profound understanding of ethical issues, displaying adeptness in theme identification, strong ethical reasoning, and articulating underlying principles when needed.



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# UPSC TOPPERS



**Abhinav Siwach**

Rank 12, 2022

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Abhinav Siwach, a notable achiever, exhibited unmatched skill in crafting effective answers for the ethics paper.

- His **introductions** consistently **contextualized** questions, often enriching them with references from renowned personalities or pertinent data.
- In the body of his answers, he demonstrated a masterful balance, meticulously weighing multiple facets of a question and focusing on the essence of the context.
- His adeptness in **linking philosophical themes** with modern relevance is commendable.
- Notably, he emphasizes highlighting crucial **virtues**, which enhances the clarity of his responses.
- In **quote-based** questions, he skillfully wove the perspective of the thinker in his introductions and employed a comprehensive stakeholders approach to unravel the core essence of the quotes.
- His **case study** answers shone brightly with clear identification of ethical issues and efficient graphical representations of stakeholders. Throughout his answers, diverse references ranging from religious scriptures to the judiciary added depth, while the clever integration of factual data fortified his stances. His conclusions, often anchored in state institutions, reflected a profound understanding and application of ethical concepts.

**Vidushi Singh**

Rank 13, 2022

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Vidushi Singh, who achieved remarkable success in her maiden attempt, boasts of a deep-rooted understanding of ethical concepts. Her responses in the ethics paper stand as evidence of her clear comprehension and strong reading habits.

- Her writings, characterized by simplicity and **informativeness**, are **well-organized** into sections that directly address the crux of the questions.
- Furthermore, she exhibits an adept ability to present her **arguments** in a **concise** manner, ensuring her sentences are succinct and her paragraphs are uncluttered.
- Whether she chooses to use concise paragraphs or bullet points, her answers always strike a balance, staying within the word limit while underlining crucial keywords.
- Notably, her arguments are often bolstered with apt and **novel examples**, reflecting both her logical prowess and strong moral compass.
- Her approach to **case studies** blends **systematic** analysis with real-world relevance. Her answers, characterized by coherence and brevity, deftly address ethical dilemmas, factoring in stakeholders. Her adept use of examples, paired with her **sound logical and moral reasoning**, offers **practical** and ethically grounded solutions.



**Siddharth Shukla**

Rank 18, 2022

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Siddharth Shukla, with his notable achievement in the exam, demonstrates an impeccable strategy of answer writing in ethics.

- In his introductions, he artfully **defines terms**, setting the stage for detailed exploration.
- Content is enriched with diverse **examples**, current affairs references, and citations from notable reports like OXFAM and ADR, exemplifying his ability to weave contemporary events into an ethical framework.
- Notably, he referred to **personalities** from varied domains, reinforcing his arguments.
- His clarity in **language** ensures that his perspectives are lucidly conveyed.
- His conclusions are uniquely crafted, often intertwining concepts from different general studies papers, displaying his **interdisciplinary approach**.
- Furthermore, in **case studies**, he innovatively integrates current affairs to shed light on **ethical dilemmas**. His actions are rooted in **legislation**, with content often substantiated with historical references, bringing uniqueness to his answers. His **presentation**, whether through tables or flowcharts, aids comprehension, and his conclusions, often referencing thinkers, round off his answers with depth and insight.



**Gamini Singla**

Rank 3, 2021

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Gamini Singla, with her distinguished achievement, epitomizes excellence in answer writing. Her approach truly stands as a master-class in Ethics.

- Her Ethics answer script stands out for her impeccable **structuring** of answers.
- Every response she crafts is marked by **precision in arguments**, ensuring that the content is not only comprehensive but also exceptionally **informative**.
- When addressing **quote-based questions**, Gamini exhibits a keen sensitivity to the speaker's context, seamlessly weaving in relevant interpretations.
- In her approach to **case studies**, she swiftly zeroes in on the core **issues** and the key **stakeholders** right from the introduction. This is followed by a holistic analysis grounded in **sound reasoning**.
- What further accentuates the quality of her answers is her impeccable **language** usage and overall writing prowess, ensuring clarity and minimal errors.

# UPSC TOPPERS



**Aishwarya Verma**  
Rank 4, 2021

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Aishwarya Verma, showcasing an impressive blend of determination and skill, achieved a prestigious position in the examination. His standout performance in Ethics is emblematic of his diligent and astute approach.

- ◆ He demonstrates an acute ability to **objectively understand** the essence of a question, ensuring that his responses are both concise and well-structured.
- ◆ His precision in **arguments** and flawless command over the language are further elevated by his adept **use of illustrations**.
- ◆ Beyond that, his proficiency in delving into the core ideas behind quotes, supplemented by pertinent **examples**, speaks to his comprehensive understanding of the subject.
- ◆ All in all, he epitomizes the harmony of **clarity, structure**, and **in-depth** analysis in answer writing

**Utkarsh Dwivedi**  
Rank 5, 2021

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**Utkarsh Dwivedi**  
Rank 5, 2021

Utkarsh Dwivedi, with his distinguished achievement, exemplifies unparalleled expertise in ethics answer writing. As a diligent student of the **Vision IAS General Studies Classroom Foundation course**, his approach to ethics answers truly sets him apart.

- ◆ His meticulous approach is marked by a clear and **objective** grasp of a question's demand, ensuring **compact** yet **comprehensive** answers.
- ◆ His introductions are both contextually apt and insightful.
- ◆ When confronted with **quote-based questions**, he delves deep into the thinker's intent, unraveling its essence and emphasizing its contemporary relevance.
- ◆ In his **case study** responses, he manifests a keen ability to pinpoint the exact ethical issues, masterfully blending both practical and ethical reasoning. This approach not only signifies depth but also provides a holistic perspective on the issues at hand.



**Diksha Joshi**  
Rank 19, 2021

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Dr. Diksha Joshi, with her notable achievement, is a beacon of excellence in Ethics answer writing.

- ◆ Her answers are a blend of clear **presentation**, logical **argumentation**, and an enriched vocabulary.
- ◆ Diksha's approach, evident in her **structured** point format and apt usage of **examples**, provides depth to her arguments.
- ◆ Her knack for crafting question-specific **introductions**, whether interpretation-based or definition-driven, complements her insightful conclusions.
- ◆ Furthermore, in **case studies**, her expertise shines through with her comprehensive answers, precise pinpointing of ethical issues, and a blend of ethical reasoning with actionable solutions.



**Shubham Kumar**  
Rank 1, 2020

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Shubham, **the 2020 topper** and an IIT Bombay alumnus who pursued research in the US, was drawn to Civil Services due to his experiences and self-reflection. He is a student of **Vision IAS General Studies Classroom Foundation course** and his ethics answer writing is particularly commendable.

- ◆ He leans on **standard definitions**, invoking the stories of prominent personalities for illustrative examples and
- ◆ He employs **effective illustrations** like the pyramid to elucidate ethical codes.
- ◆ His approach to **case studies** is remarkable. He masterfully integrates relevant schemes into social-issue-based scenarios. His analytical skills shine through as he delves into **multi-dimensional solutions**, spanning quick-fixes to long-term strategies. His decision-making is commendable, complemented by his use of diagrams to depict issues, making his answers both comprehensive and visually engaging.

# UPSC TOPPERS



**Ria Dabi**  
Rank 15, 2020

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Ria Dabi's success on her inaugural attempt showcases her diligent preparation and deep grasp of the subject matter.

- ◆ Her answers clearly demonstrate a robust understanding of **concepts**, emphasizing **logical reasoning**.
- ◆ While many candidates often lean on complex jargon, especially in ethics, Ria stands out with her straightforward and **easily comprehensible** writing style.
- ◆ This lucidity in her answers can be attributed to her exceptional command over language, resulting in **precise**, to-the-point **arguments** with relevant **examples**.
- ◆ Another distinguishing feature is her ability to **understand the crux of the questions** accurately, ensuring her answers align perfectly with what's asked, highlighting her sharp comprehension skills.
- ◆ **Underlining** of keywords in her answers script, which not only emphasizes the salient points but also makes her answers more impactful.
- ◆ Furthermore, the legibility of her handwriting enhances the clarity and **presentation** of her work, ensuring easy comprehension for the evaluators and adding to the overall effectiveness of her responses.

**Sarthak Agrawal**  
Rank 17, 2020

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**Sarthak Agrawal**  
Rank 17, 2020

Mr. Sarthak, with an impeccable academic trajectory, stands out as a paragon of excellence and tenacity. Notably, his illustrious journey peaked with his remarkable success in his maiden attempt.

- ◆ Sarthak's Ethics answer scripts, a mirror to his meticulous preparation, reflect the **precision of arguments**, brevity, and judicious use of **relevant examples**.
- ◆ This not only amplifies the clarity of his thoughts but also showcases his **structured approach**.
- ◆ By emphasizing keyword **underlining**, he ensures salient points are discernible, which might be beneficial for evaluators.
- ◆ His **case studies** stand out due to the **introductory variety** and addressing all question components. Furthermore, Sarthak's deliberate focus on analyzing ethical dilemmas underscores his keenness to delve deeper into **multifaceted issues**, a trait that would indeed make him an asset to the Indian Civil Services.



**Divya Mishra**  
Rank 28, 2020

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Divya Mishra, with her notable achievement, became one of the top scorers in the Ethics paper..

- ◆ Her approach to the ethics answers showcases an **in-depth grasp** of the syllabus.
- ◆ Divya exhibits mastery over **foundational concepts**, interlacing her answers with insights from eminent thinkers like Gandhi and Marx, as well as classical philosophers such as Aristotle and Plato.
- ◆ Adding richness to her answers, she draws upon a wide range of references, from **contemporary events to mythological narratives**.
- ◆ What makes her answers even more distinctive is her meticulous presentation style, incorporating tables, pie charts, and delineated sections for thinkers, which enhances both readability and engagement.
- ◆ Her adeptness in **invoking renowned thinkers** not only buttresses her points but also underscores her profound understanding of the subject matter.
- ◆ Wrapping up her responses, in **Case studies**, Divya takes a holistic stance, providing solutions anchored in **ethical frameworks**, making her answers both insightful and **actionable**.



**Vishakha Yadav**  
Rank 6, 2019

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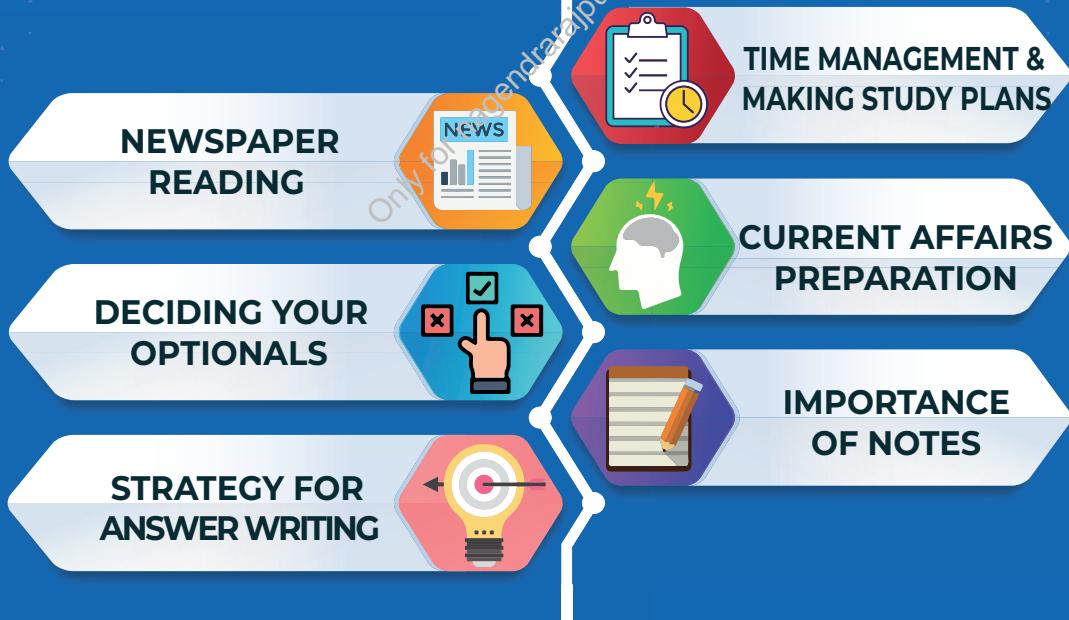
In 2019, Vishakha Yadav outshone others by clinching the top spot in the ethics paper with an impressive score of **162 marks**. Delving into her answer-writing technique, we find:

- ◆ Her approach to Ethics answer writing is a masterclass in blending **deep understanding with simplicity**.
- ◆ Her answers, rooted in robust foundational knowledge and **logical reasoning**, shine with **conceptual clarity** and are articulated with precision, avoiding unnecessary jargon.
- ◆ Her skillful command over **language** and ability to discern the essence of questions set her apart.
- ◆ When navigating **Quote-based questions**, she succinctly captures the **quote's essence** while relating it to **contemporary contexts**. This method not only demonstrates her profound grasp over the subject but also her adeptness in linking historical or philosophical perspectives to modern scenarios.
- ◆ Her approach to **case studies** is characterized by a meticulous introduction for each, ensuring a **diverse opening every time**. She adeptly addresses the various components of the question as required, placing significant emphasis on **analyzing the ethical dilemma** presented.

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